

Kent ISD Regular School Board Meeting

Monday, August 19, 2024 4:00 PM

Grand Room ESC Building, 2930 Knapp Street NE, Grand Rapids, MI 49525

A. Call to Order

B. Welcome Visitors and Roll Call

C. Presentation

C.1. Leading Learning Award

C.2. Communications Presentation

D. Action Items

Consent Grouping: Action items may be approved with one motion unless a board member requests that an item or items be removed for separate action.

D.1. Approval of the minutes from the regular school board meeting.

D.2. Approve the Financial Report allowing bills from July 1, 2024, through July 30, 2024.

D.3. Approve the personnel recommendations and report as presented

D.4. Approve the addition of one Early Childhood Specialist for the Great Start Readiness Program.

D.5. Approve hiring a Play and Learn Parent Educator for the Bright Beginnings program.

D.6. Approve hiring a Data Analyst and Administrative Research Assistant for the Research and Continuous Improvement department.

D.7. Approve hiring one CTE Specialist to support the KCTC Aviation program.

D.8. Approve hiring an Administrative Assistant for the Director of CTE.

D.9. Approve hiring an Adult Education Student Services Specialist.

D.10. Approve the MySchool@Kent course offerings through our content providers, Apex and eDynamic Learning.

D.11. Approve the purchase of furniture for Lincoln School from Custer Office Environments in the amount of \$73,101.79.

D.12. Approve the purchase of furniture for KCTC Teacher Academy from Custer Office Environments in the amount of \$98,252.33.

D.13. Approve the purchase of a Universal Testing Machine from Instron for the KCTC Engineering program in the amount of \$54,975.00.

D.14. Approve the purchase of a Portable Coordinate Measuring Machine from FARO Technologies, Inc. for the KCTC Engineering program in the amount of \$71,080.50.

D.15. Approve the purchase of 40 ipads for center programs students from Apple Inc. in the amount of \$12,960.

D.16. Approve the purchase of 53 laptops and 50 chromebooks as replacement devices for center program staff from Sehi Computing for \$55,388.

E. Approve hiring the Director of Facilities and Operations.

F. Approve hiring a Director of Personnel for the Human Resources Department.

G. Approve the resolution to adopt the revised board policies outlined in the board packet.

H. Public Comment

I. Items from Board Members

J. Superintendent's Report

K. Adjournment

Nominate a Kent ISD staff member for The Leading Learning Award

Anyone is welcome to submit a nomination!

How does it work?

Students, staff, parents/families, visitors and community partners are invited to complete and submit this nomination form to recognize any Kent ISD staff person. There are two distinct categories of the Leading Learning Award as shown below. Most nominations will align to one or the other. It is not necessary to nominate a staff member for both. Regardless of which category is selected, nominees should demonstrate one or more of Kent ISD's organizational values of:

**Relationships – Learning – Equity – Opportunities
Innovation – Service – Excellence**

Name Your Nominee

The person being nominated is: Tawnie Hartzel

School or Department: Transportation

Select an Award Category Going Above and Beyond

Going Above and Beyond – Setting an Example

While small acts of kindness and general support are very important and always appreciated, this recognition is intended for contributions, actions and impact that are truly above and beyond, having a substantial impact on one or more parties.

Being a Leader of Learning

Any Kent ISD staff person is eligible for the Leader of Learning category including instructional, non-instructional, support staff, and administrators, because leadership can and should emerge from every level of an organization.

Being a Leader of Learning is typically not based on a single event or contribution, but is instead reflective of a sustained effort and demonstrated commitment over time to lead by example, time, and talents toward an effort that directly or indirectly elevates the achievement, opportunities, access or wellbeing of our learners and/or colleagues.

Detail your nomination in the next section.

Detail Your Nomination

Please describe how this staff member has been a “leader of learning” and what impact they have had.

Tawnie Hartzel is an experienced driver that has spent years fostering relationships with the families on her routes. On a Friday one of her students left behind a jacket on her bus, one that he has worn and loved for years. The family returned home from watching Wicked Friday evening to realize he had lost his jacket. However, mom realized that the jacket had already been delivered to the house. Upon reaching out to Tawnie it was confirmed that Tawnie found it on the bus, and knew that it would be difficult to get through the weekend without his beloved jacket. So after work Tawnie drove it to the house, and left it there for them. Mom called the transportation department to let us know how much they appreciated that Tawnie took the initiative to make this delivery after hours.

This nomination is submitted by: Mark W. Higgins Date: 06/05/2024

My role or relationship to Kent ISD:

- Kent ISD staff: Location ESC
- Student: Location _____
- Parent of a Kent ISD student
- Community agency or local district partner
- Community member

Do you wish for the staff member nominated to know who submitted this form? Yes No

The Kent ISD School Board held a regular and organizational meeting at the administrative offices on Monday, July 15, 2024. President Haidle called the meeting to order at 4:00 p.m.

Members Present: Drake, Hamming, Featherston, Rettig, Haidle.

Member Absent:

Kent ISD Staff Present: Superintendent Gorman, Assistant Superintendents Finkel, Myers, Philipps, Rodgers; Directors, Burns, Campbell, Hendry, Houtman; Recording Secretary Lovell; Staff Members: Cinnamon Mellema

Superintendent Gorman requested nominations for the Kent Intermediate School Board president for the 2024-2025 school year.

Upon motion of Member Hamming, supported by Member Featherston, it was resolved to approve the slate for board officers for the 2024-2025 school year:

Andrea Haidle- President
Matt Rettig, Vice-President
Laura Featherston- Treasurer
Anne Hamming-Secretary
David Drake-Trustee

Ayes: Drake, Hamming, Featherston, Rettig, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Featherston, supported by Member Rettig, it was resolved to authorize the former Treasurer to continue to sign checks until the necessary documents can be processed and equipment modified, not to exceed ninety (90) days.

Ayes: Hamming, Featherston, Rettig, Drake, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Rettig, supported by Member Featherston, it was resolved to authorize the designation of bank depositories.

Ayes: Featherston, Rettig, Hamming Drake, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Hamming, supported by Member Drake, it was resolved to authorize the accounts through JPMorgan Chase Bank, NA.

Ayes: Rettig, Hamming, Drake, Featherston, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Rettig, supported by Member Drake, it was resolved to designate the superintendent or his designee to assume the treasurer's responsibilities for the administration of funds and to sign checks, contracts, agreements, and purchase orders.

Ayes: Drake, Hamming, Featherston, Rettig, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Rettig, supported by Member Drake, it was resolved to approve the school board meeting dates with an amendment to change the meeting time to 4:00 p.m.

Ayes: Hamming, Featherston, Rettig, Drake, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Rettig, supported by Member Hamming, it was resolved to approve the procedure for calling special meetings of the Board.

Ayes: Featherston, Rettig, Hamming, Drake, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Featherston, supported by Member Rettig, it was resolved to appoint Legal Counsel to present Kent ISD.

Ayes: Rettig, Hamming, Drake, Featherston, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Rettig, supported by Member Drake, it was resolved to approve Kent ISD Staff members' use of Kent ISD credit cards for district business.

Ayes: Drake, Hamming, Featherston, Rettig, Haidle

Nays: None

Motion declared to have carried.

Upon motion of Member Drake, supported by Member Featherston, it was resolved to approve authorizing Electronic Transactions and designating an Electronic Transfer Officer.

Ayes: Hamming, Featherston, Rettig, Drake, Haidle

Nays: None

Motion declared to have carried.

Director of Safety & Security Sean Burns presented a report outlining the department's growth and current progress in providing a safe and secure environment for staff and students.

Upon motion of Member Hamming, supported by Member Rettig, it was resolved to approve the consent agenda action items E.1-E.12.

Ayes: Featherston, Rettig, Hamming, Drake, Haidle
Nays: None

Motion declared to have carried.

Upon motion of Member Drake, supported by Member Featherston, it was resolved to approve the West Michigan Teacher Collaborative to contract with Leading Educators to provide professional learning during the 24-25 school year in the amount of \$110,530.00.

Ayes: Rettig, Hamming, Drake, Featherston, Haidle
Nays: None

Motion declared to have carried.

Upon motion of Member Featherston, supported by Member Drake, it was resolved to approve hiring Dr. Jennifer Fee for the Assistant Superintendent of Instructional Services position.

Ayes: Drake, Hamming, Featherston, Rettig, Haidle
Nays: None

Motion declared to have carried.

President Haidle offered the opportunity for public comment. No comments were given.

Superintendent Gorman shared that the state budget allocated \$9 million for the West Michigan Teacher Collaborative, bringing over 300 teachers to the pipeline this year alone. With support from Dan Behm, Director of Education Advocates of West Michigan, we received \$500,000 for the MI Student Voice Student Perception Survey. This funding will support the administration of the student, staff, and parent surveys, which will provide data that helps us understand the student experience and how to improve student outcomes. Superintendent Gorman thanked Director Burns for his safety and security presentation and stressed that student safety will always be first priority at Kent ISD.

President Haidle adjourned the meeting at 4:54 p.m.

Minutes Approved on August 19, 2024

Andrea Haidle, President

Anne Hamming, Secretary

/ml

**CHECKS (DISBURSEMENTS) WRITTEN BY FUND
07/01/2024 - 07/31/2024**

11. GENERAL EDUCATION	\$	8,293,283.49
21. SPECIAL EDUCATION-CENTER PROGRAMS		296,413.27
22. SPECIAL EDUCATION		3,394,317.92
23. COMMUNITY SERVICE (ENHANCEMENT MILLAGE)		-
26. CAREER TECHNICAL EDUCATION		610,571.60
27. COOPERATIVE EDUCATION **		(12,425.32)
29. STUDENT/SCHOOL ACTIVITY FUND		18,324.55
CAPITAL PROJECTS		
41. GENERAL EDUCATION		30,646.91
42. SPECIAL EDUCATION		678,937.13
46. CAREER TECHNICAL EDUCATION		333,584.41
81. INTERNAL SERVICE FUND		-
TOTAL	\$	13,643,653.96

Total Transfers Out to LEAs (K-12, Charter Schools and Parochial Schools)	\$	4,692,678.87
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*** Disbursements from fund 28 are included in fund 27-Cooperative Education totals.*

Kent ISD Check Register 7/1/2024 to 7/31/2024

Check #	Vendor Name	Fund	Fund Amount	Check Total	Check Comment
600072324	MICH PUBLIC SCHOOL EMPLOYEES	11	1,421,763.88		
			Check Total	1,421,763.88	RETIREMENT 7.12.24
59459	MICH EDUC SPECIAL SERVICES	11	1,051,128.32		
			Check Total	1,051,128.32	JULY PREMIUMS KENT ISD
607242401	NEXT GENERATION ENROLLMENT INC	11	1,014,003.82		
	NEXT GENERATION ENROLLMENT INC	21	-32,040.22		
	NEXT GENERATION ENROLLMENT INC	22	-25,258.68		
	NEXT GENERATION ENROLLMENT INC	26	-93,011.98		
	NEXT GENERATION ENROLLMENT INC	27	-27,408.41		
	NEXT GENERATION ENROLLMENT INC	28	-3,757.93		
			Check Total	832,526.60	AUG PREMIUMS
607122428	UNITED STATES TREASURY	11	773,758.70		
			Check Total	773,758.70	PAYROLL TAXES
607262428	UNITED STATES TREASURY	11	732,901.86		
			Check Total	732,901.86	PAYROLL TAXES
300030661	GRAND RAPIDS PUBLIC SCHOOLS	22	499,377.71		
			Check Total	499,377.71	JUL24 SA SECT 51A SPED
300030608	GRAND RAPIDS PUBLIC SCHOOLS	22	433,123.00		
			Check Total	433,123.00	IDEA JUNE 2024
300030570	GRAND RAPIDS PUBLIC SCHOOLS	11	319,508.76		
			Check Total	319,508.76	GSRP TRANSPORTATION
300030662	GRAND RAPIDS PUBLIC SCHOOLS	11	311,340.00		
			Check Total	311,340.00	GSRP THRU JUNE 2024
59573	OWEN-AMES-KIMBALL CO	46	305,857.00		
			Check Total	305,857.00	KCTC LAUNCH U/MY SCHOOL RENOV
300030617	KENTWOOD PUBLIC SCHOOLS	22	255,481.00		
			Check Total	255,481.00	IDEA JUNE 2024
59643	OWEN-AMES-KIMBALL CO	42	246,647.45		
			Check Total	246,647.45	EMPOWERU-NORTH RENO
59465	SET INC	11	26,462.67		
	SET INC	21	85,429.80		

	SET INC	22	9,722.11	
	SET INC	26	117,156.42	
			Check Total	238,771.00 2024-25 PROPERTY CASUALTY INSU
300030672	KENTWOOD PUBLIC SCHOOLS	22	206,795.78	
			Check Total	206,795.78 JUL24 SA SECT 51A SPED
300030677	MICH FAMILY RESOURCES	11	185,892.00	
			Check Total	185,892.00 GSRP THRU JUNE 2024
59478	CUSTER OFFICE ENVIRONMENTS INC	41	6,746.37	
	CUSTER OFFICE ENVIRONMENTS INC	42	144,318.28	
			Check Total	151,064.65 ESC FURNITURE - LATERAL FILES
300030689	SPARTA AREA SCHOOLS	11	100,672.54	
	SPARTA AREA SCHOOLS	22	49,663.35	
			Check Total	150,335.89 JUL24 SA SECT 51A SPED
300030625	NORTHVIEW PUBLIC SCHOOLS	22	145,585.00	
			Check Total	145,585.00 IDEA JUNE 2024
300030697	WEST MICH ACADEMY OF ENVIRONMENTAL SCIENCE	11	135,322.00	
			Check Total	135,322.00 GSRP THRU JUNE 2024
59482	FISCHER-IDEMA LLC	42	132,289.29	
			Check Total	132,289.29 EUC (MAYFIELD) PARKING LOT PRO
80715241	JPMORGAN CHASE BANK NA	11	47,914.77	
	JPMORGAN CHASE BANK NA	21	22,729.68	
	JPMORGAN CHASE BANK NA	22	12,056.47	
	JPMORGAN CHASE BANK NA	26	34,658.44	
	JPMORGAN CHASE BANK NA	27	1,059.69	
	JPMORGAN CHASE BANK NA	29	2,476.91	
	JPMORGAN CHASE BANK NA	42	1,208.07	
			Check Total	122,104.03 GODWIN PLUMBING AND HA
300030654	FOREST HILLS PUBLIC SCHOOLS ADMINSTRATION	22	121,071.42	
			Check Total	121,071.42 JUL24 SA SECT 51A SPED
300030701	YMCA OF GREATER GR	11	120,670.00	
			Check Total	120,670.00 GSRP THRU JUNE 2024
607122430	STATE OF MICHIGAN	11	118,469.03	
			Check Total	118,469.03 PAYROLL TAXES
607262430	STATE OF MICHIGAN	11	111,670.27	

			Check Total	111,670.27 PAYROLL TAXES
300030628	ROCKFORD PUBLIC SCHOOLS	22	111,423.00	
			Check Total	111,423.00 IDEA JUNE 2024
300030609	GRANDVILLE PUBLIC SCHOOLS	22	109,403.00	
			Check Total	109,403.00 IDEA JUNE 2024
300030688	ROCKFORD PUBLIC SCHOOLS	11	7,850.73	
	ROCKFORD PUBLIC SCHOOLS	22	89,447.72	
			Check Total	97,298.45 JUL24 SA SECT 51A SPED
59464	SET INC	11	92,758.00	
			Check Total	92,758.00 WORKER COMP 2024-25 1ST QUARTE
300030700	WYOMING PUBLIC SCHOOLS	22	88,932.57	
			Check Total	88,932.57 JUL24 SA SECT 51A SPED
59668	GRAFTON SCHOOL INCORPORATED	22	86,674.20	
			Check Total	86,674.20 UKERU PADS FOR CENTER PROGRAMS
300030597	BYRON CENTER PUBLIC SCHOOLS	22	81,211.00	
			Check Total	81,211.00 IDEA JUNE 2024
59526	WILLIAM DONALD TRAMPER	26	80,000.00	
			Check Total	80,000.00 KCTC AVIATION ELECTRONICS - CE
300030665	GRANDVILLE PUBLIC SCHOOLS	22	79,525.40	
			Check Total	79,525.40 JUL24 SA SECT 51A SPED
59630	STEEPLETOWN NEIGHBORHOOD SERVICES	11	79,468.00	
			Check Total	79,468.00 GSRP THRU JUNE 2024
300030702	ZEELAND PUBLIC SCHOOLS	11	76,088.72	
			Check Total	76,088.72 JUL24 SA SECT 107 ADULT ED
300030615	KENOWA HILLS PUBLIC SCHOOLS	22	74,849.00	
			Check Total	74,849.00 IDEA JUNE 2024
300030604	FOREST HILLS PUBLIC SCHOOLS ADMINSTRATION	22	73,187.00	
			Check Total	73,187.00 IDEA JUNE 2024
300030621	LOWELL AREA SCHOOLS	22	71,950.00	
			Check Total	71,950.00 IDEA JUNE 2024
300030660	GR COMMUNITY COLLEGE	11	68,252.00	
			Check Total	68,252.00 GSRP THRU JUNE 2024
300030576	MICHIGAN SCHOOLS ENERGY COOPERATIVE	11	6,393.56	
	MICHIGAN SCHOOLS ENERGY COOPERATIVE	21	22,572.34	
	MICHIGAN SCHOOLS ENERGY COOPERATIVE	26	37,314.89	

			Check Total	66,280.79 ACCT 41000 ELECTRICITY - MAY 2
300030613	KELLOGGSVILLE PUBLIC SCHOOLS	22	61,954.00	
			Check Total	61,954.00 IDEA JUNE 2024
300030681	NORTHVIEW PUBLIC SCHOOLS	22	61,252.98	
			Check Total	61,252.98 JUL24 SA SECT 51A SPED
300030616	KENT CITY COMMUNITY SCHOOLS	22	59,952.00	
			Check Total	59,952.00 IDEA JUNE 2024
300030658	GODWIN HEIGHTS PUBLIC SCHOOLS	22	59,173.58	
			Check Total	59,173.58 JUL24 SA SECT 51A SPED
300030647	COMSTOCK PARK PUBLIC SCHOOLS	22	59,026.83	
			Check Total	59,026.83 JUL24 SA SECT 51A SPED
300030679	NEW BRANCHES SCHOOL	11	58,450.00	
			Check Total	58,450.00 GSRP THRU JUNE 2024
300030598	CEDAR SPRINGS PUBLIC SCHOOLS	22	57,669.00	
			Check Total	57,669.00 IDEA JUNE 2024
300030626	NORTHVIEW PUBLIC SCHOOLS	11	57,014.00	
			Check Total	57,014.00 FY24 HRA-JUNE 2024
300030670	KENOWA HILLS PUBLIC SCHOOLS	22	55,993.67	
			Check Total	55,993.67 JUL24 SA SECT 51A SPED
300030725	QUALTRICS LLC	11	52,578.72	
			Check Total	52,578.72 QUALTRICS SURVERY SUPPORT SERV
59547	SOLARWINDS INC	26	50,317.56	
			Check Total	50,317.56 HELPDESK SUBSCRIPTION
300030641	BYRON CENTER PUBLIC SCHOOLS	22	50,124.70	
			Check Total	50,124.70 JUL24 SA SECT 51A SPED
300030643	CEDAR SPRINGS PUBLIC SCHOOLS	22	49,706.01	
			Check Total	49,706.01 JUL24 SA SECT 51A SPED
300030588	JOHNSON CONTROLS INC	11	1,283.85	
	JOHNSON CONTROLS INC	21	22,984.28	
	JOHNSON CONTROLS INC	26	25,251.87	
			Check Total	49,520.00 HVAC BOILER PM AGREEMENTS
607182401	CITY OF GRAND RAPIDS	11	49,337.58	
			Check Total	49,337.58 CITY TAXES
59461	SEVERIN INTERMEDIATE HOLDINGS LLC	26	49,305.48	
			Check Total	49,305.48 ECOLLECT RENEWAL 9/27/24-9/26/
300030682	ORCHARD VIEW SCHOOLS	11	48,051.87	

			Check Total	48,051.87	JUL24 SA SECT 107 ADULT ED
300030614	KENOWA HILLS PUBLIC SCHOOLS	11	47,348.00		
			Check Total	47,348.00	FY24 HRA-JUNE 2024
300030668	HOPE ACADEMY OF WEST MICHIGAN	11	43,227.00		
			Check Total	43,227.00	GSRP THRU JUNE 2024
300030669	KELLOGGSVILLE PUBLIC SCHOOLS	22	42,819.68		
			Check Total	42,819.68	JUL24 SA SECT 51A SPED
59588	VIBRANT FUTURES	11	41,836.38		
			Check Total	41,836.38	Vibrant Futures
300030637	APPLETREE LEARNING CENTERS WALKER LLC	11	39,938.00		
			Check Total	39,938.00	GSRP THRU JUNE 2024
300030691	TUTOR TIME LEARNING CENTERS LLC	11	38,880.00		
			Check Total	38,880.00	GSRP THRU JUNE 2024
300030663	OCTAVIA PACE	11	38,550.00		
			Check Total	38,550.00	GSRP THRU JUNE 2024
300030646	CHILDTIME CHILDCARE INC	11	36,813.00		
			Check Total	36,813.00	GSRP THRU JUNE 2024
59652	YOUTH VISION SOLUTIONS INC	11	35,804.86		
			Check Total	35,804.86	PBIS FORUM & COORDINATOR POSIT
300030611	HEART OF WEST MICH UNITED WAY	11	35,156.07		
			Check Total	35,156.07	ACCT# 8631 - Q1 32P FY24 STATE
59629	OVER ACHIEVERS ACADEMY	11	34,546.00		
			Check Total	34,546.00	GSRP THRU JUNE 2024
300030601	EAST GRAND RAPIDS PUBLIC SCHOOLS	22	33,809.00		
			Check Total	33,809.00	IDEA JUNE 2024
300030675	LOWELL AREA SCHOOLS	22	33,353.43		
			Check Total	33,353.43	JUL24 SA SECT 51A SPED
59663	DISCOVERY EDUCATION INC	11	32,575.00		
			Check Total	32,575.00	DISCOVERY ED STREAMING SUBSCRI
300030638	BAXTER COMMUNITY CENTER	11	30,781.00		
			Check Total	30,781.00	GSRP THRU JUNE 2024
59474	CENTER FOR APPLIED LINGUISTICS	11	30,573.00		
			Check Total	30,573.00	SIOP TRAINING OF TRAINERS FOUN
300030582	BARE BULB COMPANIES LLC	26	30,000.00		
			Check Total	30,000.00	OSD & MICIP MAINTENANCE SOW
59503	GYPSUM SUPPLY INSTALLED INSULATION	26	29,300.77		

			Check Total	29,300.77	BI-INSULATION IN AUTO LAB
59548	SYS CLOUD INC	11	5,531.25		
	SYS CLOUD INC	26	20,800.00		
			Check Total	26,331.25	SYS CLOUD BILL BACK FOR GODFRE
300030655	FREMONT PUBLIC SCHOOLS	11	26,103.87		
			Check Total	26,103.87	JUL24 SA SECT 107 ADULT ED
607122427	GLP & ASSOCIATES	11	25,891.80		
			Check Total	25,891.80	ANNUITY
300030567	ENVIRO-CLEAN	21	25,729.16		
			Check Total	25,729.16	JANITORIAL SERVICES - LINCOLN
607262427	GLP & ASSOCIATES	11	25,549.23		
			Check Total	25,549.23	ANNUITY
59564	INTERNATIONAL INSTITUTE FOR RESTORATIVE PRACTICES	22	25,336.45		
			Check Total	25,336.45	PD presenter for Training of T
59646	PEOPLE DRIVEN TECHNOLOGY INC	42	24,767.29		
			Check Total	24,767.29	CAMERA UPGRADES FOR KEC-B, KEC
300030606	GODFREY LEE PUBLIC SCHOOLS	22	24,132.00		
			Check Total	24,132.00	IDEA JUNE 2024
59510	OTTAWA AREA ISD	11	22,165.75		
			Check Total	22,165.75	PUPIL ACCOUNTING SERVICES
59539	EMICS INC	26	22,000.00		
			Check Total	22,000.00	IK12 RENEWAL FOR 7/1/24-6/30/2
59626	ANSELU LLC	11	21,393.00		
			Check Total	21,393.00	GSRP THRU JUNE 2024
300030657	GODFREY LEE PUBLIC SCHOOLS	22	20,983.12		
			Check Total	20,983.12	JUL24 SA SECT 51A SPED
59603	GUST CONSTRUCTION COMPANY	46	20,835.10		
			Check Total	20,835.10	KCTC DWING LOCKERS
300030627	PROGRESSIVE ARCHITECTURAL ENGINEERS	26	1,220.58		
	PROGRESSIVE ARCHITECTURAL ENGINEERS	41	16,188.35		
	PROGRESSIVE ARCHITECTURAL ENGINEERS	42	1,635.00		
	PROGRESSIVE ARCHITECTURAL ENGINEERS	46	1,345.35		
			Check Total	20,389.28	PROJ 51036037.0 - KCTC RES CON
59455	ENVISIO SOLUTIONS INC	26	20,000.00		
			Check Total	20,000.00	ENVISIO YR 3/3 RENEWAL ANNUAL

59625	HISPANIC CENTER OF WESTERN MICHIGAN	11	19,723.00	
			Check Total	19,723.00 GSRP THRU JUNE 2024
300030683	PLAINWELL COMMUNITY SCHOOLS	11	19,257.49	
			Check Total	19,257.49 JUL24 SA SECT 107 ADULT ED
300030639	BELDING AREA SCHOOLS	11	19,059.79	
			Check Total	19,059.79 JUL24 SA SECT 107 ADULT ED
300030633	SET INC	11	18,281.86	
			Check Total	18,281.86 AUG PREMIUMS
300030563	SET INC	11	18,273.61	
			Check Total	18,273.61 JULY PREMIUMS
300030652	EAST GRAND RAPIDS PUBLIC SCHOOLS	22	18,205.20	
			Check Total	18,205.20 JUL24 SA SECT 51A SPED
300030727	SEHI COMPUTER PRODUCTS INC	11	1,175.00	
	SEHI COMPUTER PRODUCTS INC	21	0.00	
	SEHI COMPUTER PRODUCTS INC	22	1,055.00	
	SEHI COMPUTER PRODUCTS INC	26	15,539.10	
			Check Total	17,769.10 COMPUTER FOR ASSISTANT SUPERIT
300030650	CREATIVE TECHNOLOGIES ACADEMY	11	17,663.00	
			Check Total	17,663.00 GSRP THRU JUNE 2024
59647	PEOPLE DRIVEN TECHNOLOGY INC	42	17,528.74	
			Check Total	17,528.74 CAMERA UPGRADES FOR KEC-B, KEC
300030644	CENTRAL MONTCALM PUB SCH	11	17,237.83	
			Check Total	17,237.83 JUL24 SA SECT 107 ADULT ED
59648	PEOPLE DRIVEN TECHNOLOGY INC	42	17,099.51	
			Check Total	17,099.51 CAMERA UPGRADES FOR KEC-B, KEC
59623	GRAND RAPIDS EARLY DISCOVERY CENTER	11	17,061.00	
			Check Total	17,061.00 GSRP THRU JUNE 2024
300030656	FRUITPORT COMMUNITY SCHOOLS	11	16,585.29	
			Check Total	16,585.29 JUL24 SA SECT 107 ADULT ED
300030642	CALEDONIA COMMUNITY SCHOOLS	22	15,389.39	
			Check Total	15,389.39 JUL24 SA SECT 51A SPED
300030636	ALLEGAN PUBLIC SCHOOLS	11	14,708.68	
			Check Total	14,708.68 JUL24 SA SECT 107 ADULT ED
59587	VALLEY CITY SIGN	42	14,454.00	
			Check Total	14,454.00 EU-N DIRECTIONAL & ADA SIGNAGE
607122429	PARADIGM EQUITIES INC	11	14,087.43	

			Check Total	14,087.43 ANNUITY
607262429	PARADIGM EQUITIES INC	11	13,845.86	
			Check Total	13,845.86 ANNUITY
59552	ZOOM VIDEO COMMUNICATIONS INC	26	13,565.00	
			Check Total	13,565.00 ZOOM SUBSCRIPTION 7/1/24-6/30/
59627	MILESTONES CDC LLC	11	13,378.00	
			Check Total	13,378.00 GSRP THRU JUNE 2024 CASCADE
59632	WHITEHALL DISTRICT SCHOOLS	11	13,152.24	
			Check Total	13,152.24 JUL24 SA SECT 107 ADULT ED
59530	VAN DYKEN MECHANICAL INC	42	12,944.00	
			Check Total	12,944.00 LNS POOL COMPRESSOR REPLACEMEN
300030600	COVENANT HOUSE ACADEMY	22	12,845.00	
			Check Total	12,845.00 IDEA JUNE 2024
300030666	GRANT PUBLIC SCHOOLS	11	12,797.19	
			Check Total	12,797.19 JUL24 SA SECT 107 ADULT ED
59631	THE VILLAGE LEARNING CENTER INC	11	12,626.00	
			Check Total	12,626.00 GSRP THRU JUNE 2024
59599	CUSTER OFFICE ENVIRONMENTS INC	42	12,608.68	
			Check Total	12,608.68 LCC WALL SYSTEM - BOARD APPROV
59576	SENTINEL TECHNOLOGIES INC	42	12,238.00	
			Check Total	12,238.00 EUN C9300 SWITCHES
59572	NETWRIX CORP	26	12,000.61	
			Check Total	12,000.61 NETWRIX AUDITOR SUBSCRIPTION 6
59502	KUYPER COLLEGE	21	12,000.00	
			Check Total	12,000.00 2023-2024 LEASE FOR OFFICE AND
59462	RED ROVER TECHNOLOGIES LLC	11	11,824.68	
			Check Total	11,824.68 ABSENCE MGMT SUBSCRIPTION 07/0
300030620	LIGHTHOUSE ACADEMY	22	11,555.00	
			Check Total	11,555.00 IDEA JUNE 2024
59687	XEROX CORPORATION	26	11,435.86	
			Check Total	11,435.86 CONT# 010-0042920-005 06/24/2
300030574	KENT COUNTY TREASURER	26	11,006.75	
			Check Total	11,006.75 23-24 SRO OFFICER (JULY - JUNE
300030568	ENVIRO-CLEAN	21	10,991.14	
			Check Total	10,991.14 JANITORIAL SERVICES AT PGLC
300030676	MASON COUNTY CENTRAL SCHOOLS	11	10,906.97	

			Check Total	10,906.97 JUL24 SA SECT 107 ADULT ED
59475	CITY OF GRAND RAPIDS	11	1,275.99	
	CITY OF GRAND RAPIDS	21	6,059.37	
	CITY OF GRAND RAPIDS	26	3,362.59	
			Check Total	10,697.95 WS2081155 (1800 LEFFINGWELL NE
59532	BRIGHTARROW TECHNOLOGIES INC	26	10,389.30	
			Check Total	10,389.30 MASS MESSAGING SERVICE YR 2 /3
59477	CONSUMERS ENERGY CO	21	10,164.79	
			Check Total	10,164.79 103047440922 (3630 BYRON CTR S
300030690	THORNAPPLE KELLOGG SCHOOLS	22	10,143.85	
			Check Total	10,143.85 JUL24 SA SECT 51A SPED
300030622	LOWELL AREA SCHOOLS	11	10,138.00	
			Check Total	10,138.00 FY24 HRA-JUNE 2024
300030724	THE PITNEY BOWES BANK INC	11	10,092.75	
			Check Total	10,092.75 8000900002992026 METER REFILL
59601	ENVIROSAFE INC	11	738.27	
	ENVIROSAFE INC	21	4,059.52	
	ENVIROSAFE INC	26	5,132.21	
			Check Total	9,930.00 INTEGRATED PEST MGMT
59516	QUAIL RIDGE LAND CO LLC	29	9,925.60	
			Check Total	9,925.60 SWMFOD OUTING
300030710	MICHIGAN SCHOOLS ENERGY COOPERATIVE	11	426.75	
	MICHIGAN SCHOOLS ENERGY COOPERATIVE	21	4,004.33	
	MICHIGAN SCHOOLS ENERGY COOPERATIVE	26	5,090.01	
			Check Total	9,521.09 ACCT 41000 NATURAL GAS - MAY24
59607	MICH ASSN OF INTERMEDIATE SCHOOL ADMINISTRATORS	11	9,460.54	
			Check Total	9,460.54 MAISA MEMBERSHIP DUES 2024-202
59628	MILESTONES CDC LLC	11	9,426.00	
			Check Total	9,426.00 GSRP THRU JUNE 2024 WILSON
59458	MICH ASSN OF SCHOOL BOARDS	11	9,341.94	
			Check Total	9,341.94 24/25 MEMBERSHIP & LEGAL TRUST
300030610	HEART OF WEST MICH UNITED WAY	11	9,223.04	
			Check Total	9,223.04 ACCT# 8631 - Q1 32P6 FY24 STAT
607122401	PLANMEMBER SECURITIES CORP	11	9,045.94	
			Check Total	9,045.94 ANNUITY

607262401	PLANMEMBER SECURITIES CORP	11	8,995.94	Check Total	8,995.94 ANNUITY
59560	GRAND RAPIDS GLASS & DOOR INC	42	8,901.20	Check Total	8,901.20 KEC-B DOORS TO BE REPLACED
59457	SUG HOLDINGS INC	11	8,789.40	Check Total	8,789.40 LEARNING STREAM RENEWAL
59672	INTRADO LIFE & SAFETY INC	26	8,780.63	Check Total	8,780.63 E911 ANNUAL MAINTENANCE & SUPP
607122415	GLP & ASSOCIATES - 457	11	8,676.06	Check Total	8,676.06 ANNUITY
607262415	GLP & ASSOCIATES - 457	11	8,676.06	Check Total	8,676.06 ANNUITY
59624	GRAND RAPIDS EARLY DISCOVERY CENTER	11	8,555.00	Check Total	8,555.00 GSRP THRU JUNE 2024
59472	AFFORDABLE EXCAVATING INC	26	8,415.00	Check Total	8,415.00 EXCAVATING-APPLIED CONSTRUC ST
300030671	KENT CITY COMMUNITY SCHOOLS	22	8,403.36	Check Total	8,403.36 JUL24 SA SECT 51A SPED
59641	THE HENEVELD INDUSTRIAL GROUP LLC	26	8,338.00	Check Total	8,338.00 WELDING PROGRAM FILTER CLEANIN
59531	WINDEMULLER ELECTRIC INC	26	8,000.00	Check Total	8,000.00 LIGHTPOLE REPLACEMENT - LABOR
300030619	LIGHTHOUSE ACADEMY	11	7,955.49	Check Total	7,955.49 MAIN BOOK STUDY-MATERIALS & SU
59688	YOUNG SUPPLY COMPANY	42	7,763.75	Check Total	7,763.75 EUS REFRIGERATOR & FREEZER
59598	CONSUMERS ENERGY CO	27	7,566.02	Check Total	7,566.02 ANNUAL RENT FOR POLE ATTACHMEN
59518	REPUBLIC SERVICES INC	11	349.19		
	REPUBLIC SERVICES INC	21	4,322.18		
	REPUBLIC SERVICES INC	26	2,783.54		
				Check Total	7,454.91 ACCT# 3-0240-0360530 07/01/24
300030565	B&V MECHANICAL INC	26	7,240.00	Check Total	7,240.00 KCC - UPGRADE PIPE INSULATION
59466	INFORMA USA INC	11	7,074.00	Check Total	7,074.00 MATH TEACHER BOOKS FOR MICHME

59591	16 HANDS INC	11	6,817.50	Check Total	6,817.50 FIDUCIUS CONSORTIUM AGREEMENT
300030590	MERIDIAN CABLING SOLUTIONS	26	2,792.00		
	MERIDIAN CABLING SOLUTIONS	46	4,000.00	Check Total	6,792.00 KCTC EAST - CABLING FOR TV LOC
300030717	FOXBRIGHT SOLUTIONS LLC	11	249.00		
	FOXBRIGHT SOLUTIONS LLC	11	6,535.00	Check Total	6,784.00 CMS-HOSTING, MAINT, SUPPORT KE
59669	GR BUILDING SERVICES INC	21	6,651.33	Check Total	6,651.33 JANITORAL SERVICES FOR EMPOWER
59467	TELE-RAD INC	11	6,459.00	Check Total	6,459.00 YEARLY MAINTENANCE SERVICE AGR
59513	COURIERED LLC	11	6,303.85	Check Total	6,303.85 Courier Services for Kent ISD
59522	STANDARD ELECTRIC COMPANY	26	6,279.49	Check Total	6,279.49 CONTROL PANEL REBUILD IN BOILE
607262426	ASR CORP	11	6,262.12	Check Total	6,262.12 KENT ISD FLEX
59639	TREECE HOME CARE INC	22	6,237.50	Check Total	6,237.50 COMMUNITY CARE GIVERS FOREST H
607122426	ASR CORP	11	6,216.29	Check Total	6,216.29 KENT ISD FLEX
59650	VERIZON WIRELESS SERVICES LLC	11	1,914.18		
	VERIZON WIRELESS SERVICES LLC	21	2,268.89		
	VERIZON WIRELESS SERVICES LLC	22	833.95		
	VERIZON WIRELESS SERVICES LLC	26	696.93		
	VERIZON WIRELESS SERVICES LLC	28	478.44	Check Total	6,192.39 742131649-00001 06/03/24-07/0
300030704	DEAN TRANSPORTATION	11	129.08		
	DEAN TRANSPORTATION	21	5,957.14	Check Total	6,086.22 TRANSPORTATION-ORAL DEAF & GSR
300030634	UNITED COMMERCIAL SERVICES INC	21	350.00		
	UNITED COMMERCIAL SERVICES INC	26	5,537.00	Check Total	5,887.00 CONTRACTED CUSTODIAL SERVICES
59463	IN DEMAND GROUP LLC	11	5,850.00	Check Total	5,850.00 ANNUAL LAUNCHPAD LICENSES

59664	DJ'S LANDSCAPE MANAGEMENT	21	5,838.75	Check Total	5,838.75 EU-CENTRAL (MAYFIELD) LAWN MAI
300030711	PROGRESSIVE ARCHITECTURAL ENGINEERS	42	5,643.75	Check Total	5,643.75 EU NORTH REMODEL - PROF SERVIC
59600	DJ'S LANDSCAPE MANAGEMENT	21	5,229.75	Check Total	5,229.75 PGLC LAWNCARE - JUL-NOV 2024
300030575	MCALVEY MERCHANT & ASSOCIATES	11	5,000.00	Check Total	5,000.00 GOVERNMENTAL CONSULTING AND RE
59661	CUSTER OFFICE ENVIRONMENTS INC	42	4,942.79	Check Total	4,942.79 KEC OAKLEIGH SECURE ENTRANCE
59567	DOLLY ANN KELLOGG	11	4,827.92	Check Total	4,827.92 Contracted services for GRSEPN
271571224	EDUSTAFF LLC	11	790.28		
	EDUSTAFF LLC	21	2,965.00		
	EDUSTAFF LLC	22	1,008.94	Check Total	4,764.22 EDUSTAFF WEEK 07/12/2024
300030708	ANA L RAMIREZ-SAENZ	21	4,381.25		
	ANA L RAMIREZ-SAENZ	22	375.00	Check Total	4,756.25 LAFUENTE TRANSLATION SERVICES
300030705	FORESIGHT CAPITAL MANAGEMENT ADVISORS INC	29	4,740.00	Check Total	4,740.00 MRIC CONSULTING FEES - JUN24
607122413	PARADIGM EQUITIES-ROTH	11	4,633.00	Check Total	4,633.00 ANNUITY
59596	COCHLEAR AMERICAS	21	4,632.00	Check Total	4,632.00 KENT ISD ORAL DEAF FALL ORDER
607122402	MG TRUST COMPANY-MIDWEST	11	4,492.84	Check Total	4,492.84 ANNUITY
59484	GEOTECH INC	27	4,455.50	Check Total	4,455.50 KENT CO NJUNS REVIEW & ACTION
607262402	MG TRUST COMPANY-MIDWEST	11	4,428.58	Check Total	4,428.58 ANNUITY
59651	WASTE RECOVERY SYSTEMS INC	21	2,018.20		
	WASTE RECOVERY SYSTEMS INC	26	2,390.64	Check Total	4,408.84 KCTC AUTO - CLEAN OUT BASINS
607262413	PARADIGM EQUITIES-ROTH	11	4,398.00		

			Check Total	4,398.00 ANNUITY
300030596	BYRON CENTER CHARTER	22	4,317.00	
			Check Total	4,317.00 IDEA JUNE 2024
300030566	CLARK HILL PLC	11	1,417.50	
	CLARK HILL PLC	22	1,417.50	
	CLARK HILL PLC	26	1,417.50	
			Check Total	4,252.50 CLIENT 58607 MATTER 448217 LA
59497	INTEGRITY BUSINESS SOLUTIONS LLC	41	4,094.50	
			Check Total	4,094.50 ESC OFFICE RENOVATION - CHAIRS
300030612	HOPE ACADEMY OF WEST MICHIGAN	22	4,025.00	
			Check Total	4,025.00 IDEA JUNE 2024
59536	ZACHARY D START	21	4,018.81	
			Check Total	4,018.81 EU CENTRAL - DOORS
59592	ADVANCED BIONICS LLC	21	3,982.00	
			Check Total	3,982.00 KENT ISD ORAL DEAF FALL ORDER
300030707	UKG KRONOS SYSTEMS LLC	11	762.26	
	UKG KRONOS SYSTEMS LLC	21	1,902.88	
	UKG KRONOS SYSTEMS LLC	22	533.53	
	UKG KRONOS SYSTEMS LLC	26	762.54	
			Check Total	3,961.21 KRONOS WORKFORCE SOFTWARE FY24
59540	KSS ENTERPRISES	21	3,908.71	
			Check Total	3,908.71 PGLC CLEANING SYSTEM
59680	WEB 4 HALF LLC	11	3,838.89	
			Check Total	3,838.89 Kick Off Swag Items
59549	UNUM LIFE INSURANCE COMPANY OF AMERICA	11	3,801.77	
			Check Total	3,801.77 JULY PREMIUMS GRPS TK/KENT ISD
59660	CONSUMERS ENERGY CO	26	3,695.51	
			Check Total	3,695.51 100010917175 (1480 LEFFINGWELL
59610	MOSS AUDIO CORP	11	1,954.89	
	MOSS AUDIO CORP	26	1,631.22	
			Check Total	3,586.11 PHONES FOR ADULT ED AT GRCC
271572624	EDUSTAFF LLC	11	790.28	
	EDUSTAFF LLC	21	1,755.28	
	EDUSTAFF LLC	22	1,025.34	
			Check Total	3,570.90 EDUSTAFF WEEK OF 07/26/2024

59602	GALLAGHER BENEFIT SERVICES INC	11	3,500.00	Check Total	3,500.00 ACCT#KENTINT-01 PLAYGROUND IN
59654	C&S ELECTRIC SERVICE LLC	21	3,384.09	Check Total	3,384.09 LNS SOUND MASKING
59553	AAA LEAD INSPECTIONS INC	11	3,350.00	Check Total	3,350.00 SPARTA ECC - LEAD RISK ASSESSM
59504	MATHISON ARCHITECTS LLC	42	3,209.69	Check Total	3,209.69 EU SOUTH RENOVATIONS MAY24
59577	SEVERANCE ELECTRIC CO INC	27	3,192.00	Check Total	3,192.00 FIBER MAINTENANCE 7/1/23-6/30/
607122431	VALIC	11	3,151.53	Check Total	3,151.53 ANNUITY
607262431	VALIC	11	3,151.53	Check Total	3,151.53 ANNUITY
300030732	JON MICHAEL WASHBURN	11	3,000.00	Check Total	3,000.00 GOVERNMENTAL CONSULTING AND RE
59561	GRAND VALLEY AUTOMATION INC	42	2,996.70	Check Total	2,996.70 KEC-B CARD ACCESS CONTROL
59563	FRED WARREN HAYWARD JR	11	2,880.00	Check Total	2,880.00 BLDG AUTOMATION SERVICE AND CO
300030571	GRANITE TELECOMMUNICATIONS LLC	11	2,857.20	Check Total	2,857.20 EPIK MONTHLY INVOICES FY24
300030631	GORDON N STOWE & ASSOC INC	21	2,855.00	Check Total	2,855.00 OAE Calibration Requisition (1
59545	NATL SCHOOL BOARD ASSN	11	2,700.00	Check Total	2,700.00 2024 JUL NATCON
59476	CITY OF WYOMING	21	2,618.93	Check Total	2,618.93 000053412 (3600 BYRON CTR) 03/
59508	MR SERVICES AND HANDLING LLC	41	2,511.00	Check Total	2,511.00 ESC OFFICE RECONFIGURE
59493	JEFFREY D HALSTED II	42	2,500.00	Check Total	2,500.00 KEC BELTLINE - MISC REPAIRS
59541	LEVEL DATA INC	26	2,459.10	Check Total	2,459.10 STATE DATA VALIDATION SUITE 7/
300030712	AMAZON.COM LLC	26	2,455.80	Check Total	2,455.80 CO-GIGABYTE G6X GAMING LAPTOP

59480	ZACHARY D START	42	2,400.00	Check Total	2,400.00 KEC BELTLINE SECURE ENTRANCE
59543	MISDU	11	2,284.33	Check Total	2,284.33 GARNISHMENT
59682	REPCOLITE PAINTS INC	21	2,262.50	Check Total	2,262.50 PAINT SUPPLIES-LINCOLN/EUS/EUC
59617	COMMUNITY PRODUCTS LLC	21	2,188.91	Check Total	2,188.91 RIFTON REPLACEMENT WHEELS/CAST
59676	MOSS AUDIO CORP	26	2,147.60	Check Total	2,147.60 PHONES FOR INVENTORY
59520	SOLIANT HEALTH LLC	21	2,112.00	Check Total	2,112.00 SOLIANT/PROCARE THERAPY - CONT
59579	SOLIANT HEALTH LLC	21	2,112.00	Check Total	2,112.00 SOLIANT/PROCARE THERAPY - CONT
59614	PARENTS AS TEACHERS NATL CENTER INC	11	2,100.00	Check Total	2,100.00 CUST#4098-VIRTUAL TRAINING-A.D
300030569	FRANCISCAN LIFE PROCESS CENTER	21	2,100.00	Check Total	2,100.00 MUSIC THERAPY - LDC
607122418	GLP ASSOCIATES EE ROTH	11	2,085.00	Check Total	2,085.00 ANNUITY
607262418	GLP ASSOCIATES EE ROTH	11	2,085.00	Check Total	2,085.00 ANNUITY
59662	ZACHARY D START	21	2,080.48	Check Total	2,080.48 PGLC DOOR & INSTALLATION
59507	MORRISON INDUSTRIAL EQUIPMENT	26	2,035.00	Check Total	2,035.00 Lift truck training
59538	GUEST COMMUNICATIONS CORPORATION	11	2,000.00	Check Total	2,000.00 MY-EOP APP SUBSCRIPTION RENEWA
59620	UNITED PARCEL SERVICE	11	2,000.00	Check Total	2,000.00 ACCT# 466942 - FY25 REFILL UPS
300030607	GR COMMUNITY COLLEGE	11	884.74		
	GR COMMUNITY COLLEGE	21	358.95		
	GR COMMUNITY COLLEGE	27	650.90	Check Total	1,894.59 ADULT ED-ALL PROGRAMS-K.MCCLIN
607122410	PLANMEMBER-ER	11	1,881.78	Check Total	1,881.78 ANNUITY

607262410	PLANMEMBER-ER	11	1,881.78	Check Total	1,881.78 ANNUITY
59670	GUST CONSTRUCTION COMPANY	11	1,875.00	Check Total	1,875.00 ESC - REPAIR MASONRY DUMPSTER
607122400	LEGEND GROUP/ADSERV	11	1,850.00	Check Total	1,850.00 ANNUITY
607122405	PARADIGM - 457	11	1,850.00	Check Total	1,850.00 ANNUITY
607262400	LEGEND GROUP/ADSERV	11	1,850.00	Check Total	1,850.00 ANNUITY
607262405	PARADIGM - 457	11	1,850.00	Check Total	1,850.00 ANNUITY
59605	HOLWERDA INTERIOR PLANTSCAPING INC	11	1,827.00	Check Total	1,827.00 WEEKLY PLANT SERVICE - ANNUAL
300030684	PORTLAND PUBLIC SCHOOLS	11	1,810.28	Check Total	1,810.28 JUL24 SA SECT 107 ADULT ED
59496	HAZAR BESTOS CORPORATION	21	1,800.00	Check Total	1,800.00 LINCOLN - MAINTENANCE SERVICE
300030714	ELEVATOR SERVICE LLC	26	1,800.00	Check Total	1,800.00 KCC ELEVATOR TESTING
59551	WELLS FARGO FINANCIAL LEASING	26	1,782.00	Check Total	1,782.00 MONTHLY FAX SERVICES LEASE- CL
300030592	SEHI COMPUTER PRODUCTS INC	26	1,746.40	Check Total	1,746.40 GOOGLE CHROME OS MANAGEMENT LI
300030573	JOHNSON CONTROLS INC	21	1,663.13	Check Total	1,663.13 PINE GROVE HVAC REPAIR
300030703	CLARK HILL PLC	11	553.00		
	CLARK HILL PLC	22	553.00		
	CLARK HILL PLC	26	553.00		
				Check Total	1,659.00 CLIENT 58607 MATTER 473115-MI
59544	MICH SCHOOL BUSINESS OFFICIALS	26	1,200.00		
	MICH SCHOOL BUSINESS OFFICIALS	27	450.00		
				Check Total	1,650.00 2024-2025 MEMBERSHIP DUES - C.
59498	COMFORT CONTROL SUPPLY CO INC	21	594.75		
	COMFORT CONTROL SUPPLY CO INC	26	1,018.24		
				Check Total	1,612.99 KCTC HVAC SUPPLIES

300030692	VANGUARD CHARTER ACADEMY	22	1,611.50	Check Total	1,611.50 JUL24 SA 56(7) SP ED
59514	PROPIO LS LLC	11	892.64		
	PROPIO LS LLC	21	283.37		
	PROPIO LS LLC	22	196.53		
	PROPIO LS LLC	26	64.89		
	PROPIO LS LLC	29	171.33		
			Check Total		1,608.76 ACCT# 12461 - TRANSLATING SERV
59675	MISDU	11	1,604.69	Check Total	1,604.69 GARNISHMENT
300030618	KENTWOOD PUBLIC SCHOOLS	11	1,599.00	Check Total	1,599.00 FY24 HRA-JUNE 2024
300030720	GRAYBAR ELECTRIC CO	26	49.50		
	GRAYBAR ELECTRIC CO	46	1,546.96		
			Check Total		1,596.46 KCTC EAST - ELECTRICAL SUPPLIE
300030653	EXCEL CHARTER ACADEMY	22	1,578.07	Check Total	1,578.07 JUL24 SA 56(7) SP ED
59593	ASSOCIATION OF EDUCATIONAL SERVICE AGENCIES	11	1,500.00	Check Total	1,500.00 ANNUAL MEMBERSHIP DUES 07/01/2
59608	MICHIGAN POWERSCHOOL USER GROUP	26	1,497.00	Check Total	1,497.00 2024 MIDWEST PSUG CONFERENCE R
59453	ASSN FOR SUPERVISION & CURRICULUM DEVELO	11	1,495.00	Check Total	1,495.00 ASCD INSTITUTIONAL MEMBERSHIP
59636	AVIS BUDGET GROUP INC	21	1,493.80	Check Total	1,493.80 AVIS MINIVAN RENTAL FOR ALL EU
300030696	WEST MICH ACADEMY OF ENVIRONMENTAL SCIENCE	22	1,486.19	Check Total	1,486.19 JUL24 SA 56(7) SP ED
300030651	CROSS CREEK CHARTER ACADEMY	22	1,458.43	Check Total	1,458.43 JUL24 SA 56(7) SP ED
300030693	VISTA CHARTER ACADEMY	22	1,439.97	Check Total	1,439.97 JUL24 SA 56(7) SP ED
59671	IDENTIFIX INC	26	1,428.00	Check Total	1,428.00 IDENTIFIX EDUCATIONAL SUBSCRIP

59634	AVIS BUDGET GROUP INC	21	1,422.00	Check Total	1,422.00 AVIS MINIVAN RENTAL FOR ALL EU
607122406	VALIC - 457	11	1,406.01	Check Total	1,406.01 ANNUITY
607262406	VALIC - 457	11	1,406.01	Check Total	1,406.01 ANNUITY
607122412	MG TRUST-ROTH 403B	11	1,381.98	Check Total	1,381.98 ANNUITY
607262412	MG TRUST-ROTH 403B	11	1,381.98	Check Total	1,381.98 ANNUITY
300030579	THRUN MAATSCH AND NORDBERG PC	11	460.00		
	THRUN MAATSCH AND NORDBERG PC	22	460.00		
	THRUN MAATSCH AND NORDBERG PC	26	460.00	Check Total	1,380.00 CLIENT 0720 LEGAL FEES THRU 06
300030694	WALKER CHARTER ACADEMY	22	1,364.03	Check Total	1,364.03 JUL24 SA 56(7) SP ED
300030645	CHANDLER WOODS CAMPUS	22	1,356.73	Check Total	1,356.73 JUL24 SA 56(7) SP ED
59584	TOBII DYNAVOX LLC	22	1,344.00	Check Total	1,344.00 Equipment for AT Library
59454	BLUE CROSS BLUE SHIELD OF MICHIGAN	11	1,324.89	Check Total	1,324.89 JULY PREMIUMS 2024 KENT CITY I
59595	BLUE CROSS BLUE SHIELD OF MICHIGAN	11	1,324.89	Check Total	1,324.89 AUGUST BCBS PREMIUMS KENT ISD/
300030664	GRAND RIVER PREPARATORY HIGH SCHOOL	22	1,279.27	Check Total	1,279.27 JUL24 SA 56(7) SP ED
300030673	KNAPP CHARTER ACADEMY	22	1,265.18	Check Total	1,265.18 JUL24 SA 56(7) SP ED
300030603	FIRE PROS INC	11	1,052.50		
	FIRE PROS INC	21	211.50	Check Total	1,264.00 PINE GROVE FIRE INSPECTION & S
59684	STATE OF MICHIGAN-CD	11	1,246.28	Check Total	1,246.28 GARNISHMENT
300030564	AREA COMM SERVICES EMPLOYMT & TRAINING COUNCIL	11	1,239.97	Check Total	1,239.97 EMPLOYABILITY SKILLS TRAINING

59460	PARENTS AS TEACHERS NATL CENTER INC	11	1,225.00	Check Total	1,225.00 CUST#4098 BRIGHT BEGINNINGS-TR
59546	SCHOOL EQUITY CAUCUS	11	1,200.00	Check Total	1,200.00 ISD MEMBERSHIP DUES 07/1/24-06
300030630	ADN ADMINISTRATORS INC	11	1,199.06	Check Total	1,199.06 DENTAL CLAIMS GROUP 10189
59487	GRAND VALLEY AUTOMATION INC	21	1,192.00	Check Total	1,192.00 LINCOLN DEV - MAINT CONTROLS S
607182402	CITY OF WALKER	11	1,137.47	Check Total	1,137.47 CITY TAXES
300030686	RIDGE PARK CHARTER ACADEMY	22	1,130.03	Check Total	1,130.03 JUL24 SA 56(7) SP ED
300030577	MODERN OFFICE INTERIORS	41	1,106.69	Check Total	1,106.69 ESC OFFICE RENOVATION
59495	FRED WARREN HAYWARD JR	21	850.00	Check Total	1,105.00 ELECTRICAL SERVICES JUN24
	FRED WARREN HAYWARD JR	42	255.00		
59456	HSB INC	26	1,071.00	Check Total	1,071.00 KCTC ENROLLMENT ADS OCT24-MAR2
59633	AVIS BUDGET GROUP INC	21	1,070.40	Check Total	1,070.40 AVIS MINIVAN RENTAL FOR ALL EU
59613	IMPERIAL DADE	21	841.31	Check Total	1,059.89 EU NORTH - CUSTODIAL SUPPLY DI
	IMPERIAL DADE	42	218.58		
300030698	WEST MICH AVIATION ACADEMY	22	1,024.32	Check Total	1,024.32 JUL24 SA 56(7) SP ED
59511	CUSTOM PRINTERS	11	1,007.08	Check Total	1,007.08 CHILD CARE INFO POSTCARDS
300030718	GRAND VALLEY STATE UNIVERSITY	29	1,000.00	Check Total	1,000.00 STUDENT#G02526917-CALEB PETERS
				Grand Total	13,580,718.91

8/1/2024 7:34 AM

**Analysis of Banking Institutions
07/31/24**

Bank	Account Type	Bank Rating	FDIC Insured	Insured Amount	Government Guaranteed	Uninsured	Total Funds
Chase	Checking	A+	Yes	\$ -	\$ -	\$ 4,596,270	\$ 4,596,270 ***
Chase	Savings	A+	Yes	250,000	-	61,741	311,741
Huntington National Bank	Municipal Now Checking	A-	Yes	250,000	-	20,945	270,945 **
MILAF	Local Gov't Invest Pool	AAAm/AAAkf	No	-	-	72,233,131	72,233,131
MILAF	US Treasury Bonds/Notes	AA+	No	-	-	18,400,000	18,400,000 ****
MILAF	US Treasury Bills	A1+	No	-	-	2,650,000	2,650,000 ****
MILAF	Federal Agency Commercial Mortgage Backed Security	AA+	No	-	-	275,000	275,000 ****
MILAF	Commercial Paper	A1 - A1+	No	-	-	7,000,000	7,000,000 ****
Totals:				\$ 500,000	\$ -	\$ 105,237,087	\$ 105,737,087

Balances as of 07/31/24

Bank ratings updated June 2024. Bank rating services used:
Standards & Poors (Chase, MILAF and Huntington Bank) and Kroll Bond Rating Agency (MILAF-TERM)

** These statements were not available & balances will be updated at the September 2024 meeting. June balances reflected on this report.

*** These funds are fully collateralized by securities allowable under PA 451.

**** Reported at par value

Cash in all Accounts and Investment Assets of the Board as of 07/31/2024

Financial Institution	Type of Account/Investment	Fund #	Balance per Statement (Fair Value)	Insured Balance	Uninsured Balance	Interest Rate Yield	Maturity Date	Rating	Terms
Chase Bank	Consolidated Savings	11-22-26	\$ 311,741	250,000	61,741	1.75%	n/a	A+	10,000 balance
Chase Bank	Consolidated Checking	11-21-22-23-26-27-29-41-42-46	2,847,841	-	2,847,841	0.00%	n/a	A+	Sweep
Chase Bank	Checking	81	1,746,430	-	1,746,430	0.00%	n/a	A+	
Chase Bank	Checking	11	2,000	-	2,000	0.00%	n/a	A+	
Chase Bank	Checking	Disbursement	-	-	-	0.00%	n/a	A+	Zero Balance Account
Chase Bank	Checking	Payroll	-	-	-	0.00%	n/a	A+	Zero Balance Account
Huntington Bank	Municipal Now Checking	11-22-26	270,945	250,000	20,945	4.45%	n/a	A-	
<i>MILAF Managed Account:</i>									
MILAF	Local Gov't Invest Pool	11-21-22-26-27-29-41-42-46	1,299	-	1,299	5.17%	n/a	AAAm	Cash Management Class
MILAF	Local Gov't Invest Pool	11-21-22-26-27-29-41-42-46	36,388,417	-	36,388,417	5.32%	n/a	AAAm	MAX Class
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,077,083	-	2,077,083	5.62%	08/19/24	AAAf	TERM
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,069,346	-	2,069,346	5.47%	08/30/24	AAAf	TERM
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,058,474	-	2,058,474	5.12%	09/27/24	AAAf	TERM
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,038,117	-	2,038,117	5.27%	10/24/24	AAAf	TERM
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,043,315	-	2,043,315	5.27%	11/25/24	AAAf	TERM
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,027,026	-	2,027,026	5.42%	12/23/24	AAAf	TERM
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,022,951	-	2,022,951	5.37%	01/24/25	AAAf	TERM
MILAF	Local Gov't Invest Pool	11-22-26-29-42-46	2,003,683	-	2,003,683	5.17%	02/24/25	AAAf	TERM
MILAF-Grow Your Own	Local Gov't Invest Pool	11	-	-	-	5.17%	n/a	AAAm	Cash Management Class
MILAF-Grow Your Own	Local Gov't Invest Pool	11	7,031,672	-	7,031,672	5.32%	n/a	AAAm	MAX Class
MILAF-Grow Your Own	Local Gov't Invest Pool	11	4,157,459	-	4,157,459	5.65%	08/16/24	AAAf	TERM
MILAF-Grow Your Own	Local Gov't Invest Pool	11	4,150,612	-	4,150,612	5.27%	11/22/24	AAAf	TERM
MILAF-Grow Your Own	Local Gov't Invest Pool	11	4,145,844	-	4,145,844	5.37%	02/07/25	AAAf	TERM
MILAF-Extended Core	Local Gov't Invest Pool	11-22-26	17,723	-	17,723	5.17%	n/a	AAAm	Cash Management Class
MILAF-Extended Core	Local Gov't Invest Pool	11-22-26	108	-	108	5.32%	n/a	AAAm	MAX Class
MILAF-Extended Core	US Treasury Bonds/Notes	11-22-26	18,400,000	-	18,400,000	4.20%-5.24%	02/15/25-07/15/27	AA+	US Treasury Bonds/Notes (Par Value)
MILAF-Extended Core	US Treasury Bills	11-22-26	2,650,000	-	2,650,000	5.10%-5.29%	10/17/24-05/15/25	A1+	US Treasury Bills (Par Value)
MILAF-Extended Core	Federal Agency Commercial	11-22-26	275,000	-	275,000	4.71%-4.71%	07/01/26-07/01/26	AA+	Mortgage Backed Security (Par Value)
MILAF-Extended Core	Commercial Paper	11-22-26	7,000,000	-	7,000,000	5.38%-5.49%	12/20/24-03/07/25	A1 - A1+	Commercial Paper (Par Value)
			\$ 105,737,087	\$ 500,000	\$ 105,237,087				

Disclosures:

Credit Risk-All banks approved by the board have been reviewed using the most recent Bank Annual Report; Auditor Opinion Letters have highest ranking following ratio analysis; Banks are approved by the Board on an annual basis at the July Board Meeting

Concentration of Credit Risk-Investments are spread over numerous banks and various instruments; FDIC insurance is limited to \$250,000 per bank per customer demand deposits and \$250,000 per savings deposits; Board Policy limits securities, other than US Treasuries, to no more than 50% of the total portfolio consists of any one type of security.

Investment Risk-State Law limits types of allowable investments and maturities as well as Board Policy; Exposure to fair value losses arising from increasing interest rates are monitored.

Foreign Currency Risk-There is no risk as State Law prohibits investing in Banks not authorized to operate in the State of Michigan.

Local Government Investment Pool (MILAF) is a collateralized deposit account.

Board Policy 6144 Finances

**PERSONNEL RECOMMENDATIONS AS OF 08/12/2024
FOR BOARD MEETING OF 8/19/2024**

RESIGNATIONS AND TERMINATIONS

1. Christopher Farr, Student Services, Special Education Center Programs, KEC Oakleigh, Teacher, resignation, effective 6/30/2024.
2. Kristine Lodewyk, Instructional Services, Early Childhood, Great Start Readiness Program, Lead Teacher, resignation, effective 05/23/2024.
3. Olivia Lorraine, Student Services, Special Education Center Programs, DHH, Interpreter, resignation, effective 6/7/2024.
4. Samantha Nichols, Instructional Services, Early Childhood, Great Start Readiness Program, Lead Teacher, resignation, effective 05/23/2024.
5. Laura Preuss, Career & Talent Development, Adult Education, Director, resignation, effective 08/09/2024.

APPOINTMENTS

1. Bryndan Arnold, Human Resources, Director of Personnel, Professional, 1.0 FTE, 260 days per year, 8 hours per day, Grade 10 Step 1, \$129,232 per year, effective 9/3/2024.
2. Russell Bray, Administrative Services, Facilities, Director, Professional, 1.0 FTE, 260 days per year, 8 hours per day, Grade 10 Step 1, \$129,232 per year, effective 8/21/2024.
3. Jennifer Fee, Instructional Services, Assistant Superintendent, Professional, 1.0 FTE, 260 days per year, 8 hours per day, Grade 12 Step 11, \$190,615 per year, effective 08/01/2024.
4. Sienna Keklik, Career & Talent Development, Secondary Programs, Instructor-Diagnostics/Laboratory Science,, KCTC East, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, BA Step 7, \$68,175 per year, effective 08/14/2024.
5. Krista McCully, Student Services, Special Education Center Programs, Registered Nurse, Early Childhood ECSE, Professional, 1.0 FTE, 182 days per year, 7 hours per day, RN Step 2, \$63,022 per year, effective 08/12/2024.
6. Melissa Pierczynski, Career & Talent Development, Secondary Programs, Instructor-Teacher Academy, KCTC West, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, BA Step 18, \$86,913 per year, effective 08/14/2024.

7. Rachel Rogers, Student Services, Special Education Center Programs, Teacher - ASD, Pine Grove, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, BA+18 Step 10, \$80,146 per year, effective 08/13/2024.
8. Lindsay Swartz, Instructional Services, Early Childhood, Great Start Readiness Program, Lead Teacher, KIEA-LT, 1.0 FTE, 172 days per year, 7 hours per day, GSRP Step 3, \$48,015 per year, effective 8/26/2024.
9. Laura Ullery, Student Services, Special Education, Physical Therapist, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, MA+30 Step 8, \$85,867 per year, effective 08/13/2024.
10. Erin VanHavel, Student Services, Special Education Center Programs, Teacher - ASD, Lincoln School, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, MA Step 5, \$68,695 per year, effective 08/13/2024.

NEW ASSIGNMENTS AND CONTRACT ADJUSTMENTS

1. Natalie Carroll, from Associate Teacher to Lead Teacher, Instructional Services, Early Childhood, Great Start Readiness Program, KIEA-LT, 1.0 FTE, 172 days per year, 7 hours per day, GSRP Step 1, \$42,436 per year, effective 8/26/2024.
2. Chanelle Charity, from Quality Improvement Specialist to Quality Improvement Coach, Instructional Services, Early Childhood, Great Start to Quality, Professional, 1.0 FTE, 260 days per year, 8 hours per day, Grade 2 Step 1, \$60,286 per year, effective 8/12/2024.
3. Kelsey Friedley Guerra, from Associate Teacher to Lead Teacher, Instructional Services, Early Childhood, Great Start Readiness Program, KIEA-LT, 1.0 FTE, 172 days per year, 7 hours per day, GSRP Step 1, \$42,436 per year, effective 8/26/2024.
4. Claire Lim, from Instructional Support Specialist to Teacher - Resource Room, Student Services, Special Education Center Programs, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, MA Step 4, \$65,578 per year, effective 08/13/2024.
5. Colin Maynard, from Instructional Support Specialist to Teacher - Resource Room, Student Services, Special Education Center Programs, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, BA Step 2, \$54,126 per year, effective 08/13/2024.
6. Rachelle Paxton-Ryskamp, from Early Childhood Specialist to Early Childhood MTSS Coordinator, Instructional Services, Early Childhood, Great Start Readiness Program, Professional, 1.0 FTE, 200 days per year, Grade 7 Step 2, \$76,182 per year, effective 08/12/2024.

7. Kevin Schuldt, from IT Technician to Application System Analyst, Technology Services, Professional, 1.0 FTE, 260 days per year, 8 hours per day, Grade 5 Step 1, \$80,243 per year, effective 8/26/2024.
8. Alexis Terpstra, from School Psychologist to Early Childhood School Psychologist, Student Services, Early On, KIEA, 1.0 FTE, 182 days per year, 7 hours per day, MA+30 Step 8, \$85,867 per year, effective 08/05/2024.
9. Meredith Wallace, from Assistant Principal to Career & Tech Ed Curriculum Coordinator, Career & Talent Development, Secondary Programs, KIEA, 1.0 FTE, 182 days per year, MA+30 Step 11, \$94,190 per year, effective 08/14/2024.

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action X

Item: Addition of one Early Childhood Specialist for GSRP

Submitted by: Ashley Karsten

Date: 7/25/2024

Recommended by: Ron Gorman



Board Meeting Date: 8/19/24

RECOMMENDATION:

As pre-k for all expands in Kent County, we plan to partner with 25 new subrecipient partners. It is recommended that the board approve the hire of one additional Early Childhood Specialist to support with classroom monitoring, assessment, and support.

BACKGROUND:

Under the GSRP grant it is mandatory that each classroom that receives funding is also provided coaching support through an Early Childhood Specialist. Early Childhood Specialists at Kent ISD generally carry a caseload of about 15 classrooms. Early Childhood Specialists provide instructional, behavioral, and family support to the staff and classroom. Early Childhood Specialists work a 200-day contract. This additional position is supported by the current budget under the Great Start Readiness Program grant.

Category: **Elementary School Teaching/Early Childhood**

Date Posted:

Location: **Kent ISD**

Date Closing:

VACANCY NOTICE

Job Title: Early Childhood Specialist
Kent ISD/ GSRP
200 Days per year

Ensure the implementation of high-quality preschool programs and compliance of the Great Start Readiness Program across Kent County programs through regular, ongoing classroom support to GSRP classroom staff.

Job Qualifications:

1. Graduate degree in early childhood education or child development. Comparable or other relevant graduate degrees will be considered.
2. Five or more years of relevant work experience.
3. Effective written and verbal communication skills.
4. Navigate and utilize Google Suite and willingness to learn how to navigate and utilize other technology platforms.
5. Analyze and interpret data. Examine the impact of education inequities in student achievement outcomes as it aligns with race, ethnicity, and socio-economic status.
6. Work cooperatively with a diverse population of stakeholders including local school district representatives, community partners, teachers, students, and families.
7. Continual learning and practice that reflects the latest research in the early childhood field.
8. Commitment to equity, social justice and inclusion in all practices and position responsibilities.
9. Advocacy of the importance of Early Childhood Education and advancement of the profession of Early Childhood Education.
10. Self-motivated team player who is able to multi-task and prioritize.
11. Bilingual skills are highly desired.

Before or immediately after hire, the ECS must acquire:

1. Knowledge of the Early Childhood Standards of Quality for Pre-Kindergarten (ECSQ-PK).
2. Knowledge of GSRP requirements as outlined in the GSRP Implementation Manual.
3. Knowledge of State of Michigan Licensing Rules for Child Care Centers.
4. Formal training in the selected approved developmental screener (ASQ-3 or Brigance), comprehensive curriculum (Connect4Learning, HighScope, Montessori and/or Reggio

Emilia), authentic child assessment (MyTS or COR), and program evaluation tool (PQA-R or CLASS) of the classrooms supported. Formal training is defined as comprehensive training in full implementation of a tool, completed by a certified trainer of the tool, such as those who have attended training of trainers.

5. Knowledge of the Essential Instructional Practices in Early Literacy, Prekindergarten and Essential Instructional Practices in Early Mathematics, Pre-K to Grade 3.
6. Status as a Reliable Assessor/Certified Observer in PQA-R and/or CLASS.

Specific Duties and Responsibilities:

1. Partner with teaching teams to ensure grant compliance, fidelity to curriculum, and a high-quality preschool experience for children.
2. Observe and provide both written and verbal feedback to teaching teams on an ongoing basis.
3. Provide monthly coaching to teaching teams, based on the professional growth plan, which may include offering support by observing to provide feedback on techniques or interactions, modeling strategies with children, attending home visits/conferences, offering classroom or professional learning resources, meeting with teaching teams to discuss feedback, strengths and needs, plans, etc.
4. Monitor quantity and quality of evidence entered into the child assessment tool by each teaching team. Support the continuous analysis of child progress to inform parent partnerships and teaching through lesson planning for meaningful, intentional whole group instruction, as well as respond to small group and individual child needs.
5. Plan, facilitate, and/or engage in early childhood Professional Learning Committees (PLCs), Professional Development (PD), and other training experiences for childhood program staff based on identified needs.
6. Partner with teachers, families, and auxiliary staff to provide appropriate and research-based behavior support.
7. Liaison between Kent ISD, local school districts, Community Based Organizations and early childhood community stakeholders. Advocate for local GSRP Programs.
8. Utilize individual expertise and experience as it will benefit the program as a whole.

Kent ISD's Early Childhood Department strives to be inclusive in our hiring and workplace practices. We continually seek to be strengthened by the wisdom of diversity.

The above is intended to describe the general content of and requirements for the performance of this position. It is not to be construed as an exhaustive statement of duties, responsibilities or requirements.

Salary: Grade 5

Benefits: Robust benefit package includes full medical, dental, and vision insurance; generous paid sick and personal days; State of Michigan School Employment retirement program; student loan forgiveness may be available through the Public Service Loan

Forgiveness program for eligible Federal student loans.

Posting Dates:

Distribution: External & Internal

To Apply: Kent Intermediate School District manages employment applications online. No hardcopy applications/resumes will be accepted for this position.

- Applications must be completed online at www.jobs.kentisd.org
- Please note, due to the large number of applications, we are unable to attend to e-mail or telephone inquiries on application status.
- All candidates will be notified timely regarding their application status.

The final candidate for this position will be required (at their cost) to furnish Kent Intermediate School District with a current Michigan State Police and FBI criminal records LiveScan check prior to our recommendation to hire.

It is the policy of the Kent ISD School Board that no student, staff member or candidate for any position in the District shall be discriminated against on the basis of race, color, national origin, creed, ancestry, age, gender/sex, sexual orientation, marital status, height, weight, veteran status, political belief or physical/mental disability which does not impair their ability to perform adequately in the individual's particular position or activity, excluded from participation in, denied the benefit of, or to be subjected to discrimination in any program or activity for which the Kent ISD School Board is responsible for or receives financial assistance from the U.S. Department of Education. The Coordinator for Title IX, Section 504, the Age Discrimination Act and Title II is: Coni Sullivan, Esq., Assistant Superintendent for Human Resources and Legal Services.

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action x

Item: Add a Play and Learn Parent Educator for Bright Beginnings

Submitted by: Ashley Karsten

Date: 7/30/2024

Recommended by: Ron Gorman



Board Meeting Date: 8/19/2024

RECOMMENDATION:

It is recommended that the Kent ISD Board approve the additional position of a Play and Learn Parent Educator from expanded Ready by Five millage funding. The position will be .9 FTE and will work with the existing Bright Beginnings team to offer additional playgroups around Kent County in the evening, Saturdays, and various weekdays.

BACKGROUND:

Currently our Ready by Five Play and Learn Parent Educator offers 20 playgroups a month using the Parents as Teachers model of play and learning, socialization, parent education, and community collaboration. We have been awarded additional funds from First Steps Kent through the Ready by Five millage to provide more playgroups around the county, throughout the week, and specifically for working parents to attend from 5-6:30 pm and on Saturday's.

POSITION DESCRIPTION

Title: PLAY AND LEARN PLAYGROUP PARENT EDUCATOR

Classification: Classified

Reports To and Evaluated By: Supervisor – Bright Beginnings Early Childhood Program

Terms of Employment: .9 FTE – 180 days a year (position subject to all rules and regulations covering classified personnel.)

Positions Supervised: None

BROAD STATEMENT OF RESPONSIBILITIES:

Plans, organizes, and facilitates playgroups in different school districts throughout Kent County as part of the Kent ISD Bright Beginnings Early childhood program. All playgroups will implement the Parents As Teachers model in partnership with community programs.

SPECIFIC DUTIES AND RESPONSIBILITIES:

1. Implements the Parents as Teachers program with a group of parents and children in a Kent County by primarily facilitating playgroups using a coaching model for children/parents, assisting in screening opportunities, and providing referrals to local school districts, Kent ISD programs, preschool programs and other community agencies/organizations that provide services for children prenatal to five years of age and their families.
2. Recruits parents and families with children from prenatal through five (5) years of age for participation in program services coordinated by the district, constituent districts and other partners in the county-wide community resource network.
3. Develops and facilitates 4 playgroups a month in the evening, one on a Saturday, five additional groups throughout the month during the day, and other support as needed by the lead play and learn Parent Educator.
4. Empowers parents, guardians, and children using the PAT model that typically has developmentally appropriate free play centers, story time, songs, parent education, snack, and other activities.
5. Maintains all reports including daily log of activities and the collection of information from participants for program needs assessment. Must be self-motivated and can work on

your own daily.

6. Attends and participates in monthly staff meetings as well as various community meetings.
7. Conducts virtual groups if gatherings are a public health concern.
8. Participates in the initial intensive training program for Parent Educators and all regular staff development and in-service trainings.
9. Provides marketing support via Stakeholder/Department newsletter, production and design of flyers, represent department in booths at community events, and maintaining marketing materials for fairs.
10. Accepts additional tasks and responsibilities as assigned by the Administration.

KNOWLEDGE, SKILLS AND ABILITIES REQUIRED:

1. Bachelor's degree in Child Development, Education, Social Work, Family Studies or related field preferred.
2. Three (3) years of successful experience in education, parent involvement or early childhood development programs preferred.
3. Must be ready to have fun, engage families, love playing and have high energy.
4. Skills in building meaningful, constructive relationships with families in a coaching model required. Must be an individual with an interest in and experience and knowledge with young children and their development.
5. Embraces an environment that celebrates, respects, and values diversity, where teaching and learning are made relevant and meaningful to families of various cultures. A second language such as Spanish or Kinyarwanda is a plus as well as experience working with diverse cultures.
6. Ability to effectively use Google Suites, Microsoft Office, Word and Excel. Strong technology skills are needed for video and phone conferencing.
7. Demonstrate ability to effectively communicate verbally and in writing and to work cooperatively with local school district and community agency staff.
8. Must be a self-directed, non-judgmental individual with a professional manner.
9. Complete accurate and timely data entry and collection details into complex data management system.

10. Requires extensive travel with your vehicle driving around Kent County, evenings, one Saturday a month, and ability to work flexible hours. Mileage reimbursement provided.

The above is intended to describe the general content of and requirements for the performance of this position. It is not to be construed as an exhaustive statement of duties, responsibilities or requirements.

It is the policy of the Kent ISD School Board that no student, staff member or candidate for any position in the District shall be discriminated against on the basis of race, color, national origin, creed, ancestry, age, gender/sex, sexual orientation, marital status, height, weight, veteran status, political belief or physical/mental disability which does not impair their ability to perform adequately in the individual's particular position or activity, excluded from participation in, denied the benefit of, or to be subjected to discrimination in any program or activity for which the Kent ISD School Board is responsible for or receives financial assistance from the U.S. Department of Education. The Coordinator for Title IX, Section 504, the Age Discrimination Act and Title II is: Coni Sullivan, Esq., Assistant Superintendent for Human Resources and Legal Services.

BOARD AGENDA ITEM

Information/Discussion _____

Future Action _____

Action X _____

Item: Hiring of a Data Analyst and an Administrative Research Assistant

Submitted by: Davie Store

Date: 08/05/2024 _____

Recommended by: Davie Store

Board Meeting Date: 08/19/2024 _____

RECOMMENDATION: I am requesting approval to add a Data Analyst and an Administrative Research Assistant to the Research and Data Analytics team. The Data Analyst will start in September, and the Administrative Research Assistant will begin in October, 2024.

BACKGROUND: Since spring 2021, Kent ISD has been at the forefront of administering student perception surveys across Michigan. The MI Student Voice Perception Survey, initially developed by Michigan Superintendents in 2019, aimed to create a standardized measure to offer a more comprehensive understanding of student experiences. Participation in this survey has grown steadily each year, significantly influencing how educational leaders statewide approach district and school improvement planning by prioritizing student voices. In spring 2024, 108 districts and 70,623 students participated, marking a substantial increase from the 58 districts and 33,366 students in spring 2023.

Recognizing the value of incorporating multiple perspectives in school improvement planning, the team at Kent ISD expanded their efforts in 2023 to include Parent/Guardian and Educator surveys. The Research and Data Analytics team developed the additional two surveys with the understanding that these triangulated voices can guide districts in adjusting school policies and identifying necessary programs for targeted intervention. The Educator and Parent/Guardian surveys were pilot tested in spring 2023, with 54 districts (8,002 parent/guardian responses) and 48 districts (2,843 educator responses) participating. Moving forward, Kent ISD will administer all three surveys—the Student, Parent/Guardian, and Educator surveys—annually.

To manage the workload and ensure the smooth operation of these initiatives, additional resources are essential. The addition of a Data Analyst and an Administrative Research Assistant will enable our teams to efficiently meet the needs of the participating districts and fulfill our obligations effectively. Up to the end of this year (December 2024), the Michigan Health Endowment Fund has been funding this project. From October 2024, the state school aid fund money appropriated \$500,000, to support the implementation of the MI Student Voice Perception Survey for 2024-2025.

POSITION DESCRIPTION

Title: Data Analyst Position

Job Overview

The Data Analyst I will play a pivotal role in planning, organizing, and executing research projects. They will be responsible for coordinating research activities, communicating with stakeholders, managing data collection processes, evaluating programs, and assisting in data analysis projects. This position requires excellent organizational and communication skills, as well as a strong commitment to maintaining the highest ethical standards in research.

Responsibilities

- (1) Coordinate research projects from inception to completion, ensuring adherence to timelines and objectives.
- (2) Assist and manage survey processes, including communication with districts, customizations, data collection, and analysis.
- (3) Coordinate data collection activities including survey administration, interviews, focus groups, and evaluations.
- (4) Collaborate in projects requiring data analysis and visualization.
- (5) Conduct literature reviews and assist with the development of research proposals.
- (6) Collect, manage, and analyze research data using appropriate software tools and statistical techniques.
- (7) Prepare research reports and presentations for dissemination to internal and external stakeholders.
- (8) Maintain accurate records of research activities, including protocols, sharing agreements, and data documentation.
- (9) Facilitate communication and collaboration among research team members, collaborators, and partners.
- (10) Stay current with developments in research methodologies, best practices, and regulatory requirements.

Education Required

Bachelor's Degree or higher in a relevant field (e.g., psychology, sociology, etc.).

Experience Required

Minimum 1 year of related experience.

Skills Required

- (1) Proven experience in research coordination or project management, preferably in an academic setting.
- (2) Strong knowledge of research methods, study design, and data analysis techniques.
- (3) Excellent organizational skills and attention to detail.
- (4) Strong interpersonal and communication skills, with the ability to work effectively in a collaborative team environment.
- (5) Ability to multitask, prioritize workload, and meet deadlines in a fast-paced environment.
- (6) Flexibility and adaptability to changing project needs and priorities.
- (7) Commitment to maintaining confidentiality and ethical standards in research practices.

(8) Skills in Microsoft Office, Tableau, Qualtrics, and/or various programming languages preferred

Salary

Commensurate with education and experience

Benefits

- Medical, Dental, Vision Insurance
- District-paid Life Insurance
- District-paid Long-Term Disability
- Paid Sick & Vacation Days
- Opportunity for partial remote work

POSITION DESCRIPTION

Title: Administrative Research Assistant

Job Overview

The Administrative Research Assistant will perform a variety of complex administrative assistant duties and research support. They will be responsible for communicating survey information, managing correspondence for the team, supporting administrative and clerical duties, coordinating travel arrangements, as well as data entry, collection, and research.

Responsibilities

- (1) Effectively communicate with individuals both externally and internally. This includes but is not limited to: coordinating with team members, liaising with research teams, and managing communication with survey participants.
- (2) Provide administrative assistance such as scheduling meetings, managing calendars, coordinating travel arrangements, and reconciling purchases.
- (3) Organize and maintain databases, files, and records related to research projects, ensuring accuracy and accessibility.
- (4) Assist in gathering and organizing data from various sources to support ongoing projects and initiatives.
- (5) Assist in reviewing and proofreading documents and reports to ensure accuracy, consistency and adherence to established standards.
- (6) Provide support to team by conducting background research, literature searches, and data collected as needed.
- (7) Ensure compliance with relevant policies, regulations, and ethical standards in research activities and data management.
- (8) Perform other administrative tasks and responsibilities as assigned by supervisors or project leads to support the overall goals and objectives of the organization.

Education Required

Bachelor's Degree in a relevant field (e.g., psychology, sociology, etc.).

Experience Required

Minimum 1 year of related experience.

Skills Required

- (1) Strong interpersonal and communication skills, with the ability to work effectively in a collaborative team environment.
- (2) Ability to effectively communicate with school district representatives in different ways.
- (3) Excellent organizational skills and attention to detail.
- (4) Ability to multitask, prioritize workload, and meet deadlines in a fast-paced environment.
- (5) Flexibility and adaptability to changing project needs and priorities.
- (6) Proficiency with Microsoft Office products (Excel, Word, PowerPoint)

Salary

Commensurate with education and experience

Benefits

- Medical, Dental, Vision Insurance
- District-paid Life Insurance

- District-paid Long-Term Disability
- Paid Sick & Vacation Days
- Opportunity for partial remote work

BOARD AGENDA ITEM

Information/Discussion _____

Future Action _____

Action X

Item: Request for Personnel CTES Aviation

Submitted by: Sue Gardner



Date: July 30, 2024

Recommended by: Craig Weigel



Board Meeting Date: August 19, 2024

RECOMMENDATION:

Kent Career Tech Center (KCTC) is recommending hiring one (1 FTE) CTE Specialist to support the Aviation program.

BACKGROUND:

To address the changing Course of Study for the Aviation program and growth in that program, it is recommended that an additional Career and Technical Education Specialist (CTES) position be created to support students with the increased instructional time and program rigor. With the addition of direct college credit coursework, this CTES position will be an essential support in ensuring the academic success of the students in the program.

Job Description

Job Title:	<u>Aviation Program - CTES (1.0 FTE)</u> Kent Career Tech Center
Reports To:	Principal or Designee (Immediate Supervisor)
Classification:	Union - KIEA CTE Specialist 7 Hours Daily (FT) / 182 Days (Full School Year)
Terms of Employment:	Governed by KIEA Master Agreement

Summary: To assist in providing a well-organized and smoothly functioning class environment that reflects the actual work environment in which students can take full advantage of the adapted instructional program and the available resource material.

Job Qualifications:

1. Must have graduated from high school (Associate's or Bachelor's Degree preferred).
2. Must have had a minimum of two (2) years (4,000 hours) of recent work experience in the occupational area of instruction.
3. Experience working with a team to collect, interpret, and use data to make decisions.
4. Demonstrates interpersonal skills to interact with students, staff, and parents effectively.
5. Ability to concentrate and pay close attention to details, organize, prioritize, and work independently, as well as schedule and produce work in a timely manner.
6. Must have demonstrated ability to work with culturally diverse student populations, including special population students (economic and academic disadvantaged, special education, and Limited English Proficient students).
7. Ability to develop effective working relationships with students, staff, and the school community.
8. Ability to implement instructional philosophy accurately and consistently.
9. Ability to be flexible and maintain confidentiality.

Specific Duties and Responsibilities:

1. Assists in providing specialized and accommodated instruction in the various aspects of Vocational and Career Technical Education (CTE).
2. Support for students in the completion and preparation of Direct college coursework.
3. Supplements the instructor's demonstration of the safe and proper use of the program's tools and equipment with students needing additional assistance.
4. Uses remedial and tutorial techniques, as directed, to assist students in gaining the most from their instruction.
5. Assists students on a one-to-one or small group basis as directed by the lead instructor.
6. Assists students with work assignments that may require strenuous physical exertion.

7. Assists in maintaining discipline, aiding individual students, and assisting the lead instructor to have a greater influence on the learning process.
8. Assists the instructor in maintaining a safe learning environment and monitors student behavior to maximize learning in the lab, on the work site, and during field trips.
9. Assists in the setup and operation of equipment used in the teaching process.
10. Assists instructors with implementing Student Success Plans - including curricular supports, accommodating or removing barriers, and assistive technology.
11. Demonstrate initiative and creativity – is self-directed.
12. Shares the student progress data with the Student Services team - following Special Education and MTSS data review cycles.
13. Assists other Student Support Services members and instructors with student visits - including tours, program visits, and internships.
14. Participates in staff meetings and professional in-service opportunities as provided by the Kent Career Technical Center.
15. Assists with supervision and transporting students to and from job sites and field trips.
16. Accepts additional tasks and responsibilities as assigned by the Principal or designee.

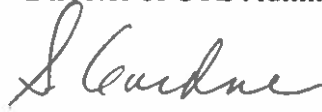
The above is intended to describe the general content of and requirements for the performance of this position. It is not to be construed as an exhaustive statement of duties, responsibilities, or requirements.

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action X

Item: Request for Personnel - Director of CTE Administrative Assistant

Submitted by: Sue Gardner



Date: August 8, 2024

Recommended by: Joe Lienesch



Board Meeting Date: August 19, 2024

RECOMMENDATION:

Career and Talent Development is recommending hiring one (1 FTE) Administrative Assistant in support of the Director of CTE and the team's work.

BACKGROUND:

To address the increasing scope of the department's CTE work, the Administrative Assistant position will support communications, reporting structures, systems development and implementation, and staff support under the office of the Director of CTE. Additionally, the need for this support is proportionately increasing as the team works to achieve the goal of doubling CTE participation in Kent County. This new role will perform routine and advanced administrative assistant duties to assist the Director of CTE. It will also ensure the efficient and effective operation of Kent ISD CTE offices and positively impact the provision of educational services within the department.

BOARD AGENDA ITEM

Information/Discussion
Future Action
Action

Item: Adult Education Student Services Specialist

Date: August, 12, 2024

Submitted by: Sue Gardner

Board Meeting Date: August 19, 2024

Recommended by: Sue Gardner

RECOMMENDATION:

It is recommended we hire a 215-day Adult Education Student Services Specialist.

BACKGROUND:

The Kent ISD Adult Education Program continues to expand ESL and ABE/GED programming across multiple locations and session times. This includes the Kent county jail, Kentwood location, GRCC Sneden Hall, Wyoming location and employer satellites. Registration and related student service needs have increased significantly and this position will provide support for the registration and clerical needs for the expanded service areas.

KENT INTERMEDIATE SCHOOL DISTRICT

POSITION DESCRIPTION

Title: Adult Education Student Services Specialist

Classification: Classified Hourly (Wage Scale IV)

Reports To and Evaluated By: Director of Adult Education

Terms of Employment: 215-day position subject to all rules and regulations covering classified personnel.

Positions Supervised: none

BROAD STATEMENT OF RESPONSIBILITIES:

The Adult Education Student Services Specialist will ensure a positive programmatic experience for adult learners across multiple programming locations and via various administrative interactions such as: registration, internal/external communications, advanced clerical duties, and more.

JOB FUNCTIONS AND RESPONSIBILITIES:

1. Facilitate alignment of registration and clerical functions across multiple adult education locations, including The Kent County Jail.
2. Set up and facilitate CASAS testing, TopsPro, and training staff for CASAS
3. Monitor and support Pupil Accounting needs via PowerSchool: Create and schedule students, attendance, verification letters, age waivers, dropping students, etc..
4. Assist in orientation events and assist students in individual orientation as needed
5. Assist in onboarding of administrative assistants, support staff, and select instructor functions (RedRover, PowerSchool, CASAS, etc.) across multiple adult education locations.
6. Assist in developing and facilitating professional development for office/clerical staff
7. Develop training materials as needed for clerical staff and usage of school applications
8. Develop systems and review processes to ensure comprehension and compliance of policies, procedures, and school applications as it pertains to office staff, communicate oversights to administrators in a timely manner
9. Anticipate external and internal communication mass messaging needs, including planned and unexpected closures impacting individual and/or multiple adult ed programming locations via Bright Arrow/Facebook/Website
10. Assist Community Outreach Coordinator with alignment of communications across multiple locations as needed, including Facebook content, website updates, etc.; assist outreach coordinator in responding to website/text inquiries from the public
11. Event planning for student field trips, graduation, and as needed
12. Establishes and maintains confidential files and organizational/departmental records in manual and computerized modes.
13. Initiates, responds to and routes telephone calls; screens and routes incoming mail, publications and other materials; initiates and responds to routine and non-routine inquiries; resolves problems and refers questions with policy and procedure implications to supervisor(s).
14. Performs basic purchasing/bookkeeping functions required in the position.

15. Records and maintains adult attendance enrolled in day school and adult education program; verifies student attendance with instructors.
16. Prepares weekly payroll worksheets for part-time employees and forwards them to Payroll Department.
17. Assists in setting up adult education program including enrollment, class schedules, teacher/student handbooks and Adult Education brochure; arranges for printing of same.
18. Arranges for substitute teachers; contacts students at times of class cancellations and/or make-ups.
19. Assist and maintain electronic files
20. Have a broad knowledge of Kent ISD policies and ability to answer them for staff and students
21. Other duties as assigned

KNOWLEDGE, SKILLS AND ABILITIES REQUIRED:

1. Bachelor's Degree in public administration or related field preferred, but not required. Minimum high school graduate, plus minimum five (5) years' experience as administrative assistant or related field, preferably in the educational environment.
2. Strong communication skills are necessary to work with the public in a courteous and cooperative manner. The Student Services Specialist will have extensive experience and a strong desire to work with diverse populations, including refugee populations, individuals whose first language is not English, individuals with special needs, and populations who may be identified as at risk. Bilingual (English/Spanish) preferred.
3. Ability to read, comprehend, and transmit complicated and detailed instructions in order to plan and perform job duties.
4. Ability and willingness to travel between adult education locations; some evening availability for events may be required
5. Broad knowledge of organizational operations and policy, and a high level of experience and technical skills.
6. Ability to meet deadlines, to concentrate and pay close attention to details; also ability to organize, prioritize and work independently and co-operatively as well as schedule and produce work in a timely manner.
7. High level of communication and interpersonal skills such as discretion, integrity and flexibility to interact effectively with administrators, peers, constituent districts, and the general public.
8. Ability to maintain flexible scheduling for workshops and conferences and to make related travel arrangements.
9. Demonstrated understanding of cross-cultural competencies.
10. The above is intended to describe the general content of and requirements for the performance of this position. It is not to be construed as an exhaustive statement of duties, responsibilities, or requirements.

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action _____

Item: MySchool@Kent Course Offerings (Apex & eDynamic)

Submitted by: Gerry Verwey

Date: 7/10/2024

Recommend by: Sue Gardner

Board Meeting Date: 8/19/2024

RECOMMENDATION: It is recommended that the board approve the MySchool@Kent course offerings through our content providers, Apex and eDynamic Learning.

BACKGROUND: The attached lists include courses offered by Apex and eDynamic Learning, which we seek to be approved by the board as course offerings for the 2024-2025 school year to students in the MySchool@Kent middle and high school programs. Courses crossed off will not be offered. Courses will be instructed by appropriately certified and endorsed MySchool@Kent staff or externally contracted instructors, as needed. These attached lists allow us to provide a wide array of course offerings, in congruence with our staffs' various teaching credentials. Whereas Apex provides the bulk of our core and other subject courses, eDynamic Learning provides us a great array of elective courses to offer our students, as well.

x Gerry Verwey 7/10/24

x _____

Sue Gardner
7/17/24



English

- English Foundations I P F
- English Foundations II P F
- English 6 C
- English 7 C
- English 8 C
- English 9 P C H
- English 9 with Romeo and Juliet P C H
- English 10 P C H
- English 11 P C H
- English 12 P C H
- AP® English Language and Composition A
- AP® English Literature and Composition A
- Creative Writing* C
- Media Literacy* C
- Reading Skills and Strategies* C
- Writing Skills and Strategies* C
- Personal Communication C



Science

- Science Foundations P F
- Science 6 C
- Science 7 C
- MS Physical Science C
- Science 8 C
- MS Life Science C
- MS Earth and Space Science C
- Earth Science C H
- Physical Science P C
- Environmental Science P C
- Biology P C H
- Chemistry P C H
- Physics P C H
- The Living Earth P C
- Chemistry in the Earth System P C
- Physics of the Universe P C
- AP® Environmental Science A
- AP® Biology A
- AP® Chemistry A



Math

- Math Foundations I P F
- Math Foundations II P F
- Math 6 C
- Math 7 C
- Math 8 C
- Introductory Algebra C
- Algebra I P C H
- Algebra II P C H
- Geometry P C H
- Mathematics I P C
- Mathematics II P C
- Mathematics III P C
- Precalculus C H
- AP® Calculus AB A
- AP® Statistics A
- Mathematics of Personal Finance C
- Probability and Statistics P C
- Fundamental Math C
- Algebra I-A C
- Algebra I-B C
- Bridge Math C
- Liberal Arts Mathematics 1 P C
- Liberal Arts Mathematics 2 C



Electives

- Computer Science Essentials NEW C
- College and Career Preparation I* C
- College and Career Preparation II* C
- Art Appreciation* C
- Music Appreciation C
- Physical Education* C
- Health* P C
- Health Opportunities through Physical Education (HOPE) C
- Mathematics of Personal Finance C
- Probability and Statistics P C
- Bridge Math C
- Liberal Arts Mathematics 1 P C
- Liberal Arts Mathematics 2 C
- Creative Writing* C
- Media Literacy* C
- Reading Skills and Strategies* C
- Writing Skills and Strategies* C
- Multicultural Studies* C
- Sociology* C
- Psychology* C
- Financial Literacy* P C

World Languages

- MS Spanish 1** C
- MS Spanish 2** C
- Spanish I P C
- Spanish II P C
- Spanish III C
- AP® Spanish Language and Culture A
- MS French 1** C
- MS French 2** C
- French I C
- French II C
- AP® French Language and Culture** A
- MS German 1** C
- MS German 2** C
- German I** C
- German II** C
- MS Latin 1** C
- MS Latin 2** C
- Latin I** C
- Latin II** C
- MS Mandarin Chinese 1** C
- MS Mandarin Chinese 2** C
- Mandarin Chinese I** C
- Mandarin Chinese II** C



CTE

- Accounting I C
- Accounting II C
- Business Applications* C
- Computer Applications* C
- Human Resources Principles C
- Information Technology Applications* C
- Introduction to Business and Technology C
- Legal Environment of Business C
- Principles of Business, Marketing, and Finance C
- Principles of Health Science C
- Principles of Information Technology C

- P Prescriptive
- C Core
- H Honors
- A Advanced Placement
- ⬆ Coming Soon
- * One Semester
- ** Available only through Apex Learning Virtual School (ALVS)



Social Studies

- MS World History C
- MS U.S. History C
- MS Civics C
- MS Contemporary World C
- World History P C H
- Geography and World Cultures* C H
- World History to the Renaissance C H
- Modern World History from 1450 P C
- Modern World History from 1600 P C
- U.S. History P C H
- U.S. History to the Civil War* P C
- U.S. History since the Civil War P C H
- U.S. Government and Politics* P C H
- Economics* P C H
- AP® U.S. History A
- AP® U.S. Government and Politics* A
- AP® Macroeconomics* A
- AP® Microeconomics* A
- AP® Psychology* A
- Multicultural Studies* C
- Sociology* C
- Economics and Personal Finance P C
- Psychology* C
- Financial Literacy* P C

- P** Prescriptive
- C** Core
- H** Honors
- A** Advanced Placement
- ⬆** Coming Soon
- * One Semester
- ** Available only through Apex Learning Virtual School (ALVS)



2024 Electives Library

eDynamic Learning is the largest publisher of Career and Technical Education (CTE) and elective courses in North America offering over 250 courses for middle and high schools.

The **Electives Library** offers schools unique and specialized digital courses for high school students to access an enriching, well-rounded cross-cutting skills curriculum. Courses can serve as a textbook replacement or to supplement the classroom curriculum.

Arts

EDL038	Art in World Cultures	EDL355	Theater, Cinema and Film Production 1a: Introduction
EDL359	Game Design for Chromebooks 1a: Introduction	EDL356	Theater, Cinema and Film Production 1b: Lights, Camera, Action!
EDL360	Game Design for Chromebooks 1b: From Prototype to Product		
EDL023	Music Appreciation: The Enjoyment of Listening		

Consumer Sciences

EDL095	Learning in a Digital World: Digital Citizenship	EDL094	Life Skills: Navigating Adulthood
EDL018	Personal and Family Finance		
EDL016	Real World Parenting		

English (Language Arts)

EDL072	Creative Writing	EDL391	Professional Communication
EDL130	Creative Writing: Unleashing the Core of Your Imagination	EDL128	Public Speaking 1a: Introduction
EDL015	Gothic Literature: Monster Stories	EDL129	Public Speaking 1b: Finding Your Voice
EDL120	Journalism 1a: Introduction	EDL107	Reading and Writing for Purpose
EDL121	Journalism 1b: Investigating the Truth	EDL050	The Lord of the Rings: An Exploration of the Films and Their Literary Influences
EDL026	Mythology and Folklore: Legendary Tales		

World Languages (Foreign Languages)

EDL090	American Sign Language 1a: Introduction	EDL135	American Sign Language 2b: Advancing Communication Skills
EDL134	American Sign Language 1b: Learn to Sign	EDL257	American Sign Language 3a: Community & Culture
EDL106	American Sign Language 2a: Communicating	EDL258	American Sign Language 3b: Conversations & Culture

Health

EDL076	Personal Fitness	EDL357	Health & Physical Education 1a: Introduction
EDL065	Nutrition and Wellness	EDL358	Health & Physical Education 1b: Invest in Your Health
EDL063	Health 1: Life Management Skills		

Science

EDL021	Archaeology: Detectives of the Past	EDL008	Criminology: Inside the Criminal Mind
EDL132	Astronomy 1a: Introduction	EDL011	Forensic Science 1: Secrets of the Dead
EDL133	Astronomy 1b: Exploring the Universe	EDL022	Forensic Science 2: More Secrets of the Dead
EDL112	Biotechnology 1a: Introduction	EDL013	Great Minds in Science: Ideas for New Generation
EDL113	Biotechnology 1b: Unlocking Nature's Secrets	EDL385	Marine Science 1a: Introduction
EDL371	Computing for College and Careers 1a: Introduction	EDL071	Renewable Technologies
EDL372	Computing for College and Careers 1b: Refining Your Interests	EDL012	Veterinary Science: The Care of Animals

Social Studies

EDL075	African American History	EDL009	Philosophy: The Big Picture
EDL004	Anthropology 1: Uncovering Human Mysteries	EDL002	Social Problems 1: A World in Crisis
EDL019	Anthropology 2: More Human Mysteries Uncovered	EDL010	SocialProblems2: Crisis, Conflicts, and Challenges
EDL036	History of the Holocaust	EDL006	Sociology I: The Study of Human Relationships
EDL025	Human Geography: Our Global Identity	EDL007	Sociology II: Your Social Life
EDL043	Peer Counseling	EDL051	Women's Studies: A Personal Journey Through Film
EDL001	Personal Psychology 1: The Road to Self-Discovery	EDL024	World Religions: Exploring Diversity
EDL005	Personal Psychology 2: Living in a Complex World		

Struggling with securing student internships or meeting career readiness standards?

Our **Virtual Internship Program** offers flexibility with a variety of career options for students to choose from. This year-long program prepares students before stepping into a physical workspace and allows them to test and try concepts in a risk-free simulated environment. Students will gain valuable skills and uncover which areas they like most and where they'd like to focus in the future, or major in at college.

- ✓ With eight different options to choose from, students will have the flexibility to select the career path that's right for them.
- ✓ Gives students an outlet to reflect on their future and hone in on areas in their desired field
- ✓ Meets career readiness, preparation, and workplace essential standards, ensuring that your students are fully equipped for success.
- ✓ A perfect year-long program that pairs nicely with many CTE pathways
- ✓ Provides teachers with comprehensive lessons, activities, tools, and resources to help their students succeed.

Enrich Your Business Curriculum with Simulations

Knowledge Matters is the leader in virtual experiential learning, providing simulations for High Schools. Paired with eDynamic Learning's courses, you will have the tools you need to enhance student engagement and elevate the learning experience.

- ✓ A comprehensive set of teaching materials and the ability for your students to apply what they have learned
- ✓ Simulations offer a risk-free environment for them to test and try out concepts while gaining valuable skills and learning all aspects of their chosen industry
- ✓ Browser-based, online simulations that provide you with an interactive curriculum to teach business, marketing, financial literacy/personal finance, and much more
- ✓ Nine different simulation curriculum packages can be seamlessly integrated into your existing curriculum and lesson plans
- ✓ Prepare students for internships and success after graduation



2024 Middle School Library

eDynamic Learning is the largest publisher of Career and Technical Education (CTE) and elective courses in North America offering over 250 courses for middle and high schools. The **Middle School Library** offers middle schools unique elective and career courses for students to explore a variety of professions and receive the knowledge and preparation needed to make life-shaping decisions prior to high school. Digital courses can serve as a textbook replacement or to supplement the classroom curriculum.

Middle School Library Bundle

EDL078	Middle School 2D Studio Art
EDL344	Middle School Animation
EDL225	Middle School Career Explorations 1
EDL083	Middle School Career Explorations 2
EDL324	Middle School Critical Thinking 1a: Introduction
EDL325	Middle School Critical Thinking 1b: Training Your Brain
EDL102	Middle School Coding 1a: Introduction
EDL109	Middle School Coding 1b: Learning Python & Javascript
EDL077	Middle School Digital Art & Design
EDL341	Middle School Exploring Business
EDL342	Middle School Exploring Health Science
EDL343	Middle School Exploring Information Technology
EDL079	Middle School Exploring Music
EDL379	Middle School Financial Literacy
EDL080	Middle School Fitness
EDL103	Middle School Game Design 1a: Introduction
EDL110	Middle School Game Design 1b: Creating a Game
EDL380	Middle School Health
EDL041	Middle School Journalism
EDL031	Middle School Photography
EDL314	Middle School Robotics
EDL316	Middle School STEM
EDL317	Middle School Tech Apps, Grade 6
EDL318	Middle School Tech Apps, Grade 7
EDL319	Middle School Tech Apps, Grade 8
EDL095	Learning in a Digital World: Digital Citizenship

Middle School Accelerated Courses (High School Level)

EDL215	Business Information Management 1a: Introduction
EDL216	Business Information Management 1b: Data Essentials
EDL347	Careers in Criminal Justice 1a: Introduction
EDL348	Careers in Criminal Justice 1b: Finding Your Specialty
EDL067	Concepts of Engineering and Technology
EDL243	Foundations of Game Design 1a: Introduction
EDL244	Foundations of Game Design 1b: Storytelling, Mechanics, and Production
EDL153	Health Science Foundations 1b: Professional Responsibilities
EDL027	Hospitality and Tourism 1: Traveling the Globe
EDL093	Human and Social Services 1: Introduction
EDL221	Introduction to Programming 1a: Introduction
EDL222	Introduction to Programming 1b: Problem Solving Through Programming
EDL053	Manufacturing: Product Design and Innovation
EDL070	Principles of Agriculture, Food and Natural Resources
EDL223	Principles of Business, Marketing, and Finance 1a: Introduction
EDL224	Principles of Business, Marketing, & Finance 1b: Targeting Your Business Insight
EDL150	Principles of Information Technology 1a: Introduction
EDL151	Principles of Information Technology 1b: Working with Computers
EDL058	Principles of Public Service: To Serve & Protect

Middle School Enrichment

Dive into **Learning Blade's** immersive missions, perfect for supplementing existing instruction or creating new summer initiatives such as Coding camps or STEM camps. Learning Blade offers middle schools online interactive supplemental lessons and activities that are proven to increase career interests in a variety of high-demand areas. Unleash the potential of your middle schoolers with:

- ✓ Engaging, online lessons proven to ignite interest in high-demand fields like computer science, STEM, and health sciences.
- ✓ Ready-to-use lesson plans that complement existing academic instruction.
- ✓ Lessons are aligned with state standards, covering math, science, social studies, and language arts.
- ✓ Constantly adapting and expanding our STEM curriculum which allows educators to integrate STEM awareness and career readiness into their teaching needs.



2024 CTE and Career Library

eDynamic Learning is North America’s largest publisher of Career and Technical Education (CTE) and elective courses. With nearly 250 courses tailored for middle and high schools, our **CTE and Career Library** offers digital courseware meticulously designed to bolster your CTE Plan or Programs of Study (POS). Our courses, organized under the National Career Clusters® categories, serve as versatile tools, whether as a textbook replacement or a valuable supplement to your classroom curriculum. Explore the possibilities with eDynamic Learning!

Universal Courses

EDL340 Workplace & Internship Readiness

EDL370 High School Career Discovery

Agriculture, Food & Natural Resources

EDL044 Agriscience 1: Introduction

EDL069 Forestry and Natural Resources

EDL066 Agriscience 2: Sustaining Human Life

EDL070 Principles of Agriculture, Food and Natural Resources

EDL112 Biotechnology 1a: Introduction

EDL071 Renewable Technologies

EDL113 Biotechnology 1b: Unlocking Nature’s Secrets

EDL012 Veterinary Science: The Care of Animals

Arts, A/V Technology & Communications

EDL353 3D Modeling 1a: Introduction

EDL243 Foundations of Game Design 1a: Introduction

EDL354 3D Modeling 1b: Set the Scene

EDL244 Foundations of Game Design 1b: Storytelling, Mechanics, and Production

EDL351 Animation 1a: Introduction

EDL350 Interior Design

EDL352 Animation 1b: Animating Your Creativity

EDL391 Professional Communication

EDL279 Digital Design 1a: Introduction

EDL298 Touch Systems Data Entry: Keyboard Like a Pro

EDL280 Digital Design 1b: Express Your Ideas Visually

EDL355 Theater, Cinema & Film Production 1a: Introduction

EDL237 Digital Media Fundamentals 1a: Introduction

EDL356 Theater, Cinema & Film Production 1b: Lights, Camera, Action!

EDL238 Digital Media Fundamentals 1b: Producing for the Web

EDL219 Web Development 1a: Introduction

EDL320 Digital Media Web Design 2a: Build a Portfolio Website

EDL220 Web Development 1b: Planning and Designing

EDL321 Digital Media Web Design 2b: Build an eCommerce Website

EDL318 Web Development 2a: Sketching and Scripting

EDL233 Digital Photography 1a: Introduction

EDL319 Web Development 2b: Website Go Live

EDL234 Digital Photography 1b: Creating Images with Impact!

EDL017 Digital Photography 2: Discovering Your Creative Potential

EDL349 Fashion Design

Business Management & Administration

EDL271 Business Communications 1a: Introduction

EDL280 Digital Design 1b: Express Your Ideas Visually

EDL272 Business Communications 1b: Listen, Speak, & Write in the Workplace

EDL261 Entrepreneurship 1a: Introduction

EDL215 Business Information Management 1a: Introduction

EDL262 Entrepreneurship 1b: Make Your Idea a Reality

EDL216 Business Information Management 1b: Data Essentials

EDL299 Human Resource Management 1a: Introduction

EDL273 Business Law 1a: Introduction

EDL377 Human Resource Management 1b: People & Performance

EDL274 Business Law 1b: Legal Aspects of Business

EDL030 International Business: Global Commerce in the 21st Century

EDL281 Business Business Ownership 1a: Introduction

EDL275 Legal Admin Specialist 1a: Introduction

EDL282 Business Business Ownership 1b: Reach for the Stars

EDL276 Legal Admin Specialist 1b: Taking Care of the Legal Office

EDL279 Digital Design 1a: Introduction

EDL239 Management 1a: Introduction

EDL240 Management 1b: Insight & Oversight

Career Clusters is a registered trademark of Advance CTE: State Leaders Connecting Learning to Work.

EDL263	Medical Office Administration 1a: Introduction	EDL223	Principles of Business, Marketing, & Finance 1a: Introduction
EDL264	Medical Office Administration 1b: Visit to the Front Office	EDL224	Principles of Business, Marketing, and Finance 1b: Targeting Your Business Insight
EDL228	Microsoft Outlook	EDL287	Professional Sales and Promotion 1a: Introduction
EDL229	Microsoft PowerPoint	EDL288	Professional Sales and Promotion 1b: Secrets of Sales Success
EDL230	Microsoft Word	EDL391	Professional Communication
EDL231	Microsoft Excel	EDL289	Sports & Entertainment Marketing 1a: Introduction
EDL232	Microsoft Access	EDL290	Sports & Entertainment Marketing 1b: Promoting the Main Event
EDL247	Office Administration 1a: Introduction	EDL298	Touch Systems Data Entry: Keyboard Like a Pro
EDL248	Office Administration 1b: Running the Office		

Education & Training

EDL387	Child Development 1a: Journey through Childhood	EDL293	Human Growth and Development 1a: Introduction
EDL388	Child Development 1b: Working with Children	EDL294	Human Growth and Development 1b: Journey Into Adulthood
EDL118	Early Childhood Education 1a: Introduction	EDL016	Real World Parenting
EDL119	Early Childhood Education 1b: Developing Early Learners		

Finance

EDL018	Personal and Family Finance	EDL224	Principles of Business, Marketing, and Finance 1b: Targeting Your Business Insight
EDL223	Principles of Business, Marketing, & Finance 1a: Introduction		

Government & Public Administration

EDL068	Military Careers	EDL058	Principles of Public Service: To Serve & Protect
EDL074	National Security		

Health Sciences

EDL249	Allied Health Assistant 1a: Introduction	EDL313	Health Science Theory 1b: Health Science Skills
EDL250	Allied Health Assistant 1b: Skills and Specialties	EDL267	Medical Assistant 1a: Introduction
EDL148	Anatomy and Physiology 1a: Introduction	EDL268	Medical Assistant 1b: Medical Assisting in Action
EDL149	Anatomy and Physiology 1b: Discovering Form and Function	EDL259	Medical Diagnostics Technology 1a: Introduction
EDL361	Biotechnician 1a: Introduction	EDL260	Medical Diagnostics Technology 1b: Exploring Systems & Procedures
EDL362	Biotechnician 1b: Advancements in Biotechnology	EDL310	Medical Lab Assisting 1a: Introduction
EDL373	Biotechnician 2a: Moving into the Lab	EDL311	Medical Lab Assisting 1b: Clinical Lab Safety & Procedures
EDL254	Biotechnician 2b: The Future of Biotechnology	EDL263	Medical Office Administration 1a: Introduction
EDL253	Dental Assistant 1a: Introduction	EDL264	Medical Office Administration 1b: Visit to the Front Office
EDL254	Dental Assistant 1b: Principles of Clinical Dentistry	EDL241	Medical Terminology 1a: Introduction
EDL308	Dental Assistant 2a: Infection Prevention and Pharmacology	EDL242	Medical Terminology 1b: Discovering Word Foundations
EDL309	Dental Assistant 2b: Exploring Specialized Areas of Dentistry	EDL245	Nursing Assistant 1a: Introduction
EDL265	EKG Technician 1a: Introduction	EDL246	Nursing Assistant 1b: Patient Care
EDL266	EKG Technician 1b: Analysis and Response	EDL394	Pathophysiology 1a: Introduction
EDL300	Emergency Medical Responder 1a: Introduction	EDL395	Pathophysiology 1b: Beyond the Pathogen
EDL301	Emergency Medical Responder 1b: Prepared for Action	EDL302	Pharmacology 1a: Introduction
EDL152	Health Science Foundations 1a: Introduction	EDL303	Pharmacology 1b: Analysis and Effects
EDL153	Health Science Foundations 1b: Professional Responsibilities	EDL304	Sports Medicine 1a: Introduction
EDL091	Health Science: Public Health	EDL305	Sports Medicine 1b: Injury Prevention
EDL092	Health Science: Nursing	EDL306	Sports Medicine 2a: Working With Clients
EDL029	Health Science 1: The Whole Individual	EDL307	Sports Medicine 2b: Personalizing Your Practice
EDL054	Health Science 2: Patient Care and Medical Services		
EDL312	Health Science Theory 1a: Introduction		

Hospitality & Tourism

EDL235	Culinary Arts 1a: Introduction	EDL296	Hotel Management 1b: Exploring the Industry
EDL236	Culinary Arts 1b: Finding Your Palate	EDL027	Hospitality & Tourism 1: Traveling the Globe
EDL096	Culinary Arts 2: Baking, Pastry, and More!	EDL088	Hospitality & Tourism 2a: Hotel & Restaurant Management
EDL297	Food Safety: Practices & Procedures	EDL111	Hospitality & Tourism 2b: Management, Marketing & Operations
EDL295	Hotel Management 1a: Introduction	EDL061	Restaurant Management



Human Services

EDL046	Cosmetology 1: Cutting Edge Styles	EDL293	Human Growth and Development 1a: Introduction
EDL100	Cosmetology 2: The Business of Skin & Nail Care	EDL294	Human Growth and Development 1b: Journey Into Adulthood
EDL108	Cosmetology 3a: Introduction to Hair Skills	EDL261	Entrepreneurship 1a: Introduction
EDL156	Cosmetology 3b: Waving, Coloring and Advancing Hair Skills	EDL262	Entrepreneurship 1b: Make Your Idea a Reality
EDL387	Child Development 1a: Journey through Childhood	EDL093	Human and Social Services 1: Introduction
EDL388	Child Development 1b: Working with Children	EDL018	Personal and Family Finance
EDL118	Early Childhood Education 1a: Introduction	EDL016	Real World Parenting
EDL119	Early Childhood Education 1b: Developing Early Learners		

Information Technology

EDL353	3D Modeling 1a: Introduction	EDL251	Introduction to Networking 1a: Introduction
EDL354	3D Modeling 1b: Set the Scene	EDL252	Introduction to Networking 1b: Network Oversight
EDL334	Advanced Networking 1a: Introduction	EDL221	Introduction to Programming 1a: Introduction
EDL335	Advanced Networking 1b: Protecting Your Network	EDL222	Introduction to Programming 1b: Problem Solving Through Programming
EDL351	Animation 1a: Introduction	EDL232	Microsoft Access
EDL352	Animation 1b: Animating Your Creativity	EDL231	Microsoft Excel
EDL255	Applied Engineering 1a: Introduction	EDL228	Microsoft Outlook
EDL256	Applied Engineering 1b: Solving Problems Together	EDL229	Microsoft PowerPoint
EDL087	Coding 1a: Introduction to Programming	EDL230	Microsoft Word
EDL105	Coding 1b: Programming	EDL217	Network Security Fundamentals 1a: Introduction
EDL371	Computing for College and Careers 1a: Introduction	EDL218	Network Security Fundamentals 1b: Forensics & Permissions
EDL336	Computer Maintenance 1a: Introduction	EDL332	Operational Cybersecurity 1a: Introduction
EDL337	Computer Maintenance 1b: Network Needs	EDL333	Operational Cybersecurity 1b: Security & Planning in the Workplace
EDL371	Computing for College and Careers 1a: Introduction	EDL150	Principles of Information Technology 1a: Introduction
EDL372	Computing for College and Careers 1b: Refining Your Interests	EDL151	Principles of Information Technology 1b: Working with Computers
EDL098	Cybersecurity 1a: Foundations	EDL322	Programming 2a: Procedural Programming
EDL099	Cybersecurity 1b: Defense Against Cyber Threats	EDL323	Programming 2b: Creative Programming
EDL279	Digital Design 1a: Introduction	EDL326	Robotics 1a: Introduction
EDL280	Digital Design 1b: Express Your Ideas Visually	EDL327	Robotics 1b: Intelligent Robots
EDL237	Digital Media Fundamentals 1a: Introduction	EDL328	Robotics 2a: Design a Robot
EDL238	Digital Media Fundamentals 1b: Producing for the Web	EDL329	Robotics 2b: Build Your Robot
EDL320	Digital Media Web Design 2a: Build a Portfolio Website	EDL298	Touch Systems Data Entry: Keyboard Like a Pro
EDL321	Digital Media Web Design 2b: Build an eCommerce Website	EDL219	Web Development 1a: Introduction
EDL243	Foundations of Game Design 1a: Introduction	EDL220	Web Development 1b: Planning and Designing
EDL244	Foundations of Game Design 1b: Storytelling, Mechanics, and Production	EDL318	Web Development 2a: Sketching and Scripting
EDL330	Game Design 2a: Build a World	EDL319	Web Development 2b: Website Go Live
EDL331	Game Design 2b: Launch a Game		
EDL359	Game Design for Chromebooks 1a: Introduction		
EDL360	Game Design for Chromebooks 1b: From Prototype to Product		

Law, Public Safety, Corrections & Security

EDL347	Careers in Criminal Justice 1a: Introduction	EDL003	Law and Order: Introduction to Legal Studies
EDL348	Careers in Criminal Justice 1b: Finding Your Specialty	EDL275	Legal Admin Specialist 1a: Introduction
EDL008	Criminology: Inside the Criminal Mind	EDL276	Legal Admin Specialist 1b: Taking Care of the Legal Office
EDL131	Forensics: The Science of Crime	EDL074	National Security
EDL011	Forensic Science 1: Secrets of the Dead	EDL058	Principles of Public Service: To Serve & Protect
EDL022	Forensic Science 2: More Secrets of the Dead		

Manufacturing

EDL053	Manufacturing: Product Design and Innovation
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Marketing, Sales and Services

EDL064	Advertising and Sales Promotion	EDL224	Principles of Business, Marketing, & Finance 1b: Targeting Your Business Insight
EDL226	Marketing Foundations 1a: Introduction	EDL059	Social Media: Our Connected World
EDL227	Marketing Foundations 1b: Building Your Base	EDL034	Sports and Entertainment Marketing
EDL269	Marketing 2a: Global Business & Trade	EDL289	Sports & Entertainment Marketing 1a: Introduction
EDL270	Marketing 2b: Developing a Sales Team		
EDL223	Principles of Business, Marketing, & Finance 1a: Introduction		

Science, Technology, Engineering & Math

EDL255	Applied Engineering 1a: Introduction	EDL013	Great Minds in Science: Ideas for New Generation
EDL256	Applied Engineering 1b: Solving Problems Together	EDL221	Introduction to Programming 1a: Introduction
EDL361	Biotechnician 1a: Introduction	EDL222	Introduction to Programming 1b: Problem Solving Through Programming
EDL362	Biotechnician 1b: Advancements in Biotechnology	EDL322	Programming 2a: Procedural Programming
EDL373	Biotechnician 2a: Moving into the Lab	EDL323	Programming 2b: Creative Programming
EDL374	Biotechnician 2b: The Future of Biotechnology	EDL385	Marine Science 1a: Introduction
EDL112	Biotechnology 1a: Introduction	EDL150	Principles of Information Technology 1a: Introduction
EDL374	Biotechnician 2b: The Future of Biotechnology	EDL150	Principles of Information Technology 1a: Introduction
EDL113	Biotechnology 1b: Unlocking Nature's Secrets	EDL151	Principles of Information Technology 1b: Working with Computers
EDL087	Coding 1a: Introduction to Programming	EDL071	Renewable Technologies
EDL105	Coding 1b: Programming	EDL326	Robotics 1a: Introduction
EDL336	Computer Maintenance 1a: Introduction	EDL327	Robotics 1b: Intelligent Robots
EDL337	Computer Maintenance 1b: Network Needs	EDL328	Robotics 2a: Design a Robot
EDL067	Concepts of Engineering and Technology	EDL329	Robotics 2b: Build Your Robot
EDL131	Forensics: The Science of Crime		

Struggling with securing student internships or meeting career readiness standards?

Our **Virtual Internship Program** offers flexibility with a variety of career options for students to choose from. This year-long program prepares students before stepping into a physical workspace and allows them to test and try concepts in a risk-free simulated environment. Students will gain valuable skills and uncover which areas they like most and where they'd like to focus in the future, or major in at college.

- ✓ With eight different options to choose from, students will have the flexibility to select the career path that's right for them.
- ✓ Gives students an outlet to reflect on their future and hone in on areas in their desired field
- ✓ Meets career readiness, preparation, and workplace essential standards, ensuring that your students are fully equipped for success.
- ✓ A perfect year-long program that pairs nicely with many CTE pathways
- ✓ Provides teachers with comprehensive lessons, activities, tools, and resources to help their students succeed.

Enrich Your Business Curriculum with Simulations

Knowledge Matters is the leader in virtual experiential learning, providing simulations for High Schools. Paired with eDynamic Learning's courses, you will have the tools you need to enhance student engagement and elevate the learning experience.

- ✓ A comprehensive set of teaching materials and the ability for your students to apply what they have learned
- ✓ Simulations offer a risk-free environment for them to test and try out concepts while gaining valuable skills and learning all aspects of their chosen industry
- ✓ Browser-based, online simulations that provide you with an interactive curriculum to teach business, marketing, financial literacy/personal finance, and much more
- ✓ Nine different simulation curriculum packages can be seamlessly integrated into your existing curriculum and lesson plans
- ✓ Prepare students for internships and success after graduation

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action x

Item: Lincoln School - Furniture

Submitted by: Justin Stonehouse

Date: 8/12/24

Recommended by: Kevin Philipps *KP*

Board Meeting Date: 8/19/24

RECOMMENDATION:

It is recommended that the Kent ISD board approve the purchase of furniture for Lincoln School from Custer Office Environments in the amount of \$73,101.79.

BACKGROUND:

This furniture is for multiple new classrooms and office spaces. It is being purchased using the Omnia Cooperative Purchasing contract, the E&I Cooperative Purchasing contract, the NCPA Cooperative Purchasing contract, and the TIPS Cooperative Purchasing contract. We will utilize the Center Program Capital Outlay funds for this purchase.

BOARD AGENDA ITEM

Information/Discussion _____

Future Action _____

Action x

Item: KCTC Teacher Academy Furniture

Submitted by: Justin Stonehouse

Date: 8/7/24

Recommended by: Kevin Philipps *KP*

Board Meeting Date: 8/19/24

RECOMMENDATION:

It is recommended that the Kent ISD board approve the purchase of furniture for KCTC Teacher Academy from Custer Office Environments in the amount of \$98,252.33.

BACKGROUND:

This furniture has been designed and selected to best serve the KCTC Teacher Academy program currently using in-stock furniture. The staff has requested through Capital Outlay, furniture that reflects classrooms that the students may encounter in the teaching field. It is being purchased using the E&I Cooperative Purchasing, and Omnia Partners contracts, which satisfies the State of Michigan bidding requirements.

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action x

Item: Engineering Universal Testing Machine

Submitted by: Justin Stonehouse

Date: 8/7/24

Recommended by: Kevin Philipps *KP*

Board Meeting Date: 8/19/24

RECOMMENDATION:

It is recommended that the Kent ISD School Board approve the purchase of a Universal Testing Machine from Instron for the KCTC Engineering program in the amount of \$54,975.00.

BACKGROUND:

This purchase was approved by KCTC administration to support the KCTC Engineering program as it changes from CIP 15.1036 (Computer Design Focus) to 15.0000 (Engineering Focus). It will be the cornerstone of the engineering lab that is currently under development allowing students to prepare for college and industry. We will use Capital Outlay funds for this purchase.

The facilities department invited vendors to participate in a competitive bid process. Only one bid was received.

BOARD AGENDA ITEM

Information/Discussion _____

Future Action _____

Action x

Item: Engineering Portable Coordinate Measuring Machine

Submitted by: Justin Stonehouse

Date: 8/7/24

Recommended by: Kevin Philipps *WP*

Board Meeting Date: 8/19/24

RECOMMENDATION:

It is recommended that the Kent ISD School Board approve the purchase of a Portable Coordinate Measuring Machine from FARO Technologies, Inc. for the KCTC Engineering program in the amount of \$71,080.50.

BACKGROUND:

This purchase was approved by KCTC administration to support the KCTC Engineering program as it changes from CIP 15.1036 (Computer Design Focus) to 15.0000 (Engineering Focus). This equipment will allow students to learn industry measurement standards and facilitate collaboration with other manufacturing-related programs at KCTC. We will use Capital Outlay funds for this purchase.

The facilities department invited vendors to participate in a competitive bid process. Only one bid was received.

BOARD AGENDA ITEM

Information/Discussion:

Future Action:

Action:

Item: Center Program Capital Outlay iPad Order

Submitted by: Glen Finkel

Recommended by: Glen Finkel

Date: 8.07.2024

Board Meeting Date: 8.19.2024

RECOMMENDATION:

It is recommended that the Kent ISD School Board approve the purchase of 40 iPads for center program students from Apple Inc. for \$12,960.

BACKGROUND:

Kent ISD Center Programs are requesting 40 additional iPads for student use. iPads continue to be a critical component of our Special Education assistive technology strategy.

This purchase is off of the REMC contract.

BOARD AGENDA ITEM

Information/Discussion:

Future Action:

Action:

Item: Center Program Computers for Capital Outlay

Submitted by: Glen Finkel

Recommended by: Glen Finkel

Date: 8.07.2024

Board Meeting Date: 8.19.2024

RECOMMENDATION:

It is recommended that the Kent ISD School Board approve the purchase of 53 Laptops and 50 Chromebooks as replacement devices for center program staff from Sehi Computing for \$55,388.

BACKGROUND:

The staff laptops are being replaced per our standard refresh process. This entails replacing staff laptops after 4 years of use. The Chromebook purchase is a combination of replacement devices with a small number allocated for new staff.

This purchase is off of the REMC contract.

Russell T. Bray

1511 Van Auken St SE • Grand Rapids, MI 49508
616-306-9874 • russelltbray@gmail.com

Education

Mount Vernon Nazarene University Mount Vernon, OH February 2017
Masters of Business Administration, Organizational Management

IUPUI Purdue School of Engineering Fall 2013
Facilities Management – Building Systems. Course completed.

Michigan State University East Lansing, MI April 2008
Sports and Commercial Turfgrass Management Certification

Taylor University Upland, IN January 2003
BA History

Experience

Cedar Springs Public Schools:

Director of Facilities and Community Enrichment January 2022 - March 2022
Director of Operations and Facilities March 2022 - Current

- Create welcoming and safe spaces for students, staff, and community maximizing positive customer experience.
- Oversee daily operations of district departments including Maintenance, Information Technology, Transportation, Food Service, and Facility Services.
- Manage all aspects of multiple construction projects throughout the district, including bond-funded remodels and renovations.
- Coordinate multiple contractor/vendor relationships and daily work.
- Develop life-cycle replacement planning for all physical assets over \$10,000 present value.
- Replace work-order and BMS systems to reduce operational and utility costs while increasing customer experience.
- Insource custodial operations to improve internal and external customer experience.
- Revise district Emergency Operations Handbook in cooperation with sheriff's office and School Resource Officer. Lead emergency response training and table-top exercises.

Calvin University: Director, Facilities October 2017 - December 2021

- Implementation of campus master plan strategies, initiatives, and identified projects.
- Serve as primary owner representative for capital projects, including issuing requests for proposals, awarding bids, establishing budgets, communication, and site management.
- Sustainability lead for campus staff managing green revolving fund, reporting campus carbon footprint, and implementing energy reducing projects.

- Development of asset management plan, capital renewal, and fleet replacement schedule.
- Daily operational supervision of Facilities staff including architectural trades, mechanical trades, landscaping, custodial, motorpool, design, Environmental Health and Safety, transportation, and property insurance.
- Oversight of over two million square foot under roof and 400 acre campus.
- Development of departmental strategic plan and annual initiatives.
- Operational and project budget planning and annual in-or-under-budget delivery.
- Sourcing maintenance partners to secure APPA level 2 service across campus at an established staffing level and budget for the next five years.
- Creation of student internships for both data management and sustainability.

Mount Vernon Nazarene University:

Director of Facilities Operations

May 2017 - October 2017

Assistant Director of Facilities Operations

April 2014 - April 2017

- Daily operational supervision of Facility Services staff including; architectural trades, mechanical/electrical/plumbing trades, grounds maintenance, housekeeping, motor pool, purchasing, and Campus Safety.
- Development of preventative maintenance program and implementation of deferred maintenance activities.
- Insource Housekeeping/Custodial operation.
- Reorganize the Campus Safety Department to align with campus goals, including; rewriting of the Campus Safety Handbook, reorganizing staffing levels and strategies, implementing proper training, establishing relationships with community first-responders, and initiating a campus-wide emergency response plan.
- Restructure Facilities Maintenance personnel to better respond to customer needs and provide effective leadership at the shop level.
- Initiate Departmental Strategic Plan and Customer Satisfaction Survey to establish departmental identity, purpose, and vision in line with institutional mission.
- Coordinate projects and maintenance activities with other campus departments including; Campus Events, Admissions, Church Relations, Athletics, Student Life, and Residence Life.

Wheaton College: Grounds Shop Foreman

July 2008 – April 2014

- Responsible for safety, functionality and beauty of all outdoor areas, surfaces and infrastructure on over 120 acres of campus and college owned properties.
- Manage projects as related to campus landscape, pavement and general campus infrastructure.
- Hire, train, supervise and lead five full-time groundskeepers, two part-time groundskeepers and up to 80 annual student workers.
- Coordinate work with outside vendors, including writing bid specifications, collection of bids, securing contracts and scheduling.

- Cast vision for shop, set goals, write maintenance standards, establish staffing levels, build and mobilize team to achieve increasing levels of maintenance and service to customers.
- Collaborate with Campus Architect on Landscaping Master Plan to be executed over the next decade.
- Build and maintain close working relationships with various campus offices, including Public Safety, Student Activities, Residence Life, Conference Services and Athletics.
- Develop and implement safety training program for all grounds shop employees.

Service

- MSBO Conference Presenter - “Bringing Custodial In-House” - Fall 2023, Spring 2024
- Calvin University President’s Council
- Calvin University’s Energy and Environmental Sustainability Committee
- Calvin University’s COVID Response Team
- Presenter - ABACC Conference, February 2019, GIS Asset Management for Campuses
- MVNU Presidential Advisory Council
- MVNU Council for Student Conduct
- MVNU Alcohol Taskforce
- MVNU Chapel speaker - 2015
- Children’s Worship Teacher – First Presbyterian Church, Mount Vernon, Ohio
- 7th and 8th Grade Sunday School Teacher - Christ Church, Grand Rapids, MI

Accomplishments

- Published: Operational Guidelines for Educational Facilities: Grounds, 3rd Edition - APPA Publications, 2020
- Institute of Management Accountants – Certified Management Accountant Scholarship - 2016
- MAPPA 2011 Presidential Service Award
- APPA Supervisor’s Toolkit – 2010
- ISA Certified Arborist - 2010-2015
- Course completion:
 - Cognitive Coaching. Kent County Intermediate School District - 2022
 - Managing Asphalt Pavement Surfaces. University of Wisconsin – Madison Department of Engineering Professional Development - 2013
 - Managing Snow and Ice Control Operations. University of Wisconsin- Madison Department of Engineering Professional Development – 2008
- MSU Sports and Commercial Turfgrass Management: Student of the year - 2007

Russell T. Bray

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References

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KENT INTERMEDIATE SCHOOL DISTRICT
Grand Rapids, Michigan

ADMINISTRATOR- EMPLOYMENT CONTRACT
DIRECTOR of FACILITIES & OPERATIONS

This Agreement, made and entered into this 19th day of August 2024, by and between the KENT INTERMEDIATE SCHOOL DISTRICT, hereinafter called the “School District,” and **Russell Bray**, hereinafter referred to as the “Administrator”

WITNESSETH:

It is agreed by and between the parties hereto as follows:

Term:

The School District hereby hires the Administrator and the Administrator agrees to work for School District for the balance of a one (1) year term commencing on July 1, 2024, and ending on June 30, 2025, subject to the further provisions of this Agreement. The Administrator agrees to a 260 work day calendar, prorated based on the actual start date. This Contract is subject to termination, layoff, and non-renewal.

Duties and Responsibilities:

The Administrator agrees to devote full professional time and attention to performing duties assigned pursuant to this Agreement. The School District may assign and reassign job duties and job titles to Administrator in the School District’s sole discretion. The Administrator agrees to serve the School District and perform assigned duties, and those set forth in the School Code of 1976, as revised, and to abide by all policies and decisions as established by the School District’s Board of Education (the “Board”). The Administrator agrees to faithfully serve and be regardful of the interests of the School District during the term of this Agreement and will undertake no other employment without the express written permission of the Board. The Administrator will perform all duties in accordance with the law and with such care and skill as is necessary to prevent injury to the property, good will, and interests of the School District.

Credentials and Assurances:

The Administrator agrees to meet and maintain all certification and continuing education requirements for the position assigned under the laws and regulations of the State of Michigan and the applicable regulations of the Michigan Department of Education, where required. If Administrator fails to do so at any time, this Contract shall automatically terminate and the Board shall have no further obligation hereunder. The Administrator warrants, represents and affirms to the School District:

- a. That the Administrator is competent to perform the duties for which hired and possesses the requisite credentials, skills and knowledge to effectively do so;
- b. As a condition of continued employment, the Administrator agrees to file with the Office of Human Resources a statement of not having been convicted of any crime identified within the Michigan Revised School Code as disqualifying to employment, and that there has been no unprofessional conduct pursuant to PA 189 of 1996. Administrator agrees to promptly report any pending criminal charges as required by the Michigan Revised School Code while under contract.
- c. That Administrator will not acquire any interests or conflicts of interest adverse to that of the School District.

Compensation:

The School District shall provide the Administrator with the following compensation for the term of the contract:

- a) **Salary:**
For the 2024-25 school year, the School District shall pay the Administrator a base salary of \$129,232 in consideration of his/her performance of the duties and responsibilities of the position assigned in conformance with the requirements and expectations of the Board and Superintendent. The annual salary shall be paid in twenty-six (26) equal bi-weekly installments beginning with the commencement of the fiscal/contract year (July 1-June 30). *If less than a full year is worked, the salary shall be prorated based upon the number of per diem actual contract days worked.*

- b) **Holidays:** Administrator is entitled to the following holidays for which no service to the School District is required:
July 4th, Labor Day, Thanksgiving, Friday following Thanksgiving, December 24th, 25th and 30th, New Year's Day and Memorial Day. *Ref: Non-Union Professional Handbook*

Subject to and in accordance with generally applicable limits and other restrictions imposed by law, the Administrator, out of the compensation provided under this, may arrange for elective pre-income tax salary reduction contributions to a tax sheltered annuity and/or 457 arrangement under Internal Revenue Code section 403(b). The School District will make such arrangements available to the Administrator in accordance with applicable law.

Insurance Benefits:

Upon proper application and acceptance for enrollment by the appropriate insurance underwriter, policyholder and/or third party administrator, the Board shall make benefit cost payments, as specified below, on behalf of Administrator and his/her eligible dependents for enrollment in the medical, dental, vision, term life insurance, disability insurances, and other fringe benefit programs. The Board may substitute or modify these programs from time to time as applicable to the Administrator and other School District Administrators. Medical benefits are subject to Michigan Public Act 152. The Board reserves the right to change the identity of the insurance carrier, policyholder or third-party administrator for any of the above coverages, provided that comparable coverage, as determined by the Board, is maintained during the term of this Contract. Additionally, the Board reserves the right to self-fund any of the above benefits.

Sick Leave:

The Administrator will be provided 12 sick leave days per year. Sick leave may only be used for illness, disability, and doctor appointments/medical procedures that cannot be scheduled outside of the regular work day. Sick leave shall be prorated for less than full contract year hires. There is no compensation for unused sick leave.

Vacation

The School District will provide the Administrator 25.5 vacation days per year. Vacation leave shall be prorated for less than full contract year hires. Unused vacation days may not accumulate beyond the 18th month from the date awarded. Unused vacation days add to the Administrator's accumulated sick leave.

Administrator shall schedule use of vacation days in a manner to minimize interference with the orderly operation and conduct of business of the School District. All scheduling of vacation is subject to the approval of the Superintendent or his/her designee.

Reimbursed Expenses:

The Administrator shall be reimbursed for reasonable and necessary expenditures pre-approved by the Superintendent or designee, including for travel, meals, mileage, conferences, and workshops held in the State of Michigan and national conferences pre-approved by the Board, which expenditures are incurred in acting on the business of the School District. Such expenditures will be reimbursed upon presentation by the Administrator of an itemized and detailed accounting of such expenditures and receipts relating thereto in the form customarily required by the Board and in conformity with the applicable rules and regulations of the Internal Revenue Service.

Continuing Education and Professional Membership:

Subject to prior approval and evidence of successful completion, the Administrator may be reimbursed for up to nine graduate credits from an accredited college or university for courses pertaining the duties and responsibilities of the Administrator. The per credit reimbursement shall not exceed the average graduate per credit cost of Michigan's public universities in that year. *Ref: Non-Union Professional Employee Handbook*

Subject to express approval by the Board, the reasonable fees or dues for membership in appropriate professional organizations shall be paid by the Board. Subject to prior approval by the Board or Superintendent, the Administrator may attend appropriate professional meetings or conferences at the local, state and national levels and shall be reimbursed for any registration fees, tuition, travel, lodging and/or reasonable meal expenses for himself/herself in relation thereto not prepaid by the Board.

Longevity

Administrators successfully completing 10 years of employment as an administrator at Kent ISD shall at the time of separation receive a one-time payment of \$10,000 into a 403b account. Eligibility may also apply at separation after 15 years of continuous service to Kent ISD.

Evaluation:

Administrator's performance shall be evaluated by the Superintendent (or his/her designee) using multiple rating categories that take into account data on student growth to the extent required by Section 1249 and 1249 of the Revised School Code (or its successor provision) and performance to the extent required by Section 1250 of the Revised School Code (or its successor provision). The assessment of the Administrator shall include, but is not limited to, such criteria as mandated by governmental agencies for personnel holding the same or similar positions as the Administrator. Administrators not responsible for supervision of instruction may be evaluated with an alternative evaluation tool determined by the School District.

No Tenure:

The Administrator agrees that s/he shall not be deemed to be granted continuing tenure in such capacity as the Administrator of the School District, and in no event shall the failure of the School District to continue or re-employ in any capacity be deemed a discharge or demotion within the provisions of Act 4, Michigan Public Acts of 1937, Extra Session, as amended. Nor shall the decision of the Board not to continue or renew the employment of Administrator for any subsequent period in any capacity, other than

as a classroom teacher, as may be required by the Teachers' Tenure Act, be deemed a breach of this Contract or a discharge or demotion within the provisions of the Michigan Teachers' Tenure Act.

Medical Examinations:

That Administrator agrees to submit to such comprehensive medical and/or mental examinations by a Board-approved physician, hospital, or clinic, supply such information and execute such documents as may be required by any underwriter, policyholder, or third-party administrator providing insurance programs specified under this Contract. Additionally, when, in the Superintendent's judgment, the Administrator shall authorize the release of medical information and/or participate in a medical examination that is necessary to determine if he can perform the essential job duties of his position with or without an accommodation, or to determine reasonable accommodations necessary to permit him to perform the essential job duties, or when such examination is otherwise job-related, consistent with business necessity and in accordance with the applicable law. The cost of the physical and/or mental examination shall be borne by the School District and the Administrator shall sign such medical release forms, and other documents, which are necessary to permit the Superintendent to receive a report limited to the results of the examination(s) for the purposes provided for in this paragraph. The Board agrees that any such reports and their contents shall remain confidential and not disseminated unless a broader disclosure is required by applicable law.

Errors and Omissions Insurance:

The Board agrees to pay the premium amount for errors and omissions insurance coverage for Administrator while engaged in the performance of a governmental function and while the Administrator is acting within the scope of his/her authority. The policy limits for this coverage shall be not less than two million dollars (\$2,000,000). The terms of the errors and omissions insurance policy shall be controlling respecting defense and indemnity of Administrator. The sole obligation undertaken by the Board shall be limited to the payment of premium amounts for the above errors and omissions coverage. In the event that such insurance coverage cannot be purchased in the above amounts and/or at a reasonable premium rate, the Board shall have the right to discontinue said coverage and shall so notify Administrator. In that event, the Board agrees on a case-by-case basis to consider providing legal defense and/or indemnification to Administrator as is authorized under MCL 691.1408 and MCL 380.11a(3)(d).

Termination

The Board shall be entitled to terminate the Administrator's employment at any time during the term of this Contract when it determines that Administrator has engaged in acts of moral turpitude, misconduct, dishonesty, fraud, insubordination, incompetency, inefficiency, if Administrator materially breaches the terms and conditions of this Contract, or for other causes that are not arbitrary or capricious.

The foregoing standards for termination of this Contract during its term shall not be applicable to non-renewal of this Contract at the expiration of its term, which decision is discretionary with the Board.

In the event that the Board undertakes to dismiss Administrator during the term of this Contract, he/she shall be entitled to written notice of charges and an opportunity for a hearing before the Board. In the event of termination of employment during the term of this Contract, this Contract shall automatically terminate and the Board shall have no further obligation hereunder.

Limitations Period:

Employee agrees that any claim or suit arising out of Employee's employment with the School District must be filed no more than six months after the date of the employment action that is the subject of the claim or suit. Employee understands that the statute of limitations for claims arising out of an employment

action may be longer than six months but agrees to be bound by the six-month period of limitations pursuant to this section and waives any statute of limitations to the contrary. It is the intent of the Parties that any court of competent jurisdiction will enforce this section to the maximum extent permitted by law.

Complete Agreement:

This Agreement contains the entire agreement of the parties hereto, and may not be altered, modified, or rescinded by any prior or contemporaneous statement or understanding of either such party, or any person on their behalf; this Agreement may be amended, modified, rescinded, or otherwise altered during its term only by an express written "Modification," denominated as such, and signed by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

ADMINISTRATOR

KENT INTERMEDIATE SCHOOL DISTRICT

by: _____
Superintendent

And: _____
Board President

cc: Personnel File

BOARD AGENDA ITEM

Information/Discussion _____

Future Action _____

Action X _____

Item: Director of Facilities & Operations

Submitted by: Dave Rodgers

Date: 7-24-24

Recommended by: Kevin Philipps

Board Meeting Date: August 19, 2024

RECOMMENDATION:

It is recommended that the Board approve the hire of Russell Bray as the next Director of Facilities & Operations. This recommendation comes as a result of Tim Peraino taking a position with Michigan School Business Officials in June. Russell will have the benefit of informally consulting with Tim, as needed.

BACKGROUND:

Qualified applicants selected for interview progressed through three rounds of interviews, allowing the team to get to know the finalists very well. The third round included site visits and performance tasks. Mr. Bray excelled in every phase and received supportive feedback from the panels. Russell has most recently served in similar leadership roles at Cedar Springs Public Schools. Prior to that, he was employed by two private universities, including Calvin University. Russell earned an MBA to complement his Bachelor's degree in History.

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action X _____

Item: Director of Personnel

Submitted by: Dave Rodgers

Date: 7-31-24 _____

Recommended by: Dave Rodgers

Board Meeting Date: August 19, 2024

RECOMMENDATION:

In conjunction with Strategic Plan, Objective 1 of Goal 3, the Board previously approved a new position, Director of Personnel, beginning in the 2024-25 school year. This is non-union professional 260-day Grade 10 position. Danielle Hendry will transition from Director of Human Resources to the same title, now providing two Director(s) of Personnel with each Director serving as the primary Human Resources administrator for designated programs.

It is recommended that the Board approve a contract for Mr. Bryndan Arnold.

BACKGROUND:

Over several months, we have met informally with several applicants. Following those informal conversations, the Leadership Team recently met with two of those candidates. From those interviews there was strong support for Bryndan Arnold. Following an additional interview and reference checking, a conditional offer was extended Mr. Arnold. Mr. Arnold earned a BA in Social Relations and Policy from the MSU James Madison College followed by a Juris Doctorate from MSU Law School in 2020. After working at a Grand Rapids law firm for two years, he went to work for the City of Grand Rapids in the Office of Oversight & Public Accountability. Bryndan impressed our team, including members of the Leadership team with his intellect, passion and experiences. While he will have a learning curve on the education specific aspects of the position, he brings a very strong background in the pertinent areas of law and policy, as well as a strong work ethic.

Bryndan P. Arnold

2106 Blue Bellway NW, Grand Rapids, MI 49504 • Cell: (248) 219 – 0072

Email: bryndanarnold@gmail.com • LinkedIn: <https://www.linkedin.com/in/BryndanArnold>

EDUCATION

Michigan State University, College of Law
Juris Doctor; Trustee Scholarship Recipient

East Lansing, MI
May 2020

Michigan State University, James Madison College
Bachelor of Arts in Social Relations and Policy

East Lansing, MI
Dec 2014

EXPERIENCE

City of Grand Rapids, Office of Oversight & Public Accountability
Lead Oversight Specialist

Grand Rapids, MI
Sept 2022 – Present

- Audit internal affairs investigations and officer-involved shootings.
- Develop standard operating procedures and interoffice policies.
- Analyze key performance indicators to gauge office productivity.
- Network with community leaders to design educational programs and police trainings.
- Draft and submit annual budget proposal.

Rhodes McKee PC
Law Clerk/Paralegal
Summer Associate
Summer Associate

Grand Rapids, MI
Aug 2020 – Sept 2022
May 2019 – Aug 2019
May 2018 – Aug 2018

- Conducted legal research.
- Drafted motions, briefs, legal memorandums, demand letters, and other legal documents.
- Corresponded with clients to gather facts, documents, and other legally relevant information.
- Reviewed and summarized written discovery responses.

54-A District Court
Probation Officer

Lansing, MI
Aug 2016 – Aug 2017

- Managed a caseload of 50 probationers.
- Drafted presentence investigation reports.
- Testified at probation violation hearings.

City of East Lansing, Planning, Building, & Development Department
Vacant Property Coordinator

East Lansing, MI
July 2015 – Aug 2017

- Oversaw and enforced city ordinances governing vacant properties.
- Testified at civil infraction hearings.
- Developed a framework for identifying and tracking vacant homes.

Michigan State University, Diversity Programs Office
Program Assistant/Summer Program Manager

East Lansing, MI
Dec 2014 – Aug 2016

- Conducted interviews to assess the candidacy of participants and employees.
- Directed the day-to-day activities of a summer program with 60 participants and 30 staff persons.

54-B District Court

Probation/Veterans Treatment Court Intern

East Lansing, MI
Dec 2014 – July 2015

- Wrote presentence investigation reports.
- Conducted presentence interviews.

COMMUNITY ENGAGEMENT & ACTIVITIES

Police Civilian Appeal Board
Mayoral Appointment/Vice Chair

Grand Rapids, MI
May 2022 – Sept 2022

PUBLICATIONS

The Grand Rapids Lawyer
Exploring the Legal Landscape Through J.D. Advantage

Grand Rapids, MI
Jan 2023

KENT INTERMEDIATE SCHOOL DISTRICT
Grand Rapids, Michigan

ADMINISTRATOR- EMPLOYMENT CONTRACT
DIRECTOR of PERSONNEL

This Agreement, made and entered into this 19th day of August 2024, by and between the KENT INTERMEDIATE SCHOOL DISTRICT, hereinafter called the “School District,” and **Bryndan Arnold**, hereinafter referred to as the “Administrator”

WITNESSETH:

It is agreed by and between the parties hereto as follows:

Term:

The School District hereby hires the Administrator and the Administrator agrees to work for School District for the balance of a one (1) year term commencing on July 1, 2024, and ending on June 30, 2025, subject to the further provisions of this Agreement. The Administrator agrees to a 260 work day calendar, prorated based on the actual start date. This Contract is subject to termination, layoff, and non-renewal.

Duties and Responsibilities:

The Administrator agrees to devote full professional time and attention to performing duties assigned pursuant to this Agreement. The School District may assign and reassign job duties and job titles to Administrator in the School District’s sole discretion. The Administrator agrees to serve the School District and perform assigned duties, and those set forth in the School Code of 1976, as revised, and to abide by all policies and decisions as established by the School District’s Board of Education (the “Board”). The Administrator agrees to faithfully serve and be regardful of the interests of the School District during the term of this Agreement and will undertake no other employment without the express written permission of the Board. The Administrator will perform all duties in accordance with the law and with such care and skill as is necessary to prevent injury to the property, good will, and interests of the School District.

Credentials and Assurances:

The Administrator agrees to meet and maintain all certification and continuing education requirements for the position assigned under the laws and regulations of the State of Michigan and the applicable regulations of the Michigan Department of Education, where required. If Administrator fails to do so at any time, this Contract shall automatically terminate and the Board shall have no further obligation hereunder. The Administrator warrants, represents and affirms to the School District:

- a. That the Administrator is competent to perform the duties for which hired and possesses the requisite credentials, skills and knowledge to effectively do so;
- b. As a condition of continued employment, the Administrator agrees to file with the Office of Human Resources a statement of not having been convicted of any crime identified within the Michigan Revised School Code as disqualifying to employment, and that there has been no unprofessional conduct pursuant to PA 189 of 1996. Administrator agrees to promptly report any pending criminal charges as required by the Michigan Revised School Code while under contract.
- c. That Administrator will not acquire any interests or conflicts of interest adverse to that of the School District.

Compensation:

The School District shall provide the Administrator with the following compensation for the term of the contract:

- a) **Salary:**
For the 2024-25 school year, the School District shall pay the Administrator a base salary of \$129,232 in consideration of his/her performance of the duties and responsibilities of the position assigned in conformance with the requirements and expectations of the Board and Superintendent. The annual salary shall be paid in twenty-six (26) equal bi-weekly installments beginning with the commencement of the fiscal/contract year (July 1-June 30). *If less than a full year is worked, the salary shall be prorated based upon the number of per diem actual contract days worked.*

- b) **Holidays:** Administrator is entitled to the following holidays for which no service to the School District is required:
July 4th, Labor Day, Thanksgiving, Friday following Thanksgiving, December 24th, 25th and 30th, New Year's Day and Memorial Day. *Ref: Non-Union Professional Handbook*

Subject to and in accordance with generally applicable limits and other restrictions imposed by law, the Administrator, out of the compensation provided under this, may arrange for elective pre-income tax salary reduction contributions to a tax sheltered annuity and/or 457 arrangement under Internal Revenue Code section 403(b). The School District will make such arrangements available to the Administrator in accordance with applicable law.

Insurance Benefits:

Upon proper application and acceptance for enrollment by the appropriate insurance underwriter, policyholder and/or third party administrator, the Board shall make benefit cost payments, as specified below, on behalf of Administrator and his/her eligible dependents for enrollment in the medical, dental, vision, term life insurance, disability insurances, and other fringe benefit programs. The Board may substitute or modify these programs from time to time as applicable to the Administrator and other School District Administrators. Medical benefits are subject to Michigan Public Act 152. The Board reserves the right to change the identity of the insurance carrier, policyholder or third-party administrator for any of the above coverages, provided that comparable coverage, as determined by the Board, is maintained during the term of this Contract. Additionally, the Board reserves the right to self-fund any of the above benefits.

Sick Leave:

The Administrator will be provided 12 sick leave days per year. Sick leave may only be used for illness, disability, and doctor appointments/medical procedures that cannot be scheduled outside of the regular work day. Sick leave shall be prorated for less than full contract year hires. There is no compensation for unused sick leave.

Vacation

The School District will provide the Administrator 25.5 vacation days per year. Vacation leave shall be prorated for less than full contract year hires. Unused vacation days may not accumulate beyond the 18th month from the date awarded. Unused vacation days add to the Administrator's accumulated sick leave.

Administrator shall schedule use of vacation days in a manner to minimize interference with the orderly operation and conduct of business of the School District. All scheduling of vacation is subject to the approval of the Superintendent or his/her designee.

Reimbursed Expenses:

The Administrator shall be reimbursed for reasonable and necessary expenditures pre-approved by the Superintendent or designee, including for travel, meals, mileage, conferences, and workshops held in the State of Michigan and national conferences pre-approved by the Board, which expenditures are incurred in acting on the business of the School District. Such expenditures will be reimbursed upon presentation by the Administrator of an itemized and detailed accounting of such expenditures and receipts relating thereto in the form customarily required by the Board and in conformity with the applicable rules and regulations of the Internal Revenue Service.

Continuing Education and Professional Membership:

Subject to prior approval and evidence of successful completion, the Administrator may be reimbursed for up to nine graduate credits from an accredited college or university for courses pertaining the duties and responsibilities of the Administrator. The per credit reimbursement shall not exceed the average graduate per credit cost of Michigan's public universities in that year. *Ref: Non-Union Professional Employee Handbook*

Subject to express approval by the Board, the reasonable fees or dues for membership in appropriate professional organizations shall be paid by the Board. Subject to prior approval by the Board or Superintendent, the Administrator may attend appropriate professional meetings or conferences at the local, state and national levels and shall be reimbursed for any registration fees, tuition, travel, lodging and/or reasonable meal expenses for himself/herself in relation thereto not prepaid by the Board.

Longevity

Administrators successfully completing 10 years of employment as an administrator at Kent ISD shall at the time of separation receive a one-time payment of \$10,000 into a 403b account. Eligibility may also apply at separation after 15 years of continuous service to Kent ISD.

Evaluation:

Administrator's performance shall be evaluated by the Superintendent (or his/her designee) using multiple rating categories that take into account data on student growth to the extent required by Section 1249 and 1249 of the Revised School Code (or its successor provision) and performance to the extent required by Section 1250 of the Revised School Code (or its successor provision). The assessment of the Administrator shall include, but is not limited to, such criteria as mandated by governmental agencies for personnel holding the same or similar positions as the Administrator. Administrators not responsible for supervision of instruction may be evaluated with an alternative evaluation tool determined by the School District.

No Tenure:

The Administrator agrees that s/he shall not be deemed to be granted continuing tenure in such capacity as the Administrator of the School District, and in no event shall the failure of the School District to continue or re-employ in any capacity be deemed a discharge or demotion within the provisions of Act 4, Michigan Public Acts of 1937, Extra Session, as amended. Nor shall the decision of the Board not to continue or renew the employment of Administrator for any subsequent period in any capacity, other than

as a classroom teacher, as may be required by the Teachers' Tenure Act, be deemed a breach of this Contract or a discharge or demotion within the provisions of the Michigan Teachers' Tenure Act.

Medical Examinations:

That Administrator agrees to submit to such comprehensive medical and/or mental examinations by a Board-approved physician, hospital, or clinic, supply such information and execute such documents as may be required by any underwriter, policyholder, or third-party administrator providing insurance programs specified under this Contract. Additionally, when, in the Superintendent's judgment, the Administrator shall authorize the release of medical information and/or participate in a medical examination that is necessary to determine if he can perform the essential job duties of his position with or without an accommodation, or to determine reasonable accommodations necessary to permit him to perform the essential job duties, or when such examination is otherwise job-related, consistent with business necessity and in accordance with the applicable law. The cost of the physical and/or mental examination shall be borne by the School District and the Administrator shall sign such medical release forms, and other documents, which are necessary to permit the Superintendent to receive a report limited to the results of the examination(s) for the purposes provided for in this paragraph. The Board agrees that any such reports and their contents shall remain confidential and not disseminated unless a broader disclosure is required by applicable law.

Errors and Omissions Insurance:

The Board agrees to pay the premium amount for errors and omissions insurance coverage for Administrator while engaged in the performance of a governmental function and while the Administrator is acting within the scope of his/her authority. The policy limits for this coverage shall be not less than two million dollars (\$2,000,000). The terms of the errors and omissions insurance policy shall be controlling respecting defense and indemnity of Administrator. The sole obligation undertaken by the Board shall be limited to the payment of premium amounts for the above errors and omissions coverage. In the event that such insurance coverage cannot be purchased in the above amounts and/or at a reasonable premium rate, the Board shall have the right to discontinue said coverage and shall so notify Administrator. In that event, the Board agrees on a case-by-case basis to consider providing legal defense and/or indemnification to Administrator as is authorized under MCL 691.1408 and MCL 380.11a(3)(d).

Termination

The Board shall be entitled to terminate the Administrator's employment at any time during the term of this Contract when it determines that Administrator has engaged in acts of moral turpitude, misconduct, dishonesty, fraud, insubordination, incompetency, inefficiency, if Administrator materially breaches the terms and conditions of this Contract, or for other causes that are not arbitrary or capricious.

The foregoing standards for termination of this Contract during its term shall not be applicable to non-renewal of this Contract at the expiration of its term, which decision is discretionary with the Board.

In the event that the Board undertakes to dismiss Administrator during the term of this Contract, he/she shall be entitled to written notice of charges and an opportunity for a hearing before the Board. In the event of termination of employment during the term of this Contract, this Contract shall automatically terminate and the Board shall have no further obligation hereunder.

Limitations Period:

Employee agrees that any claim or suit arising out of Employee's employment with the School District must be filed no more than six months after the date of the employment action that is the subject of the claim or suit. Employee understands that the statute of limitations for claims arising out of an employment

action may be longer than six months but agrees to be bound by the six-month period of limitations pursuant to this section and waives any statute of limitations to the contrary. It is the intent of the Parties that any court of competent jurisdiction will enforce this section to the maximum extent permitted by law.

Complete Agreement:

This Agreement contains the entire agreement of the parties hereto, and may not be altered, modified, or rescinded by any prior or contemporaneous statement or understanding of either such party, or any person on their behalf; this Agreement may be amended, modified, rescinded, or otherwise altered during its term only by an express written "Modification," denominated as such, and signed by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

ADMINISTRATOR

KENT INTERMEDIATE SCHOOL DISTRICT

by: _____
Superintendent

And: _____
Board President

cc: Personnel File

THRUN LAW FIRM, P.C.

Thrun Policy Service Update Summary – July 2024

ISD Board Policy Manual

Policy	Revision(s) Made
Revision Applicable to All Series	
<p>Removed “guardian” from “parent/guardian” and capitalized “Parent” as “Parent” is defined as “a student’s natural or adoptive parent or legal guardian” in Policy 1401.B.5.</p> <p>The following policies were updated this change only: 3104, 3106-F, 3107, 3108, 3116, 3303, 3303-F, 3403, 3406, 4203-AG, 4204, 4214, 4216, 4217, 4221, 5104, 5201, 5206A, 5206E, 5209, 5210, 5302, 5307, 5308, all 5400s, 5507, 5602, 5603, 5702, 5703, 5704, 5705, 5712, 5805,</p>	
2000 Series	
2201 -Board Powers/General Powers	Added reference to board members in the provision regarding indemnification.
2501 Meetings	Revisions to add provisions re: recess of meetings and minor technical revisions.
2504 Public Participation at Board Meetings	Minor technical revisions.
3000 Series	
3102 Smoking, Tobacco Products, Drugs, and Alcohol	Updated “tobacco product” definition.
3105 Visitors and Volunteers	Modified optional language to clarify that the requirement for superintendent/designee approval of volunteer drivers only extends to events where the District oversees and coordinates transportation (e.g., a class field trip).
3106 Booster Clubs, PTOs, and Other Support Groups	Clarified “internal support group” definition.
Policies 3115-3115H	Policy 3115- formerly the general non-discrimination policy- is now titled Non-Discrimination, Anti-Harassment, and Retaliation (including Title IX and Elliott-Larsen Civil Rights Act). Several accompanying policies have been added to 3115, including 3115A (Definitions for 3115 Series), 3115B (Designation of Coordinators), 3115C (Supportive Measures), 3115D (Informal Resolution), 3115E (Grievance Procedure and Remedies), 3115F (Complaint Dismissal and Appeals), 3115G (Additional Requirements to Prevent and Address

	Pregnancy Discrimination), and 3115H (Training Requirements, Recordkeeping, and Policy Notice).
3115-F-1 Discrimination, Harassment, and Retaliation Complaint Form	Form previously titled 3118-F-1 Title IX Sexual Harassment Complaint Form re-designated as 3115-F-1
3115-F-2 Sample Notice of Nondiscrimination	New form.
3118 Nondiscrimination Covenant in Contracts with the District	Policy 3118- formerly the Title IX policy- is now a shorter policy addressing Nondiscrimination Covenant in Contracts with the District.
3119 Experimental or Pilot Programs	Updated legal citation.
3207 School Activities Fund	Updated legal citation.
3208 Surety Bonds of ISD Officials - ISD	<ul style="list-style-type: none"> • Updated legal citation. • Added a note regarding the removal of this optional policy for ISDs.
3211 Post-Issuance Tax Compliance	Clarified that, by default, debt compliance officer training is annual.
3301 Purchasing and Procurement	Clarified that purchases by District administration remain subject to Board approval under Policy 2202.
3306 Construction Bidding	Updated to reflect bid requirements related to the recently enacted Michigan prevailing wage law.
3307 Construction Administration	Updated to reference federal and state prevailing wage requirements and to clarify the responsibility for paying prevailing wages.
3402 Drills, Plans, and Reports	Added new requirements for cardiac emergency response plans and for CPR and AED certification for high school athletic coaches.
3408 Firearms and Weapons	Added reference to MCL 28.425o(5)
3410 Opioid Antagonist	Opioid Antagonist Policy, formerly 5706, was moved to the School Safety and Security subseries as it addresses more than just students.
3501-AG Freedom of Information Act Procedures and Guidelines	Attachments removed from AG and re-designated as separate forms for consistency.
3501-F-1 Sample FOIA Request Form	New designation for forms that were previously identified as Attachments A, B, and C in 3501-AG.
3501-F-2 Certificate of Non-Existence of Public Record	
3501-F-3 Standard Form for Detailed Itemization of Fee Amounts	
4000 Series	

4101 Non-Discrimination	<ul style="list-style-type: none"> • Pregnant Workers Fairness Act citation updated in legal authority section. • Updated cross-references to Non-Discrimination, Anti-Harassment, and Retaliation policies
4102 Anti-Harassment	Titles updated; Updated cross-references to Non-Discrimination, Anti-Harassment, and Retaliation policies
4104 Employment Complaint Procedure for Allegations Implicating Civil Rights	
4105 Disability Workplace Accommodations for Employees and Applicants	Title updated; Removed Pregnant Workers Fairness Act references. New Policy 4105A addresses Pregnant Workers Fairness Act accommodations based on recently issued regulations.
4105A Pregnancy Workplace Accommodations for Employees and Applicants	New policy to address accommodations under the Pregnant Workers Fairness Act and its regulations.
4105B Religious Workplace Accommodations for Employees and Applicants	New policy to address religious accommodations under Title VII.
4106 Family and Medical Leave Act (FMLA)	Added flexibility to permit the Superintendent or designee to permit intermittent or reduced leave for birth of a child or child adoption or foster care, even though intermittent leave for these situations is not required by law.
4107 Military Leave	Added Space Force to applicable uniformed services covered under military leave.
4109 Break Time for Nursing Mothers	Updated language to incorporate requirements under PUMP Act. Revisions include: (1) policy updated to apply to all employees, not just exempt employees, (2) provide for breaks each time an employee needs to express breast milk, (3) non-exempt employees will be unpaid unless not completely relieved from duty during the entirety of the break, (4) updated legal authority to 29 USC 218d.
4201 Employee Ethics and Standards	Added language requiring school employees to report suspected abuse or neglect of vulnerable adults to APS in compliance with Michigan’s Social Welfare Act.
4202 Children’s Protective Services (CPS) and Adult Protective Services (APS) Reporting and Student Safety and Welfare	Title Updated; Added language requiring school employees to report suspected abuse or neglect of vulnerable adults to APS in compliance with Michigan’s Social Welfare Act.
4205-AG-1 Criminal Justice Information Security (Non-Criminal Justice Agency)	Updated to reflect FBI’s Criminal Justice Information Services Security Policy, version 5.9.4.

4206 Employment Contracts	Added language requiring an evaluation appeal process pursuant to RSC Sections 1249 and 1249b.
4207 Third Party Contracting	Removed surplusage.
4209 Prohibition Against Abortion Referrals and Assistance	Updated to reflect repeal of law that prohibited certain District officials, Board members, and District employees from referring a student for an abortion or assisting a student with obtaining an abortion. The policy is now optional, and the discipline appeal procedure specified in the repealed law has been removed from the policy.
4213 Anti-Nepotism	Removed ability of superintendent’s designee or Board to make exceptions to policy; revised to provide for two options: (1) superintendent may make exceptions with Board approval or (2) with prompt notice to the Board. Added that exceptions may be made when in the District’s best interests.
4215 District Technology and Acceptable Use Policy	Added a restriction that only authorized employees may disclose District records to third parties.
4228 No Expectation of Privacy	Updated legal authority section with the Fourth Amendment to the United States Constitution.
4229 Acceptable Use of Generative Artificial Intelligence	New optional policy to address acceptable use of Artificial Intelligence.
4401 Definition	Removed reference to RSC Section 1233b.
4402 Assignment and Transfer	Policy removed, so that Policy 4402-R will become the new Policy 4402.
4402-R Placement	<ul style="list-style-type: none"> Added necessary language to distinguish teachers who are not subject to the Teachers’ Tenure Act and Revised School Code Section 1249. The “-R” was removed from this policy’s title; it is now the standard version of Policy 4402.
4403 Performance Evaluation	Policy removed, so that Policy 4403-R will become the new Policy 4403.
4403-R Performance Evaluation	<ul style="list-style-type: none"> Added necessary language to distinguish teachers who are not subject to the Teachers’ Tenure Act and Revised School Code Section 1249. The “-R” was removed from this policy’s title; it is now the standard version of Policy 4403.

4405 Reduction in Force and Recall	Policy removed, so that Policy 4405-R will become the new Policy 4405.
4405-R Reduction in Force and Recall	<ul style="list-style-type: none"> Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249. The "-R" was removed from this policy's title; it is now the standard version of Policy 4405.
4408 Termination	Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249.
4409 Non-Renewal	Policy removed, so that Policy 4409-R will become the new Policy 4409.
4409-R Non-Renewal	<ul style="list-style-type: none"> Added factors for the Board to consider when determining whether to reduce the 2-year probationary period under the Teachers' Tenure Act for a teacher who previously held tenure in another Michigan public school district. Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249. The "-R" was removed from this policy's title; it is now the standard version of Policy 4409.
4503 Performance Evaluation	Policy removed, so that Policy 4503-R will become the new Policy 4503.
4503-R Performance Evaluation	<ul style="list-style-type: none"> The "-R" was removed from this policy's title; it is now the standard version of Policy 4503. Added reference to evaluation appeal process required by law.
4507 Termination	Added language providing that the procedure for terminating an administrator, supervisor, or director will be set forth in an applicable collective bargaining agreement or individual employment contract.
4603 Performance Evaluation	Update to reflect changes to RSC Sections 1249 and 1249b.
5000 Series	
Policies 5101, 5102, 5213, 5306, 5503, 5507, 5509, 5708, 5806	Minor language clarifications/technical revisions.

<p>5103 Search and Seizure</p>	<p>Clarified law enforcement notification requirements.</p>
<p>5105 Collaboration with Outside Entities</p>	<p>Language clarification regarding Policy application.</p>
<p>5106 Transgender Students</p>	<ul style="list-style-type: none"> • Modified optional provisions. • Updated language to comply with legislative changes. • Removed definition section. • Minor language clarifications throughout Policy. • Revised Gender Support Plan optional language for readability and consistency of terms. • Clarified student privacy requirements. • Included citations to Elliott-Larsen Civil Rights Act.
<p>5202 Unlawful Discrimination, Harassment, and Retaliation Against Students</p>	<ul style="list-style-type: none"> • Clarified which policy applies for student-to-staff misconduct. • Revised definition of unlawful harassment to comply with Elliott-Larsen Civil Rights Act. • Revised race-based harassment to comply with the CROWN Act. • Revised sex-based discrimination to comply with Elliott-Larsen Civil Rights Act • Clarified reporting obligations of other forms of unlawful discrimination. • Included language that permits a Coordinator to discontinue the investigation if the allegations do not rise to unlawful discrimination. • Included language permitting informal resolution. • Investigation Timeline section revised to ensure consistency with Policy 5206. • Investigation Procedures section revised to streamline process and provide clarity. • Removed Investigation Report to streamline this process for clients
<p>5203 Hazing</p>	<p>Clarified prohibited conduct.</p>

5204 Student Appearance and Dress Code	<ul style="list-style-type: none"> • Minor language clarification to avoid redundancy. • Include citations to Elliott-Larsen Civil Rights Act.
5206 Student Discipline	Incorporated new language regarding sexual assault allegations.
5206B Student Discipline - Students with Disabilities	Replaced “suspend” with “remove” for legal consistency.
5206C Student Discipline - Reinstatement Following Expulsion	<ul style="list-style-type: none"> • Revised section A to clarify Board’s authority to modify reinstatement procedures consistent with Revised School Code Section 1310d. • Revised Section B to clarify that petition does not result in a hearing.
5206D Student Discipline - Enrollment Following Misconduct at Another Public or Nonpublic School	Clarified when a hearing may be held.
5208 Student Acceptable Use and Internet Safety	Added cross-reference to District Technology and Acceptable Use policy.
5212 Registered Sex Offenders – Students	Clarified Title. Minor language clarification.
5301 Compulsory Attendance, Absenteeism, and Truancy	Minor language clarification. Included language specifying that physician, physician assistant, or nurse practitioner may provide absence verification.
5303 Student Enrollment and Withdrawal	Minor language clarification. Included language addressing pursuing legal options for false or misleading enrollment information.
5304 Nonpublic School Students Part-Time Attendance	<ul style="list-style-type: none"> • Language revised to clarify that comparability is one requirement; however, shared time programs must comply with all state law and constitutional requirements. • Formatting change for readability.
5309 Student Records and Directory Information	Minor language clarification. Clarified sample directory information.
5407 Instructional Program and Curriculum Development	Revised language to clarify the challenge process for instructional materials.

5409 Academic Credits and Graduation	Revised Section B to clarify that a parent of an IDEA eligible student may request a personal curriculum before the student has completed grade 9. Revised Section C to clarify expectations to receive credit.
5414 Completion Certificates	Included language to clarify a student’s rights under the IDEA.
5415 Summer School	Removed requirement to include procedures in student handbooks. Include language clarifying student expectations for summer schools.
5416 Homebound and Hospitalized Instruction	Clarified timelines and expectations for students with disabilities.
5420 Sex Education	Removed Section C in Option 1 and Section H in Section 2 to comply with repealed law.
5421 Work-Based Learning Experience	Added legal authority citation.
5506 Field Trips	Removed language regarding age restrictions.
5510 Student-Initiated, Non-Curricular Clubs	Clarified when a club may be formed. Streamlined appeal process.
5601 Special Education	Clarified applicable legal protections.
5701 Abuse and Neglect	Changed Title. Included new section addressing vulnerable adult reporting.
5706 Intentionally Left Blank	Opioid Antagonist policy was moved to the School Safety and Security subseries as Policy 3410 as it addresses more than just students.
5707 School Wellness Policy	Included new section addressing meal charge policy.
5709 Lice, Nits, and Bed Bugs	Revised explanatory notes.
5710 Student Suicide and Prevention	Provided new options for District to consider; Option 1 – Basic Policy; Option 2 – Comprehensive option.
5711 Toilet Training	Revised for readability.

5713 Immunizations and Communicable Diseases	Clarified when certificates are required.
5715 Student Oral Health Assessment	New Policy.
5804 Work Permits	Added legal authority.
5807 Flag Display and Pledge of Allegiance	Changed title, removed flag display language.

BOARD AGENDA ITEM

Information/Discussion _____
Future Action _____
Action X

Item: Annual Policy Service Updates

Submitted by: Dave Rodgers, Asst. Superintendent of Human Resources

Date: 7-30-24

Recommended by: Dave Rodgers

Board Meeting Date: 8-19-24

RECOMMENDATION:

Kent ISD utilizes Thrun Law for Board policy services. Each July Thrun releases a variety of modifications and recommended updates based on changes in the law or other relevant developments. It is recommended that the Board adopt the changes as detailed.

BACKGROUND:

This year's policy update is extensive in volume, however for many of the polices included, the changes are relatively minor in substance. In many cases, the changes are meant to align common use of terms (such as "parent" versus "parent/guardian") for overall consistency. In other areas, there may be a minor change in legal reference at the bottom.

The more substantive policy changes stem from new or changing laws including but not limited to the Michigan Revised School Code, the Crown Act, the Pregnant Workers Fairness Act, the Elliott Larsen Civil Rights Act, new USDOE Title IX regulations, and more.

Without diminishing the value of the other policy changes, here are some specific policies that you may want take note of:

- 2000s series – 2201, 2501, 2504 as they pertain to the Board
- 3115, 4101 and 4102 – substantive changes resulting from changes in Title IX and the Elliott Larsen Civil Rights Act
- 3306 -3307 – included requirement of prevailing wages
- 3402 – new requirement of cardiac emergency plans
- 4202 – added language requiring school employees to report suspected abuse or neglected of vulnerable adults (which applies to older students within center programs)
- 4229 – new policy pertaining to Artificial Intelligence
- 5715 – new policy on student oral health assessments

BOARD POLICY RESOLUTION

Kent ISD
County of Kent, State of Michigan (Kent ISD”)

A Regular meeting of the Board of Education (the “Board”) was held in the Kent ISD Educational Service Center, within the boundaries of the Kent ISD, on the 19th day of August, 2024, at four o’clock in the p.m.

The meeting was called to order by Andrea Haidle, President.

Present: Members

Absent: Members

The following preamble and resolution were offered by Member _____ and supported by Member _____

WHEREAS, the Board identified a need to review its current Board policies, bylaws, and administrative guidelines; and

WHEREAS, the Kent ISD administration (“Administration”) has reviewed the Thrun Law Firm Policy Manual (“Policy Manual”) and recommends the Policy Manual for consideration, in the form presented for Board review and approval, to replace the Board’s existing policies, bylaws, and administrative guidelines; and

WHEREAS, the Administration has reviewed any and all legal settlements and resolution agreements between the Kent ISD and any state or federal agency, as applicable, that address the modification or agency review of existing Board policy and the Board has considered the impact of those settlements or agreements when recommending adoption of the Policy Manual; and

WHEREAS, the Administration recommends that the Board repeal its existing policies, bylaws, and administrative guidelines, with the exception of existing Board policy [insert number], concerning student bullying, and adopt the Policy Manual, with the exception of Policy 5207 (Anti-Bullying), concerning student bullying, which requires a public hearing before Board adoption pursuant to Revised School Code Section 1310b, MCL 380.1310b; and

WHEREAS, the Board has carefully reviewed, considered, and evaluated the Policy Manual collectively and as individual Board members and the Administration’s recommendation.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board accepts the Administration’s recommendation to adopt the Policy Manual.
2. All existing Board policies, bylaws, and administrative guidelines are hereby repealed (including all policies and bylaws that by their terms require a reading(s) or hearing(s) before repeal, modification, or adoption), with the exception of existing Board policy [insert number] concerning student bullying, which requires a public hearing before being repealed and replaced.

BOARD POLICY RESOLUTION

3. The Board hereby adopts the Policy Manual, except Policy 5207 (Anti-Bullying), in the form presented and recommended by the Administration as the Board’s new policies and bylaws, including those forms and administrative guidelines in the Policy Manual, for the purpose of governing the Kent ISD.

4. The Administration shall promptly review Kent ISD publications and forms that may reference the now-repealed Board policies and revise those publications and forms as necessary to align them with the newly adopted Policy Manual within 10 calendar days after this resolution.

5. The Board’s adoption of the Policy Manual, except Policy 5207 (Anti-Bullying), shall take immediate effect.

6. At a Board meeting scheduled for August 19, 2024, the Board will hold a public hearing concerning proposed Policy 5207 (Anti-Bullying) in the Policy Manual.

7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: Members

Nays: Members

Resolution declared adopted.

Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of Kent ISD, County of Kent, State of Michigan, certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board Regular meeting held on August 19, 2024, the original of which is part of the Board’s minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the “Open Meetings Act” (Act 267, Public Acts of Michigan, 1976, as amended).

Secretary, Board of Education

Series 2000: Bylaws

2200 Board Powers

2201 Board Powers

The Board exercises powers that are expressly conferred upon the Board by Michigan Constitution or statute and that are necessarily implied or incidental to expressly conferred powers. Except as otherwise provided by law, the Board may exercise a power incidental or appropriate to the performance of a function related to the District's operation in the interests of public elementary and secondary education in the District.

A. Expressly Conferred Powers

1. The Board will establish and maintain the grades, schools, programs, and departments it deems necessary, which may include grades Pre-K through 12, and may provide lifelong education, adult education, community education, training, enrichment, and recreation programs.
2. The Board will:
 - a. ensure that the requirements of Revised School Code Sections 1204a (annual reports), 1277a (disaggregation of data by gender for school improvement planning purposes), 1278 (core academic curriculum), and 1280 (accreditation) are met for any consortium program in which the District participates;
 - b. in cooperation with its constituent districts and in compliance with Revised School Code Sections 1284 and 1284b adopt a common school calendar to apply to the District's constituent districts and to the District's programs;
 - c. adopt a ~~parent/guardian~~Parent involvement plan; and
 - d. adopt and implement and annually make available to MDE a copy of a 3- to 5-year intermediate school district school improvement plan and continuing school improvement process for the District in compliance with Revised School Code Section 1277.
3. The Board will provide for the safety and welfare of students while at school or a school-sponsored activity or event, and while traveling to or from school or a school-sponsored activity or event, as required by law.
4. The Board may acquire, construct, maintain, repair, renovate, dispose of, or convey school property, facilities, equipment, technology, or furnishings as it deems appropriate, within applicable legal parameters.
5. The Board may hire, contract for, schedule, supervise, or terminate employees, independent contractors, and other persons or entities to carry out the District's powers. The Board may defend and indemnify its employees and Board members to the extent authorized by law.

6. The Board may receive, account for, invest, or expend District money; borrow money and pledge District funds for repayment; and qualify for state school aid and other public or private money from local, regional, state, or federal sources.
7. The Board may conduct, operate, participate in, administer, or serve as fiscal agent or administrative entity, or both, for 1 or more programs involving workforce development, including, but not limited to, job training and development programs, school-to-work initiatives, Work First or programs under the Workforce Innovation and Opportunity Act, 29 U.S.C.Ch. 32, or a successor program.
8. The Board may develop and make available to school districts and public school academies an early intervening model program for grades K-3. The early intervening model program will be designed to instruct classroom teachers and support staff on how to monitor individual pupil learning and how to provide specific support or learning strategies to pupils as early as possible in order to avoid inappropriate referrals to special education. The model program will be based on a program with documented positive results and outcomes and comply with Revised School Code Section 641.
9. Subject to Michigan Election Law, the Board may submit questions to the District's electors at a regular or special school election held in each of the constituent districts. A question will not be submitted to the District's electors unless the question is within the District's electors' lawful authority to decide.
10. The Board may, acting singly or in cooperation with other intermediate school districts, operate educational media centers, as defined by the State Board of Education pursuant to Revised School Code Section 671, to serve public and nonpublic schools in the District's respective area.
11. The Board may, provided that it has an agreement with an appropriate local authority, operate an educational recreation program if the program is approved by the State Board of Education.
12. The Board may establish and, if applicable, levy a millage for an area career and technical education program and operate the program under Revised School Code Sections 681 - 690 if approved by a majority of the District's electors voting on the question. The election will be called and conducted in accordance with the Revised School Code and Michigan Election Law. The establishment of the area career and technical education program may be rescinded by the same process.
13. In compliance with applicable law, the Board will:
 - a. upon request of the board of a constituent district, furnish services on a management, consultant, or supervisory basis to the district.
 - b. upon request of the board of a constituent district, direct, supervise, and conduct cooperative educational programs on behalf of the district.

- c. conduct cooperative programs mutually agreed upon by 2 or more intermediate school boards.
 - d. conduct cooperative programs mutually agreed upon with 1 or more public school academies.
14. The Board may conduct or participate in cooperative programs for information technology systems which may include, but are not limited to, equipment for storage, retrieval, processing, and transmission of voice, data, or video communications; contract with public schools or other educational institutions, government agencies, public broadcasting stations or systems, or information technology service providers in conducting the programs; and acquire and install the equipment, software, and training necessary for the programs in the manner and at the places the Board considers appropriate.
15. Upon request of the board of a constituent school district or public school academy located within the District, the Board may provide, either solely or as part of a consortium of intermediate school districts, comprehensive school improvement support services to the district or public school academy. These services may include, but are not limited to, all of the following:
- a. the development of a core curriculum;
 - b. the evaluation of a core curriculum;
 - c. the preparation of 1 or more school improvement plans;
 - d. the dissemination of information concerning 1 or more school improvement plans;
 - e. the preparation of an annual educational report;
 - f. professional development;
 - g. educational research;
 - h. the compilation of instructional objectives, instructional resources, pupil demographics, and pupil academic achievement;
 - i. assistance in obtaining school accreditation; and
 - j. ensuring that the requirements of Revised School Code Sections 1204a (annual reports), 1277a (disaggregation of data by gender for school improvement planning purposes), 1278 (core academic curriculum), and 1280 (accreditation) are met for any consortium program in which the school district or District participates.
16. In compliance with applicable law, if the most cost-effective business services are not available to constituent districts, the Board will offer to provide for constituent districts and public school academies located within the District

business services that can be accomplished more cost-effectively by an intermediate school district. Such services may include, but are not limited to, those services identified in Revised School Code Section 627.

17. The Board delegates to the Superintendent the authority to take action in circumstances not authorized by Board action or Policy when required to effectively maintain the District's day-to-day operations. The Superintendent should (a) promptly inform the Board of the action taken and the need for taking expedited action; and (b) report the action to the Board at the Board's first meeting after the Superintendent takes such action.

B. Express Limitations on Powers

1. The Board will not use money received from any source to unlawfully aid or maintain any private, denominational, or other nonpublic, pre-elementary, elementary, or secondary school. The Board may provide transportation, auxiliary services, and nonessential elective classes for students attending nonpublic schools to the extent permitted by law.
2. The Board will use public funds, including state aid allocations, tax revenue, and bond proceeds only for designated purposes.

C. Authority

1. Consistent with Policy 2101, the Board's powers reside within the Board as a whole, not individual Board members. The Board speaks only through its minutes and resolutions.
2. Consistent with Policy 2503, Board action is not valid unless approved by a majority vote in a lawfully convened meeting.

Legal Authority: Const 1963, art 8, §2; MCL 380.5(6), 380.601a, 380.627, 380.641, 380.671, 380.673, 380.681, 380.1277, 380.1280a, 380.1284, 380.1284a, 380.1284b, 380.1804, 380.1807, 380.1816; MCL 388.1766b; [MCL 691.1408](#); Mich Admin Code R 340.281, 340.282 (transportation services to nonpublic school children), 340.291, 340.295 (auxiliary services for nonpublic school children); *Tavener v Elk Rapids Rural Agric Sch Dist*, 341 Mich 244 (1954)

Date adopted:

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 - d. the dissemination of information concerning 1 or more school improvement plans;
 - e. the preparation of an annual educational report;
 - f. professional development;
 - g. educational research;
 - h. the compilation of instructional objectives, instructional resources, pupil demographics, and pupil academic achievement;
 - i. assistance in obtaining school accreditation; and
 - j. ensuring that the requirements of Revised School Code Sections 1204a (annual reports), 1277a (disaggregation of data by gender for school improvement planning purposes), 1278 (core academic curriculum), and 1280 (accreditation) are met for any consortium program in which the school district or District participates.
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2. The Board will use public funds, including state aid allocations, tax revenue, and bond proceeds only for designated purposes.

C. Authority

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Legal Authority: Const 1963, art 8, §2; MCL 380.5(6), 380.601a, 380.627, 380.641, 380.671, 380.673, 380.681, 380.1277, 380.1280a, 380.1284, 380.1284a, 380.1284b, 380.1804, 380.1807, 380.1816; MCL 388.1766b; MCL 691.1408; Mich Admin Code R 340.281, 340.282 (transportation services to nonpublic school children), 340.291, 340.295 (auxiliary services for nonpublic school children); *Tavener v Elk Rapids Rural Agric Sch Dist*, 341 Mich 244 (1954)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 2000: Bylaws

2300 Board Member Conduct

2302 Board Code of Ethics

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

A. Each Board member will:

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

12. refer complaints to the Superintendent (other than those involving the Superintendent), designee, or designated administrator(s), as appropriate (see Policies 4101, 4102, ~~40134~~103, and 4104);
13. safeguard confidential information, including social security numbers, criminal history record information, information pertaining to unprofessional conduct checks, and personally identifiable student information under the Family Educational Rights and Privacy Act (FERPA) and Revised School Code Section 1136;
14. avoid an actual or perceived conflict of interest;
15. comply with the Open Meetings Act;
16. be mindful of a Board member's fiduciary obligations to the District, including duties of loyalty and care, placing the District's interests above a Board member's personal interests; and
17. use District employee resources, property, and funds judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.

B. A Board member will *not*:

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

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

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

Date adopted:

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4. focus on governance, not management, taking care to distinguish the Board's responsibility to focus on the District's mission, values, vision, policy development, strategic planning, and budgeting from the administration's responsibility for implementation of Policies and goals, routine operational decisions, and administration of daily operations;
5. employ or contract with and retain those persons best qualified to serve as District employees and insist on a regular and impartial evaluation of all employees in compliance with applicable law;
6. render all decisions based on an objective evaluation of available information, exercising independent judgment;
7. encourage constructive dialogue among Board members and among the Board and students, staff, Parents, and the school community;
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14. avoid an actual or perceived conflict of interest;
15. comply with the Open Meetings Act;
16. be mindful of a Board member's fiduciary obligations to the District, including duties of loyalty and care, placing the District's interests above a Board member's personal interests; and
17. use District employee resources, property, and funds judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.

B. A Board member will *not*:

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

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

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

Date adopted: August 15, 2002

Date revised: August 19, 2024

Series 2000: Bylaws

2300 Board Member Conduct

2303 Violation of Board Code of Ethics

The Board is responsible for enforcing the Code of Ethics (Policy 2302) for its members.

- A. If it is suspected or alleged that a Board member has violated the Code of Ethics, the following may occur:
1. The President (or Vice President, if the President is the focus of the inquiry) may confer with that Board member to determine whether the suspected or alleged violation is disputed.
 - a. If the suspected or alleged violation is not disputed, the President/Board may propose how the member may remedy the violation; or
 - b. If the suspected or alleged violation is disputed, [Choose one: the President may initiate an investigation / the Board may initiate an investigation by an affirmative vote of a majority of the members elected or appointed to and serving on the Board].
 2. The Board may discuss the alleged violation as an agenda item at a Board meeting. At the affected Board member's request, the Board may convene in a closed session under the Open Meetings Act to consider complaint(s) or charge(s) brought against the Board member.
- B. If the violation is admitted or the Board determines that a disputed violation has been established by at least a preponderance of the evidence, the Board may consider:
1. whether to publicly censure the Board member—through, which action may include adopting a formal Board resolution reprimanding the Board member;
 2. whether to remove the Board member from committee assignments;
 3. whether to remove the Board member from any Board office or position (e.g., Vice President, Secretary);
 4. whether the violation rises to the level of gross neglect of duty or corrupt conduct in office, or other misfeasance or malfeasance, warranting referral to the Governor pursuant to Michigan Constitution, Article V, §10 for possible suspension or removal from public office;
 5. whether the violation may constitute a criminal violation of the Revised School Code, the Michigan Penal Code, or other applicable Michigan law, warranting referral to local law enforcement; and
 6. any other act authorized by law.

Legal Authority: Const 1963, art 5, §10, Const 1963, art 11, §1; MCL 380.619, 380.1107,
380.1804, 380.1815, 380.1816, 380.1230, 380.1230a, 380.1230b

Date adopted:

Date revised:

Series 2000: Bylaws

2300 Board Member Conduct

2303 Violation of Board Code of Ethics

The Board is responsible for enforcing the Code of Ethics (Policy 2302) for its members.

- A. If it is suspected or alleged that a Board member has violated the Code of Ethics, the following may occur:
 1. The President (or Vice President, if the President is the focus of the inquiry) may confer with that Board member to determine whether the suspected or alleged violation is disputed.
 - a. If the suspected or alleged violation is not disputed, the President/Board may propose how the member may remedy the violation; or
 - b. If the suspected or alleged violation is disputed, the Board may initiate an investigation by an affirmative vote of a majority of the members elected or appointed to and serving on the Board.
 2. The Board may discuss the alleged violation as an agenda item at a Board meeting. At the affected Board member's request, the Board may convene in a closed session under the Open Meetings Act to consider complaint(s) or charge(s) brought against the Board member.
- B. If the violation is admitted or the Board determines that a disputed violation has been established by at least a preponderance of the evidence, the Board may consider:
 1. whether to publicly censure the Board member, which action may include adopting a formal Board resolution reprimanding the Board member;
 2. whether to remove the Board member from committee assignments;
 3. whether to remove the Board member from any Board office or position (e.g., Vice President, Secretary);
 4. whether the violation rises to the level of gross neglect of duty or corrupt conduct in office, or other misfeasance or malfeasance, warranting referral to the Governor pursuant to Michigan Constitution, Article V, §10 for possible suspension or removal from public office;
 5. whether the violation may constitute a criminal violation of the Revised School Code, the Michigan Penal Code, or other applicable Michigan law, warranting referral to local law enforcement; and
 6. any other act authorized by law.

Legal Authority: Const 1963, art 5, §10, Const 1963, art 11, §1; MCL 380.619, 380.1107,
380.1804, 380.1815, 380.1816, 380.1230, 380.1230a, 380.1230b

Date adopted: August 15, 2022

Date revised: August 19, 2024

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 wherein the event of a severe and imminent threat to the health, safety, or welfare of the public ~~exists~~, 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.

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 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. 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. Board members must keep matters discussed and documents received confidential unless otherwise authorized by the Board or law.
6. The Board will determine the non-member attendees for a closed session unless attendance is required by Policy or law.

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

E. Meeting Cancellation

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 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.

- 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 provision(s) of the Open Meetings Act 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. Optional: Parliamentary Procedure

Board meetings will be conducted consistent with the parliamentary authority provided in _____, provided the procedure is consistent with Board Policy and the law.]

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.

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

Date adopted:

Date revised:

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.

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 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. 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. Board members must keep matters discussed and documents received confidential unless otherwise authorized by the Board or law.
6. The Board will determine the non-member attendees for a closed session unless attendance is required by Policy or law.

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

E. Meeting Cancellation

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 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.

- 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 provision(s) of the Open Meetings Act 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. Reserved.

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.

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 2000: Bylaws

2500 Board Meetings and Open Meetings Act Compliance

2504 Public Participation at Board Meetings

Any member of the public may address the Board at a Board meeting, subject to the following rules:

- A. Except during a public participation portion of a Board meeting, no member of the public or other person may address the Board during a public meeting without the express permission of the President or other presiding officer.
- B. The Board will follow public participation rules that balance the District's interest in an orderly public meeting with the public's First Amendment rights. A copy of these rules and any additional public participation rules adopted by the Board will be made available at Board meetings. The Board's public participation rules include, but are not limited to, the following:
 1. before addressing the Board, a member of the public will state ~~his or her~~their name and address;
 2. each person's public comments are limited to [REDACTED] minutes per public participation period. This time limit may be adjusted by the President or other presiding officer to facilitate public participation at Board meetings;
 3. persons who are part of a group or organization or who share similar viewpoints are encouraged to designate a spokesperson to address the Board;
 4. public comments of a personal nature are prohibited when: (a) the comments are unrelated to the manner in which a Board member or District employee performs that person's duties, and (b) the comments cause a substantial disruption to the meeting;
 5. any public comment not protected by the First Amendment of the U.S. Constitution is prohibited;
 6. Board members may ask questions of the speakers but are not required to answer questions or make statements in response to a public comment;
 7. written statements and documents presented to the Board by a public participant or group are public records and must be given to the Secretary or designee; and
 8. any audio recording, video recording, broadcasting, or telecasting must be performed from the seating area designated for the public or in the area otherwise designated by the President, Superintendent, or designee, and must not disrupt the meeting.

- C. Once the President or other presiding officer has determined that each member of the public requesting to do so has had a reasonable opportunity to address the Board during a public participation portion of a Board meeting, the President or other presiding officer will announce that the public participation portion of the meeting has ended.
- D. If the President or other presiding officer determines that a member of the public has violated 1 or more of the above rules and refuses to come into compliance with those rules, the member of the public will lose the right to speak during public comment at that meeting. A person who persistently engages in disorderly conduct or otherwise breaches the peace at a Board meeting, after notice from the President or other presiding officer, may be removed.

Legal authority: U.S. Const, amend. I; MCL 15.263(1), 15.263(5); MCL 380.1808

Date adopted:

Date revised:

Series 2000: Bylaws

2500 Board Meetings and Open Meetings Act Compliance

2504 Public Participation at Board Meetings

Any member of the public may address the Board at a Board meeting, subject to the following rules:

- A. Except during a public participation portion of a Board meeting, no member of the public or other person may address the Board during a public meeting without the express permission of the President or other presiding officer.
- B. The Board will follow public participation rules that balance the District's interest in an orderly public meeting with the public's First Amendment rights. A copy of these rules and any additional public participation rules adopted by the Board will be made available at Board meetings. The Board's public participation rules include, but are not limited to, the following:
 1. before addressing the Board, a member of the public will state their name and address;
 2. each person's public comments are limited to 3 minutes per public participation period. This time limit may be adjusted by the President or other presiding officer to facilitate public participation at Board meetings;
 3. persons who are part of a group or organization or who share similar viewpoints are encouraged to designate a spokesperson to address the Board;
 4. public comments of a personal nature are prohibited when: (a) the comments are unrelated to the manner in which a Board member or District employee performs that person's duties, and (b) the comments cause a substantial disruption to the meeting;
 5. any public comment not protected by the First Amendment of the U.S. Constitution is prohibited;
 6. Board members may ask questions of the speakers but are not required to answer questions or make statements in response to a public comment;
 7. written statements and documents presented to the Board by a public participant or group are public records and must be given to the Secretary or designee; and
 8. any audio recording, video recording, broadcasting, or telecasting must be performed from the seating area designated for the public or in the area otherwise designated by the President, Superintendent, or designee, and must not disrupt the meeting.

- C. Once the President or other presiding officer has determined that each member of the public requesting to do so has had a reasonable opportunity to address the Board during a public participation portion of a Board meeting, the President or other presiding officer will announce that the public participation portion of the meeting has ended.
- D. If the President or other presiding officer determines that a member of the public has violated 1 or more of the above rules and refuses to come into compliance with those rules, the member of the public will lose the right to speak during public comment at that meeting. A person who persistently engages in disorderly conduct or otherwise breaches the peace at a Board meeting, after notice from the President or other presiding officer, may be removed.

Legal authority: U.S. Const, amend. I; MCL 15.263(1), 15.263(5); MCL 380.1808

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3102 Smoking, Tobacco Products, Drugs, and Alcohol

A. Definitions

1. "Electronic nicotine delivery system" includes the components, parts, and accessories of an electronic nicotine delivery system, such as e-liquids, cartridges, atomizers, cartomizers (atomizer plus replaceable fluid-filled cartridge), clearomisers, tank systems, flavors, and vials that contain e-liquids.
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. "Tobacco product" means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco used in manufacturing a component, part, or accessory of a tobacco product).
4. "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 electronic vapor or other substitute forms of cigarettes, clove cigarettes, other lighted smoking devices, or other electronic nicotine delivery systems for consuming or inhaling tobacco or any other substance.

B. Smoking and Tobacco Products

1. The District prohibits the sale, possession, distribution, dispensation, or use of tobacco products, electronic cigarettes, vaporizers, and all electronic nicotine delivery systems on property owned or operated by the District [Choose Option 1 or 2] [Option 1: and at any District-related event].
2. [Option 2: The District may also prohibit the use of these products at District-related events.]

C. Drugs

1. The District prohibits the sale, possession, distribution, dispensation, or use of illegal drugs on property owned or operated by the District and at any District-related event.
2. [Optional: The District prohibits the sale, possession, distribution, dispensation, 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.

D. Alcohol

1. The District generally prohibits the sale, possession, distribution, dispensation, 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, 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 [Optional: ; 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.

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.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3102 *Smoking, Tobacco Products, Drugs, and Alcohol*

A. Definitions

1. "Electronic nicotine delivery system" includes the components, parts, and accessories of an electronic nicotine delivery system, such as e-liquids, cartridges, atomizers, cartomizers (atomizer plus replaceable fluid-filled cartridge), clearomisers, tank systems, flavors, and vials that contain e-liquids.
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. "Tobacco product" means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco used in manufacturing a component, part, or accessory of a tobacco product).
4. "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 electronic vapor or other substitute forms of cigarettes, clove cigarettes, other lighted smoking devices, or other electronic nicotine delivery systems for consuming or inhaling tobacco or any other substance.

B. Smoking and Tobacco Products

1. The District prohibits the sale, possession, distribution, dispensation, or use of tobacco products, electronic cigarettes, vaporizers, and all electronic nicotine delivery systems on property owned or operated by the District and at any District-related event.

C. Drugs

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

2. 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.

D. Alcohol

1. The District generally prohibits the sale, possession, distribution, dispensation, 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, and use of alcohol on school property if:
 - a. the District building is used for adult education or college extension courses;
 - b. the use or possession of alcohol is part of a generally recognized religious service or ceremony
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.

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.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3104 School Cameras and Monitoring

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

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

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

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3104 School Cameras and Monitoring

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

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3105 Visitors and Volunteers

Visitors and volunteers, including ~~p~~Parents/guardians, may access the District's property subject to all applicable Policies. The District may deny such access for any lawful reason.

A. Visitors

1. A person may not enter or remain on the District's property if prohibited by law.
2. [Optional: A person visiting a school building during instructional hours must first report to the building's main office. In the Superintendent's or building principal's discretion, a visitor may be required to sign in, present a form of identification, explain the visitor's purpose, wear a visitor badge, and be escorted while on District property. District personnel that discover a visitor who has not reported to the building's main office will promptly direct the visitor to the building's main office.]
3. The District may require advance notice from a person who desires to observe classroom instruction. See also Policy 5401.
4. The building principal or designee may permit a ~~p~~Parent/guardian who is a registered sex offender to visit District property to participate in or attend his or her child's school activities. The building principal or designee may require the ~~p~~Parent/guardian to comply with other conditions upon visitation, including: a check-in/check-out system, an employee escort while on District property, and a requirement to leave District property immediately upon conclusion of the child's activity.

B. Volunteers

1. A person desiring to volunteer must provide information to the District, including that person's name, address, telephone number, and a form of identification.
2. The District may lawfully require a volunteer to complete an application and consent to a background check as described in Policy 4205.
3. Volunteering is a privilege, not a right. A person does not have any right to volunteer or to perform any particular volunteer assignment. The Superintendent or designee will assess a volunteer's capabilities and determine the appropriate volunteer assignment. The Superintendent or designee may reject a volunteer's request or deny or terminate a volunteer's assignment at any time for any reason that is not unlawful.
4. Volunteer Drivers

a. A volunteer may only drive a District vehicle with approval of the Superintendent or designee and in compliance with all applicable laws. For purposes of this subsection B.4, a "District vehicle" is a vehicle owned or leased by the District, including a school bus, and a "private vehicle" is any vehicle that is not a District vehicle.

~~b. [Optional: With the Superintendent or designee's approval, District personnel, an approved volunteer, or a student's parent/guardian may transport students to and from a school or school-sponsored event in a private vehicle.]~~

~~e.b.~~ Except in an emergency, before a student rides in a private vehicle, the driver must have permission from the student's ~~p~~Parent/guardian to transport the student to or from the school or applicable event. Permission must be in writing if the driver is using a vehicle with a manufacturer's rated seating capacity of 11 or more passengers.

~~c. [Optional: For events where the District oversees and coordinates transportation (e.g., class field trip), District personnel, an approved volunteer, or a student's Parent may transport students to and from a school or school-sponsored event in a private vehicle with the Superintendent or designee's approval.]~~

d. A volunteer driver must:

- hold a valid driver's license appropriate for the vehicle;
- if required by law, hold a valid chauffeur's license; and
- for a private vehicle, provide to the Superintendent or designee's satisfaction proof of insurance, [Optional: safe driving record,] and proof of the vehicle's lawful registration- upon request.

e. A volunteer driver is responsible for any loss, damage, cost, and liability related to the driver's operation of a District vehicle or private vehicle.

Legal authority: MCL 28.721 et seq.; MCL 257.6, 257.1807; MCL 380.1137, 380.1230, 380.1230a-h

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3105 *Visitors and Volunteers*

Visitors and volunteers, including Parents, may access the District's property subject to all applicable Policies. The District may deny such access for any lawful reason.

A. Visitors

1. A person may not enter or remain on the District's property if prohibited by law.
2. A person visiting a school building during instructional hours must first report to the building's main office. In the Superintendent's or building principal's discretion, a visitor may be required to sign in, present a form of identification, explain the visitor's purpose, wear a visitor badge, and be escorted while on District property.
3. The District may require advance notice from a person who desires to observe classroom instruction. See also Policy 5401.
4. The building principal or designee may permit a Parent who is a registered sex offender to visit District property to participate in or attend his or her child's school activities. The building principal or designee may require the Parent to comply with other conditions upon visitation, including: a check-in/check-out system, an employee escort while on District property, and a requirement to leave District property immediately upon conclusion of the child's activity.

B. Volunteers

1. A person desiring to volunteer must provide information to the District, including that person's name, address, telephone number, and a form of identification.
2. The District may lawfully require a volunteer to complete an application and consent to a background check as described in Policy 4205.
3. Volunteering is a privilege, not a right. A person does not have any right to volunteer or to perform any particular volunteer assignment. The Superintendent or designee will assess a volunteer's capabilities and determine the appropriate volunteer assignment. The Superintendent or designee may reject a volunteer's request or deny or terminate a volunteer's assignment at any time for any reason that is not unlawful.
4. Volunteer Drivers
 - a. A volunteer may only drive a District vehicle with approval of the Superintendent or designee and in compliance with all applicable laws. For purposes of this subsection B.4, a "District vehicle" is a vehicle owned or

leased by the District, including a school bus, and a “private vehicle” is any vehicle that is not a District vehicle.

- b. Except in an emergency, before a student rides in a private vehicle, the driver must have permission from the student's Parent to transport the student to or from the school or applicable event. Permission must be in writing if the driver is using a vehicle with a manufacturer's rated seating capacity of 11 or more passengers.
- c. For events where the District oversees and coordinates transportation (e.g., class field trip), District personnel, an approved volunteer, or a student's Parent may transport students to and from a school or school-sponsored event in a private vehicle with the Superintendent or designee's approval.
- d. A volunteer driver must:
 - hold a valid driver's license appropriate for the vehicle;
 - if required by law, hold a valid chauffeur's license; and
 - for a private vehicle, provide to the Superintendent or designee's satisfaction proof of insurance, and proof of the vehicle's lawful registration upon request.
- e. A volunteer driver is responsible for any loss, damage, cost, and liability related to the driver's operation of a District vehicle or private vehicle.

Legal authority: MCL 28.721 et seq.; MCL 257.6, 257.1807; MCL 380.1137, 380.1230, 380.1230a-h

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3106 *Booster Clubs, PTOs, and Other Support Groups*

The Board recognizes the important role of parent/guardianParent groups, booster clubs, parent/guardianParent-teacher organizations ("PTOs"), and other organizations that support District programs and activities ("support groups"). This Policy clarifies the relationship between the District and support groups.

A. General Rules

1. A support group must comply with applicable laws, Policies, administrative guidelines, and internal procedures.
2. A support group is required to submit to the District Form 3106-F annually, whether a new or existing support group.
3. A support group will indicate on Form 3106-F whether it has completed the criteria to be designated as an external support group, as defined below. The Superintendent or designee, in his or her sole discretion, may designate a support group as an internal or external support group based on information provided and as defined below.

B. Internal Support Groups

1. An internal support group is a group of individuals that supports the District's programs and activities, including parents/guardiansParents, community members, and advisors, which is approved to operate within the District (e.g., internally conducted class or club fundraisers). An internal support group's activities require prior written approval of the Superintendent or designee.
2. Funds raised by an internal support group are public funds that must be deposited with the District, and any related expenditure must be approved by the Superintendent or designee.
3. The Board may revoke the approval of an internal support group at any time.

C. External Support Groups

1. An external support group is a group, separate from the District, that supports the District's programs and activities (e.g., booster clubs, both athletic and non-athletic, and PTOs). Unless the District agrees in writing, an external support group's activities are not District sponsored.
2. Funds raised by an external support group are not public funds and may not be held by, or deposited with, the District. An external support group must maintain a separate bank account and adopt written accounting procedures.

3. The District strongly encourages external support groups to seek the advice of legal counsel and form a separate legal entity.
4. The Superintendent or designee may request informational documents for verification purposes, including its accounting procedures, bylaws, insurance, and state or federal filings. The District's request and review of documentation is not an endorsement of its accuracy or legal sufficiency.
5. An external support group is prohibited from using the District's tax identification or employer identification number.
6. An external support group is not an agent of the District and may not represent that it is an agent of, or legally related to, the District.
7. An external support group may not represent or suggest that the District sponsors, endorses, or approves a fundraiser, annual participation fee, or solicitation without the District's written consent.

D. Violations

If a support group violates this Policy, the District may:

1. prohibit the group from using District facilities, soliciting funds on District property and at District-sponsored events, or using the District's name and logo; or
2. take any other action deemed appropriate by the Board.

Legal authority: MCL 380.11a, 380.601a; MCL 400.293

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3106 *Booster Clubs, PTOs, and Other Support Groups*

The Board recognizes the important role of Parent groups, booster clubs, Parent-teacher organizations (“PTOs”), and other organizations that support District programs and activities (“support groups”). This Policy clarifies the relationship between the District and support groups.

A. General Rules

1. A support group must comply with applicable laws, Policies, administrative guidelines, and internal procedures.
2. A support group is required to submit to the District Form 3106-F annually, whether a new or existing support group.
3. A support group will indicate on Form 3106-F whether it has completed the criteria to be designated as an external support group, as defined below. The Superintendent or designee, in his or her sole discretion, may designate a support group as an internal or external support group based on information provided and as defined below.

B. Internal Support Groups

1. An internal support group is a group of individuals that supports the District’s programs and activities, including Parents, community members, and advisors, which is approved to operate within the District (e.g., internally conducted class or club fundraisers). An internal support group’s activities require prior written approval of the Superintendent or designee.
2. Funds raised by an internal support group are public funds that must be deposited with the District, and any related expenditure must be approved by the Superintendent or designee.
3. The Board may revoke the approval of an internal support group at any time.

C. External Support Groups

1. An external support group is a group, separate from the District, that supports the District’s programs and activities (e.g., booster clubs, both athletic and non-athletic, and PTOs). Unless the District agrees in writing, an external support group’s activities are not District sponsored.
2. Funds raised by an external support group are not public funds and may not be held by, or deposited with, the District. An external support group must maintain a separate bank account and adopt written accounting procedures.

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D. Violations

If a support group violates this Policy, the District may:

1. prohibit the group from using District facilities, soliciting funds on District property and at District-sponsored events, or using the District's name and logo; or
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Legal authority: MCL 380.11a, 380.601a; MCL 400.293

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3107 Use of Detection Dogs

The District may use a detection dog, without a warrant or consent, to sniff property in an effort to locate illegal drugs or contraband according to the protocol below. A detection dog will not be used to search a person unless a warrant or appropriate consent has been obtained before the search or the search is otherwise authorized by law or Policy.

A. Protocol for Use of a Detection Dog

1. A detection dog is only permitted on District property with prior written permission of the Superintendent or building principal or pursuant to a court order. If law enforcement seeks to bring a detection dog onto District property to comply with a court order, the Superintendent or building principal will request and retain a copy of the court order.
2. A detection dog must be properly trained and reliable and must be handled by a law enforcement officer or other person qualified to handle the dog.
3. The Superintendent or building principal will determine the location(s) where a detection dog will be used, in the absence of a warrant or court order specifying such location(s).
4. Students and staff may be informed over the public address system and may be directed to remain in place or relocate to a different area during the use of the detection dog.
5. If a detection dog alerts on a person's property, the alert will constitute reasonable suspicion for a District administrator to search the property.
 - a. The administrator may first seek the person's consent to search the property.
 - b. Absent consent, a search must be justified at its inception and reasonable in scope.
 - c. All searches of students must comply with Policy 5103, and the student's ~~parent/guardian~~ Parent will be notified of the search as soon as practicable after the search concludes.
 - d. If the driver of a vehicle on which a detection dog has alerted refuses to unlock the vehicle, the matter will be promptly referred to law enforcement. The driver may also be subject to discipline.
6. Anything found in the course of a search that is evidence of a violation of Policy, school rules, handbook, or federal or state law may be seized and admitted as evidence in any disciplinary proceeding. A District administrator will tag and

identify any illegal drug, dangerous weapon, and other illegal item and promptly turn it over to law enforcement.

B. Notice to Students and Staff

The District will provide written notice to students and staff about this Policy as soon as practicable after its adoption by the Board and at the beginning of each school year.

Date Adopted:

Date Revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3107 Use of Detection Dogs

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Date Adopted: August 15, 2022

Date Revised: August 19, 2024

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. Definition

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.

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.

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 ~~theits handler's~~ control ~~of its handler~~ 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/guardian~~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.

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/guardian~~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. 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

Date adopted:

Date revised:

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. Definition

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.

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.

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.

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. 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

Date adopted: August 15, 2022

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Series 3000: Operations, Finance, and Property

3100 General Operations

3115 Non-discrimination, Anti-Harassment, and Non-Retaliation (including Title IX and Elliott-Larsen Civil Rights Act)

The District does not discriminate on the basis of race, color, national origin, ethnicity, religion, sex (including pregnancy, gender identity, or expression, sexual orientation), pregnancy, childbirth, or a related condition), age, height, weight, familial status, marital status, military service, veteran status, genetic information, disability, or any other legally ~~prohibited~~protected basis in admission ~~or~~, access to District programs and activities.

~~B. Employee complaints of unlawful, or employment. Unlawful discrimination (including unlawful harassment) and unlawful retaliation are governed by Policy 4104. Employee complaints of Title IX sexual harassment are governed by Policy 3118, in District programs, services, and activities is prohibited.~~

~~Student complaints of unlawful~~ 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 (including anti-harassment), and unlawful non-retaliation are governed by policy, including examples of prohibited conduct, see Policy 3115A – Definitions.~~

~~B. Designation of Coordinators: To find the appropriate coordinator/compliance officer, see Policy 5202. Student complaints of Title IX sexual harassment are governed by 3115B – Designation of Coordinators.~~

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

~~D. A contractor, volunteer, visitor, employee acting outside the scope of employment, or other non-student who believes he or she has been the subject of, or is otherwise aware of, unlawful discrimination (including harassment) or unlawful retaliation must timely file a good faith complaint alleging unlawful discrimination (including harassment) or unlawful retaliation using Form 4104-F with the Superintendent or, if a complaint is against the Superintendent, with the Board President. A complaint of unlawful discrimination (including harassment) or unlawful retaliation will be promptly and thoroughly investigated. The Superintendent or Board President will forward the complaint to one of the following, as applicable:~~

- ~~1. Title IX Coordinator;~~
- ~~2. Section 504 Coordinator; or~~
- ~~3. Civil Rights Coordinator.~~

~~E. Any person may also contact the Office for Civil Rights, U.S. Department of Education (“OCR”), by email at OCR.Cleveland@ed.gov, by telephone at (216) 522-4970, or by fax at (216) 522-2573 regarding compliance with the regulations implementing Title VI, Title IX, Section 504, or any other applicable laws for which OCR has jurisdiction.~~

~~F. A contract to which the District is a party shall 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 hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, national origin, religion, sex (including pregnancy, gender identity, or sexual orientation), age, height, weight, and marital status.~~

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. Pregnancy Discrimination: For more information about preventing and responding to pregnancy discrimination, see Policy 3115G – Additional Requirements to Prevent and Address Pregnancy Discrimination.

H. Training, Recordkeeping, and Notice: For more information about training requirements, recordkeeping protocols, and notice of the District’s non-discrimination policy, see Policy 3115H – Training Requirements, Recordkeeping, 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., 6101 et seq.; 38 USC 4301-4335; et seq.; 42 USC §1983, 2000d et seq., 42 USC 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; Const 1963, art 29 CFR 1604.1, § 26; MCL37. et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq., 37.2209.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3115 *Non-Discrimination, Anti-Harassment, and Non-Retaliation (including Title IX and Elliott-Larsen Civil Rights Act)*

The District does not discriminate on the basis of race, color, national origin, ethnicity, religion, sex (including gender identity or expression, sexual orientation, pregnancy, childbirth, or a related condition), 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.

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. **Pregnancy Discrimination:** For more information about preventing and responding to pregnancy discrimination, see Policy 3115G – Additional Requirements to Prevent and Address Pregnancy Discrimination.
- H. **Training, Recordkeeping, and Notice:** For more information about training requirements, recordkeeping protocols, and notice of the District's non-discrimination policy, see Policy 3115H – Training Requirements, Recordkeeping, 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., 6101 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.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3115A Definitions for 3115 Series

- A. The following definitions apply to the 3115 Policy Series, which address non-discrimination, anti-harassment, and non-retaliation:
1. "Appeals Officer" means a person who is designated to hear a determination appeal, a dismissal appeal, or a challenge to a Supportive Measures decision. The Appeals Officer must be a District employee and 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. "Consent" means a voluntary agreement to engage in sexual activity by a person legally capable of consenting. Someone who is incapacitated cannot consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent. Sexual conduct or romantic relationships between students and District employees, volunteers, or contractors, regardless of age or consent, are prohibited.
 5. "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.
 6. "Day" means a day that the District's central office is open for business, unless otherwise indicated.
 7. "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.

8. “Disciplinary Sanctions” means consequences imposed on a Respondent following a determination that the Respondent engaged in Unlawful Discrimination.
9. “Grievance Procedure” means the process outlined in Policy 3115E.
10. “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.
11. “Investigator” means the person designated to investigate a complaint of Unlawful Discrimination. The Investigator may be the same person as the Coordinator and Decisionmaker.
12. “Key Role” means Coordinator, Investigator, Decisionmaker, Informal Resolution Facilitator, or Appeals Officer.
13. “Party” means a Complainant or Respondent.
14. “Relevant” means related to the allegations of Unlawful Discrimination under investigation as part of the Grievance Procedure. Questions are relevant when they seek evidence that may aid in showing whether the alleged Unlawful Discrimination occurred, and evidence is relevant when it may aid a Decisionmaker in determining whether the alleged Unlawful Discrimination occurred.
15. “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.
16. “Respondent” means a person who is alleged to have violated the District’s prohibition on Unlawful Discrimination.
17. “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.
18. “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.

19. "Unlawful Discrimination" means to treat a person differently or less favorably due to the person's race, color, national origin, ethnicity, religion, sex (including gender identity or expression, sexual orientation, pregnancy, childbirth, or a related condition), 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:

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 or related conditions, sexual orientation, and gender identity, that is:

a. **Quid Pro Quo Harassment**

An employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

b. **Hostile Environment Harassment**

Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- i. The degree to which the conduct affected the Complainant's ability to access the District's education program or activity;
- ii. The type, frequency, and duration of the conduct;
- iii. The Parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each Party that may be relevant to evaluating the effects of the conduct;
- iv. The location of the conduct and the context in which the conduct occurred; and
- v. Other sex-based harassment in the District's education program or activity; or

c. **Specific Offenses**

- i. "Sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- ii. "Dating violence" means violence committed by a person: (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

iii. “Domestic violence” means felony or misdemeanor crimes committed by a person who: (i) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the District, or a person similarly situated to a spouse of the victim; (ii) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (iii) shares a child in common with the victim; or (iv) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

iv. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for the person’s safety or the safety of others; or (ii) suffer substantial emotional distress.

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., 6101 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.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

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, a dismissal appeal, or a challenge to a Supportive Measures decision. The Appeals Officer must be a District employee and 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. "Consent" means a voluntary agreement to engage in sexual activity by a person legally capable of consenting. Someone who is incapacitated cannot consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent. Sexual conduct or romantic relationships between students and District employees, volunteers, or contractors, regardless of age or consent, are prohibited.
 5. "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.
 6. "Day" means a day that the District's central office is open for business, unless otherwise indicated.
 7. "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.

8. "Disciplinary Sanctions" means consequences imposed on a Respondent following a determination that the Respondent engaged in Unlawful Discrimination.
9. "Grievance Procedure" means the process outlined in Policy 3115E.
10. "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.
11. "Investigator" means the person designated to investigate a complaint of Unlawful Discrimination. The Investigator may be the same person as the Coordinator and Decisionmaker.
12. "Key Role" means Coordinator, Investigator, Decisionmaker, Informal Resolution Facilitator, or Appeals Officer.
13. "Party" means a Complainant or Respondent.
14. "Relevant" means related to the allegations of Unlawful Discrimination under investigation as part of the Grievance Procedure. Questions are relevant when they seek evidence that may aid in showing whether the alleged Unlawful Discrimination occurred, and evidence is relevant when it may aid a Decisionmaker in determining whether the alleged Unlawful Discrimination occurred.
15. "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.
16. "Respondent" means a person who is alleged to have violated the District's prohibition on Unlawful Discrimination.
17. "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.
18. "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.
19. "Unlawful Discrimination" means to treat a person differently or less favorably due to the person's race, color, national origin, ethnicity, religion, sex (including gender identity or expression, sexual orientation, pregnancy, childbirth, or a related condition), 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:

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 or related conditions, sexual orientation, and gender identity, that is:

a. *Quid Pro Quo Harassment*

An employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

b. *Hostile Environment Harassment*

Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- i. The degree to which the conduct affected the Complainant's ability to access the District's education program or activity;
- ii. The type, frequency, and duration of the conduct;
- iii. The Parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each Party that may be relevant to evaluating the effects of the conduct;
- iv. The location of the conduct and the context in which the conduct occurred; and
- v. Other sex-based harassment in the District's education program or activity; or

c. *Specific Offenses*

- i. "Sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- ii. "Dating violence" means violence committed by a person: (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

- iii. "Domestic violence" means felony or misdemeanor crimes committed by a person who: (i) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the District, or a person similarly situated to a spouse of the victim; (ii) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (iii) shares a child in common with the victim; or (iv) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- iv. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for the person's safety or the safety of others; or (ii) suffer substantial emotional distress.

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., 6101 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.

Date adopted: August 19, 2024

Date revised:

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:

Designated Title IX Coordinator

[TITLE IX COORDINATOR NAME OR POSITION/TITLE]

[TITLE IX COORDINATOR ADDRESS]

[TITLE IX COORDINATOR PHONE NUMBER]

[TITLE IX COORDINATOR EMAIL]

Optional Second Title IX Coordinator

[TITLE IX COORDINATOR NAME OR POSITION/TITLE]

[TITLE IX COORDINATOR ADDRESS]

[TITLE IX COORDINATOR PHONE NUMBER]

[TITLE IX COORDINATOR EMAIL]

Designated Section 504 Coordinator

[SECTION 504 COORDINATOR NAME OR POSITION/TITLE]

[SECTION 504 COORDINATOR ADDRESS]

[SECTION 504 COORDINATOR PHONE NUMBER]

[SECTION 504 COORDINATOR EMAIL]

Designated Civil Rights Coordinator/Employment Compliance Officer

[CIVIL RIGHTS COORDINATOR NAME OR POSITION/TITLE]

[CIVIL RIGHTS COORDINATOR ADDRESS]

[CIVIL RIGHTS COORDINATOR PHONE NUMBER]

[CIVIL RIGHTS COORDINATOR EMAIL]

[NOTE (delete after drafting): The District may select more than one Coordinator per position and the same person may serve in multiple positions. If a District has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight over Title IX compliance responsibilities. That person should be identified in this Policy as the "Designated Title IX Coordinator."]

A Complaint against one of the Coordinators 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., 6101 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.

Date adopted:

Date revised:

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:

Primary Designated Title IX Coordinator:

Asst. Superintendent of Human Resources & Legal Services
2930 Knapp St. NE, Grand Rapids MI 49525
616-365-2214
daverodgers@kentisd.org

Additional Title IX Coordinator:

Director of Human Resources
2930 Knapp St. NE, Grand Rapids MI 49525
616-365-2288
daniellehendry@kentisd.org

Designated Section 504 Coordinator:

Asst. Superintendent of Human Resources & Legal Services
2930 Knapp St. NE, Grand Rapids MI 49525
616-365-2214
daverodgers@kentisd.org

Designated Civil Rights Coordinator/Employment Compliance Officer:

Asst. Superintendent of Human Resources & Legal Services
2930 Knapp St. NE, Grand Rapids MI 49525
616-365-2214
daverodgers@kentisd.org

A Complaint against one of the Coordinators 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., 6101 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.

Date adopted: August, 19, 2024

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.

1. Examples of Supportive Measures

Supportive Measures may include, but are not limited to:

- a. District-provided counseling;
- b. Course-related adjustments, such as deadline extensions;
- c. Modifications to class, extracurricular, or work schedules;
- d. Provision of an escort to ensure that the Complainant and Respondent can safely attend classes and school activities;
- e. Training and education programs; and
- f. Mutual no-contact orders.

Any Party may seek modification or termination of a supportive measure applicable to them if circumstances materially change.

The District must not disclose information about any Supportive Measures to persons other than the person to whom they apply, unless necessary to provide the Supportive Measure or to restore or preserve a party's access to the education program or activity, or as otherwise authorized by law.

B. Challenging Supportive Measures

For allegations of Title IX Sex Discrimination, any Party may seek modification or reversal of a decision to provide, deny, modify, or terminate Supportive Measures applicable to them. To request a modification to Supportive Measures, the Party must submit a written request to the Title IX Coordinator. The Title IX Coordinator will designate an impartial employee as an Appeals

Officer to review the challenge. The Appeals Officer must be an employee, must not be the person who made the challenged decision, and must have the authority to modify or reverse Supportive Measures. The Appeals Officer will only modify or reverse a decision about Supportive Measures if the Appeals Officer determines that the initial decision to provide, deny, modify, or terminate the supportive measure is inconsistent with the definition of Supportive Measures in this Policy.

C. Students with Disabilities

If a Party is a student with a disability, the applicable Coordinator or designee must 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: 34 CFR 106.1 et seq.

Date adopted:

Date revised:



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.

1. Examples of Supportive Measures

Supportive Measures may include, but are not limited to:

- a. District-provided counseling;
- b. Course-related adjustments, such as deadline extensions;
- c. Modifications to class, extracurricular, or work schedules;
- d. Provision of an escort to ensure that the Complainant and Respondent can safely attend classes and school activities;
- e. Training and education programs; and
- f. Mutual no-contact orders.

Any Party may seek modification or termination of a supportive measure applicable to them if circumstances materially change.

The District must not disclose information about any Supportive Measures to persons other than the person to whom they apply, unless necessary to provide the Supportive Measure or to restore or preserve a party's access to the education program or activity, or as otherwise authorized by law.

B. Challenging Supportive Measures

For allegations of Title IX Sex Discrimination, any Party may seek modification or reversal of a decision to provide, deny, modify, or terminate Supportive Measures applicable to them. To request a modification to Supportive Measures, the Party must submit a written request to the Title IX Coordinator. The Title IX Coordinator will designate an impartial employee as an Appeals

Officer to review the challenge. The Appeals Officer must be an employee, must not be the person who made the challenged decision, and must have the authority to modify or reverse Supportive Measures. The Appeals Officer will only modify or reverse a decision about Supportive Measures if the Appeals Officer determines that the initial decision to provide, deny, modify, or terminate the supportive measure is inconsistent with the definition of Supportive Measures in this Policy.

C. Students with Disabilities

If a Party is a student with a disability, the applicable Coordinator or designee must 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: 34 CFR 106.1 et seq.

Date adopted: August 19, 2024

Date revised:

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3115D Informal Resolution

In lieu of resolving a Complaint through the Grievance Procedure, and if offered by the District, the Parties may instead elect to participate in an informal resolution process. This process 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: 34 CFR 106.44

Date adopted:

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3115D Informal Resolution

In lieu of resolving a Complaint through the Grievance Procedure, and if offered by the District, the Parties may instead elect to participate in an informal resolution process. This process 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: 34 CFR 106.44

Date adopted: August 19, 2024

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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. 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. Individuals serving in a Key Role for a Title IX Sex Discrimination Complaint must meet the additional training requirements in Policy 3115H.

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.

a. Grievance Procedure Stages and Timeframes: The District has established the following stages and, where applicable, timeframes for the Grievance Procedure:

i. Evaluation

Upon receipt of a Complaint, the Coordinator will determine whether to proceed with an investigation or dismiss the Complaint consistent with Policy 3115F. For Title IX Sex Discrimination Complaints, this determination will occur within 5 days.

ii. Investigation

If the Complaint proceeds to the Investigation phase, the Coordinator will appoint an Investigator to conduct the investigation and provide notice of the allegations. The Coordinator may serve as the Investigator. For Title IX Sex Discrimination Complaints, the notice of allegations will be provided within 5 days. For Title IX Sex Discrimination Complaints, the Investigator will endeavor to complete the investigation within 60 days.

iii. Evidence Access (Title IX Sex Discrimination Complaints Only)

For Title IX Sex Discrimination Complaints only, upon completion of the Investigation phase, the Parties will have 5 days to access and respond to the evidence as further explained below.

iv. Decision

Upon completion of the Investigation, the Decisionmaker will endeavor to promptly issue a decision as to whether Unlawful Discrimination occurred. For Title IX Sex Discrimination Complaints, the decision will be issued within 10 days.

Unless otherwise determined by the applicable Coordinator based on unique circumstances, the Investigator will also serve as the Decisionmaker.

v. Appeal Decision

If an appeal is permitted under Policy 3115F, that appeal must be submitted within 5 days from a Party's receipt of the determination.

At any point, the Coordinator, Investigator, Decisionmaker, or Appeals Officer may reasonably extend timelines on a case-by-case basis for good cause. If good cause exists, the Coordinator, Investigator, Decisionmaker, or Appeals Officer will notify each Party in writing within 5 days of the decision to extend the timelines. Such notice will include the reason and length of the extension. Good cause may include absence of a Party or witness; concurrent law enforcement activity; complexity of the underlying allegations; or the need for accommodations (e.g., language assistance or accommodation of disabilities).

2. 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. The Parties may not engage in retaliation, including against witnesses.

3. Evidence Considerations

The Decisionmaker will objectively evaluate all evidence that is Relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness. For Title IX Sex Discrimination Complaints, the Decisionmaker must attempt to independently question and evaluate the credibility of Parties and witnesses if credibility is in dispute and Relevant.

4. Complaint Consolidation

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

5. 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);
- c. Retaliation is prohibited; and
- d. For Title IX Sex Discrimination Complaints, the Parties are entitled to an equal opportunity to access the Relevant and not otherwise impermissible evidence or an accurate description of the evidence. If the District provides a description of the evidence, the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon request.

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.

6. Investigation

The District will provide for adequate, reliable, and impartial investigation of Complaints. 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 evidence that is relevant and not otherwise impermissible. The Investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

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.

7. Title IX Sex Discrimination Specific Evidence Rules

- a. Access to Evidence: For allegations of Title IX Sex Discrimination, the District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of Title IX Sex Discrimination and not otherwise impermissible, in the following manner:
 - i. The Investigator will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the Investigator provides a description of the evidence, the Investigator will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
 - ii. The Investigator will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
 - iii. The District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the Grievance Procedure. Disclosure of such information and evidence for purposes of administrative proceedings or litigation related to the Title IX Sex Discrimination Complaint is authorized.
- b. Impermissible Evidence: The following types of evidence, and questions seeking that evidence, are impermissible regardless of whether they are relevant:
 - i. Evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege is owed has voluntarily waived the privilege or confidentiality;
 - ii. A Party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party or witness, unless the District obtains that Party's or witness's voluntary, written consent for use in the Grievance Procedure; and
 - iii. Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Impermissible evidence will not be accessed or considered, except by the District to determine whether one of the above exceptions applies. Impermissible evidence will not be disclosed or otherwise used in the investigation.

8. Determination

Following the investigation and evaluation of all relevant and not otherwise impermissible evidence, the Decisionmaker will:

- a. Use the preponderance of the evidence standard to determine whether Unlawful Discrimination occurred. The Decisionmaker must evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Decisionmaker is not persuaded by a preponderance of the evidence that Unlawful Discrimination occurred, whatever the quantity of the evidence, the Decisionmaker will not determine that 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. Not discipline a Respondent for Unlawful Discrimination unless there is a determination at the conclusion of the Grievance Procedure that the Respondent engaged in unlawful discrimination.
- d. Comply with this Grievance Procedure before imposing any disciplinary sanctions against a Respondent.

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. For a Title IX Sex Discrimination Complaint, notify the Complainant of any such Disciplinary Sanctions; 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.

The District will not discipline a Party, witness, or others participating in a Title IX Sex Discrimination Complaint Grievance Procedure for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

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., 6101 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.

Date adopted:

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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. 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. Individuals serving in a Key Role for a Title IX Sex Discrimination Complaint must meet the additional training requirements in Policy 3115H.

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.

a. **Grievance Procedure Stages and Timeframes:** The District has established the following stages and, where applicable, timeframes for the Grievance Procedure:

i. Evaluation

Upon receipt of a Complaint, the Coordinator will determine whether to proceed with an investigation or dismiss the Complaint consistent with Policy 3115F. For Title IX Sex Discrimination Complaints, this determination will occur within 5 days.

ii. Investigation

If the Complaint proceeds to the Investigation phase, the Coordinator will appoint an Investigator to conduct the investigation and provide notice of the allegations. The Coordinator may serve as the Investigator. For Title IX Sex Discrimination Complaints, the notice of allegations will be provided within 5 days. For Title IX Sex Discrimination Complaints, the Investigator will endeavor to complete the investigation within 60 days.

iii. Evidence Access (Title IX Sex Discrimination Complaints Only)

For Title IX Sex Discrimination Complaints only, upon completion of the Investigation phase, the Parties will have 5 days to access and respond to the evidence as further explained below.

iv. Decision

Upon completion of the Investigation, the Decisionmaker will endeavor to promptly issue a decision as to whether Unlawful Discrimination occurred. For Title IX Sex Discrimination Complaints, the decision will be issued within 10 days.

Unless otherwise determined by the applicable Coordinator based on unique circumstances, the Investigator will also serve as the Decisionmaker.

v. Appeal Decision

If an appeal is permitted under Policy 3115F, that appeal must be submitted within 5 days from a Party's receipt of the determination.

At any point, the Coordinator, Investigator, Decisionmaker, or Appeals Officer may reasonably extend timelines on a case-by-case basis for good cause. If good cause exists, the Coordinator, Investigator, Decisionmaker, or Appeals Officer will notify each Party in writing within 5 days of the decision to extend the timelines. Such notice will include the reason and length of the extension. Good cause may include absence of a Party or witness; concurrent law enforcement activity; complexity of the underlying allegations; or the need for accommodations (e.g., language assistance or accommodation of disabilities).

2. 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. The Parties may not engage in retaliation, including against witnesses.

3. Evidence Considerations

The Decisionmaker will objectively evaluate all evidence that is Relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness. For Title IX Sex Discrimination Complaints, the Decisionmaker must attempt to independently question and evaluate the credibility of Parties and witnesses if credibility is in dispute and Relevant.

4. Complaint Consolidation

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

5. 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);
- c. Retaliation is prohibited; and
- d. For Title IX Sex Discrimination Complaints, the Parties are entitled to an equal opportunity to access the Relevant and not otherwise impermissible evidence or an accurate description of the evidence. If the District provides a description of the evidence, the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon request.

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.

6. Investigation

The District will provide for adequate, reliable, and impartial investigation of Complaints. 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 evidence that is relevant and not otherwise impermissible. The Investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

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.

7. Title IX Sex Discrimination Specific Evidence Rules

- a. **Access to Evidence:** For allegations of Title IX Sex Discrimination, the District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of Title IX Sex Discrimination and not otherwise impermissible, in the following manner:
 - i. The Investigator will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the Investigator provides a description of the evidence, the Investigator will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
 - ii. The Investigator will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
 - iii. The District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the Grievance Procedure. Disclosure of such information and evidence for purposes of administrative proceedings or litigation related to the Title IX Sex Discrimination Complaint is authorized.
- b. **Impermissible Evidence:** The following types of evidence, and questions seeking that evidence, are impermissible regardless of whether they are relevant:
 - i. Evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege is owed has voluntarily waived the privilege or confidentiality;
 - ii. A Party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party or witness, unless the District obtains that Party's or witness's voluntary, written consent for use in the Grievance Procedure; and
 - iii. Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Impermissible evidence will not be accessed or considered, except by the District to determine whether one of the above exceptions applies. Impermissible evidence will not be disclosed or otherwise used in the investigation.

8. Determination

Following the investigation and evaluation of all relevant and not otherwise impermissible evidence, the Decisionmaker will:

- a. Use the preponderance of the evidence standard to determine whether Unlawful Discrimination occurred. The Decisionmaker must evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Decisionmaker is not persuaded by a preponderance of the evidence that Unlawful Discrimination occurred, whatever the quantity of the evidence, the Decisionmaker will not determine that 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. Not discipline a Respondent for Unlawful Discrimination unless there is a determination at the conclusion of the Grievance Procedure that the Respondent engaged in unlawful discrimination.
- d. Comply with this Grievance Procedure before imposing any disciplinary sanctions against a Respondent.

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. For a Title IX Sex Discrimination Complaint, notify the Complainant of any such Disciplinary Sanctions; 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.

The District will not discipline a Party, witness, or others participating in a Title IX Sex Discrimination Complaint Grievance Procedure for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

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., 6101 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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3115F Complaint Dismissal and Appeals

A. Complaint Dismissal

The District may dismiss a Complaint if:

1. The District is unable to identify the Respondent after taking reasonable steps to do so;
2. The Respondent is not participating in the District's education program or activity and is not employed by the District;
3. The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the applicable Coordinator declines to initiate a Complaint, and the District determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Unlawful Discrimination even if proven; or
4. The District determines the conduct alleged in the Complaint, even if proven, would not constitute Unlawful Discrimination. Before dismissing the Complaint and if necessary, the District will make reasonable efforts to clarify the allegations with the Complainant.

Upon dismissal, the District will promptly notify the Complainant of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, the District will also notify the Respondent of the dismissal and the basis for the dismissal promptly following notification to the Complainant, or simultaneously if notification is in writing.

Upon dismissal, the District will take prompt and effective steps, as appropriate, through the applicable Coordinator, to ensure that Unlawful Discrimination does not continue or recur within the District's education program or activity. The District will offer Supportive Measures to the Complainant as appropriate. The District will also offer Supportive Measures to the Respondent as appropriate if the Respondent has been notified of the Complaint allegations.

The District will notify a Complainant alleging Title IX Sex Discrimination that a dismissal may be appealed and will provide the Complainant with an opportunity to appeal the dismissal of a Complaint. If the dismissal occurs after the Respondent has been notified of the allegations, then the District will also notify the Respondent that the dismissal may be appealed.

B. Complaint Dismissal Appeal – Title IX Sex Discrimination Only

1. Complaint dismissals may be appealed within 5 days of receipt on the following bases:

- a. Procedural irregularity that would change the outcome;
- b. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- c. The Title IX Coordinator, Investigator, or Decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.

2. If the dismissal is appealed, the District will:

- a. Notify the Parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
- b. Implement appeal procedures equally for the Parties;
- c. Ensure that the Appeals Officer did not take part in an investigation of the allegations or dismissal of the Complaint;
- d. Ensure that the Appeals Officer has been trained consistent with the applicable federal regulations;
- e. Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- f. Notify the Parties of the result of the appeal and the rationale for the result.

The Appeals Officer will affirm the dismissal if it met any of the above-listed standards for dismissal, unless the Appeals Officer determines that dismissal will result in unremedied Unlawful Discrimination.

C. Determination Appeal Procedure – Title IX Sex Discrimination Complaints Only

Any party may appeal the determination to the Title IX Coordinator, who will appoint an Appeals Officer to hear the appeal. The appeal must be filed within 5 days of receipt of the determination. The Appeals Officer will offer each Party the opportunity to submit a statement in support of the appeal or in support of the original determination. The Appeals Officer will issue a written decision on the appeal within 5 days of the deadline for the Parties to submit statements.

D. Determination Appeal Procedures – Other Complaints

Unless expressly stated in writing by the Decisionmaker, other determinations are not subject to appeal.

Legal authority: 34 CFR 106.1, et seq.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3115F *Complaint Dismissal and Appeals*

A. Complaint Dismissal

The District may dismiss a Complaint if:

1. The District is unable to identify the Respondent after taking reasonable steps to do so;
2. The Respondent is not participating in the District's education program or activity and is not employed by the District;
3. The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the applicable Coordinator declines to initiate a Complaint, and the District determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Unlawful Discrimination even if proven; or
4. The District determines the conduct alleged in the Complaint, even if proven, would not constitute Unlawful Discrimination. Before dismissing the Complaint and if necessary, the District will make reasonable efforts to clarify the allegations with the Complainant.

Upon dismissal, the District will promptly notify the Complainant of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, the District will also notify the Respondent of the dismissal and the basis for the dismissal promptly following notification to the Complainant, or simultaneously if notification is in writing.

Upon dismissal, the District will take prompt and effective steps, as appropriate, through the applicable Coordinator, to ensure that Unlawful Discrimination does not continue or recur within the District's education program or activity. The District will offer Supportive Measures to the Complainant as appropriate. The District will also offer Supportive Measures to the Respondent as appropriate if the Respondent has been notified of the Complaint allegations.

The District will notify a Complainant alleging Title IX Sex Discrimination that a dismissal may be appealed and will provide the Complainant with an opportunity to appeal the dismissal of a Complaint. If the dismissal occurs after the Respondent has been notified of the allegations, then the District will also notify the Respondent that the dismissal may be appealed.

B. Complaint Dismissal Appeal – Title IX Sex Discrimination Only

1. Complaint dismissals may be appealed within 5 days of receipt on the following bases:
 - a. Procedural irregularity that would change the outcome;
 - b. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
 - c. The Title IX Coordinator, Investigator, or Decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.
2. If the dismissal is appealed, the District will:
 - a. Notify the Parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
 - b. Implement appeal procedures equally for the Parties;
 - c. Ensure that the Appeals Officer did not take part in an investigation of the allegations or dismissal of the Complaint;
 - d. Ensure that the Appeals Officer has been trained consistent with the applicable federal regulations;
 - e. Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
 - f. Notify the Parties of the result of the appeal and the rationale for the result.

The Appeals Officer will affirm the dismissal if it met any of the above-listed standards for dismissal, unless the Appeals Officer determines that dismissal will result in unremedied Unlawful Discrimination.

C. Determination Appeal Procedure – Title IX Sex Discrimination Complaints Only

Any party may appeal the determination to the Title IX Coordinator, who will appoint an Appeals Officer to hear the appeal. The appeal must be filed within 5 days of receipt of the determination. The Appeals Officer will offer each Party the opportunity to submit a statement in support of the appeal or in support of the original determination. The Appeals Officer will issue a written decision on the appeal within 5 days of the deadline for the Parties to submit statements.

D. Determination Appeal Procedures – Other Complaints

Unless expressly stated in writing by the Decisionmaker, other determinations are not subject to appeal.

Legal authority: 34 CFR 106.1, et seq.

Date adopted: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3115G Additional Requirements to Prevent and Address Pregnancy Discrimination

A. Pregnancy or Related Conditions

The District will not adopt or implement any policy, practice, or procedure, or take any action, on the basis of sex: (1) concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex; (2) concerning the current, potential, or past parental, family, or marital status of an employee or applicant for employment that treats persons differently or that is based upon whether an employee or applicant for employment is the head of household or principal wage earner; (3) concerning pre-admission inquiries as to the marital status of an applicant for admission.

1. Comparable Treatment to Other Medical Conditions

The District treats pregnancy or related conditions as any other temporary medical condition for all job-related purposes and with respect to any medical or hospital benefit, service, plan, or policy the District administers, operates, offers, or participates in with respect to students.

2. Lactation Time and Space

The District will ensure access to and provide reasonable break time for an employee or student to express breast milk or breastfeed as needed.

The lactation space will be a space other than a bathroom that is clean, shielded from view, free from intrusion from others, and which may be used by an employee or student for expressing breast milk or breastfeeding as needed.

3. Student Pregnancy or Related Conditions Additional Requirements

a. Employee Obligations

Unless the employee reasonably believes that the Title IX Coordinator has already been notified, when a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student's pregnancy or related condition, the employee will promptly provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity.

b. Title IX Coordinator Obligations

Upon receiving information that a student is pregnant or has a related condition, the Title IX Coordinator will take the steps below:

- i. Inform the student and the person who notified the District of the pregnancy or related condition (if that person has the legal right to act on behalf of that student) of the District's obligations and the student's rights;
- ii. Provide a copy of the District's notice of non-discrimination to the student and the person who notified the District of the pregnancy or related condition (if that person has the legal right to act on behalf of that student);
- iii. Make reasonable modifications to the District's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the District's programs and activities. Any reasonable modification must be based on the student's individualized needs and made by consulting with the student. The student has the right to accept or reject any reasonable modifications. Any accepted reasonable modifications will be implemented;
- iv. Allow the student to voluntarily access any separate and comparable portion of the District's education program or activity;
- v. Allow the student to voluntarily take a leave of absence from the District's program or activity to cover (at a minimum) the period of time deemed medically necessary by the student's licensed healthcare provider. Upon return, the student will be reinstated to the academic status and extracurricular status (as applicable) that the student held before leave began;
- vi. Provide access to a lactation space; and
- vii. Not require supporting documentation unless the documentation is necessary and reasonable for the District to determine the reasonable modifications to make or whether to take additional actions to support the student.

c. Certificate to Participate

- i. The District will not require a student who is pregnant or has a related condition to provide certification from a healthcare provider or any other person that the student is physically able to participate in the District's class, program, or extracurricular activity unless: (i) the certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity; (ii) the District requires such certification of all students participating in the class, program, or extracurricular activity; and (iii) the information obtained is not used as a basis for discrimination.

Legal authority: 34 CFR 106.40

Date adopted:

Date revised:



Series 3000: Operations, Finance, and Property

3100 General Operations

3115G Additional Requirements to Prevent and Address Pregnancy Discrimination

A. Pregnancy or Related Conditions

The District will not adopt or implement any policy, practice, or procedure, or take any action, on the basis of sex: (1) concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex; (2) concerning the current, potential, or past parental, family, or marital status of an employee or applicant for employment that treats persons differently or that is based upon whether an employee or applicant for employment is the head of household or principal wage earner; (3) concerning pre-admission inquiries as to the marital status of an applicant for admission.

1. Comparable Treatment to Other Medical Conditions

The District treats pregnancy or related conditions as any other temporary medical condition for all job-related purposes and with respect to any medical or hospital benefit, service, plan, or policy the District administers, operates, offers, or participates in with respect to students.

2. Lactation Time and Space

The District will ensure access to and provide reasonable break time for an employee or student to express breast milk or breastfeed as needed.

The lactation space will be a space other than a bathroom that is clean, shielded from view, free from intrusion from others, and which may be used by an employee or student for expressing breast milk or breastfeeding as needed.

3. Student Pregnancy or Related Conditions Additional Requirements

a. Employee Obligations

Unless the employee reasonably believes that the Title IX Coordinator has already been notified, when a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student's pregnancy or related condition, the employee will promptly provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity.

b. Title IX Coordinator Obligations

Upon receiving information that a student is pregnant or has a related condition, the Title IX Coordinator will take the steps below:

- i. Inform the student and the person who notified the District of the pregnancy or related condition (if that person has the legal right to act on behalf of that student) of the District's obligations and the student's rights;
 - ii. Provide a copy of the District's notice of non-discrimination to the student and the person who notified the District of the pregnancy or related condition (if that person has the legal right to act on behalf of that student);
 - iii. Make reasonable modifications to the District's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the District's programs and activities. Any reasonable modification must be based on the student's individualized needs and made by consulting with the student. The student has the right to accept or reject any reasonable modifications. Any accepted reasonable modifications will be implemented;
 - iv. Allow the student to voluntarily access any separate and comparable portion of the District's education program or activity;
 - v. Allow the student to voluntarily take a leave of absence from the District's program or activity to cover (at a minimum) the period of time deemed medically necessary by the student's licensed healthcare provider. Upon return, the student will be reinstated to the academic status and extracurricular status (as applicable) that the student held before leave began;
 - vi. Provide access to a lactation space; and
 - vii. Not require supporting documentation unless the documentation is necessary and reasonable for the District to determine the reasonable modifications to make or whether to take additional actions to support the student.
- c. Certificate to Participate

The District will not require a student who is pregnant or has a related condition to provide certification from a healthcare provider or any other person that the student is physically able to participate in the District's class, program, or extracurricular activity unless: (i) the certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity; (ii) the District requires such certification of all students participating in the class, program, or extracurricular activity; and (iii) the information obtained is not used as a basis for discrimination.

Legal authority: 34 CFR 106.40

Date adopted: August 19, 2024

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3115H Training Requirements, Recordkeeping, and Policy Notice

A. Title IX Training Requirements

The following individuals must receive training related to their duties under Title IX. Training may not rely on sex stereotypes.

1. All Employees

All District employees must be trained upon hiring and annually on:

- a. The District's obligation to address sex discrimination;
- b. The scope of conduct that constitutes sex discrimination under Title IX and its implementing regulations, including the definition of sex-based harassment;
- c. The obligation to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination;
- d. The obligation to provide a possible Complainant with the Title IX Coordinator's contact information and information about how to make a complaint of sex discrimination; and
- e. Notification requirements for pregnant students.

2. Key Role Training

- a. All Key Roles: Any individual who serves in a Key Role under Title IX must be trained upon hire, when Key Role duties change, and annually thereafter on:
 - i. All training requirements applicable to all employees;
 - ii. The District's obligations in responding to allegations of sex discrimination;
 - iii. The District's Grievance Procedure;
 - iv. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
 - v. The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance.

b. Informal Resolution Facilitator

Individuals who serve as an Informal Resolution Facilitator must be trained upon hire, when Key Role duties change, and annually thereafter on:

- i. All training requirements applicable to all employees;
- ii. All training requirements applicable to Key Roles;
- iii. The rules and practices of the District's informal resolution process; and
- iv. How to serve impartially, including by avoiding conflicts of interest and bias.

c. Title IX Coordinator

Individuals who are designated as a Title IX Coordinator must be trained upon hire, when Key Role duties change, and annually thereafter on:

- i. All training requirements applicable to all employees;
- ii. All training requirements applicable to Key Roles;
- iii. All training requirements applicable to the Informal Resolution Coordinator;
- iv. The Coordinator's obligation to coordinate the District's efforts to comply with its responsibilities under Title IX;
- v. Supportive Measures;
- vi. The District's recordkeeping system;
- vii. Recordkeeping requirements; and
- viii. Any other training necessary to coordinate the District's Title IX compliance.

B. Other Coordinator Training Requirements

All other Coordinators and individuals assigned to serve in a Key Role outside of Title IX investigations must be adequately trained.

C. Record Keeping

The District will maintain the following records for a minimum of seven years:

1. For each Title IX Sex Discrimination Complaint, records documenting the informal resolution process or the Grievance Procedure, and the resulting outcome;
2. For each notification to the Title IX Coordinator about conduct that reasonably may constitute sex discrimination, including notifications received from District

employees, records documenting the actions the District took to meet its obligations in responding to sex discrimination; and

3. All materials used to provide training under Title IX.

D. Nondiscrimination Notice Requirement

The District will prominently post on its website and otherwise provide notice of nondiscrimination to students, parents, employees, applicants for admission and employment, and all unions and professional organizations with collective bargaining agreements with the District. 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., 6101 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.

Date adopted:

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Series 3000: Operations, Finance, and Property

3100 General Operations

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1. All Employees

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- a. The District's obligation to address sex discrimination;
- b. The scope of conduct that constitutes sex discrimination under Title IX and its implementing regulations, including the definition of sex-based harassment;
- c. The obligation to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination;
- d. The obligation to provide a possible Complainant with the Title IX Coordinator's contact information and information about how to make a complaint of sex discrimination; and
- e. Notification requirements for pregnant students.

2. Key Role Training

- a. All Key Roles: Any individual who serves in a Key Role under Title IX must be trained upon hire, when Key Role duties change, and annually thereafter on:
 - i. All training requirements applicable to all employees;
 - ii. The District's obligations in responding to allegations of sex discrimination;
 - iii. The District's Grievance Procedure;
 - iv. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
 - v. The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance.
- b. Informal Resolution Facilitator

Individuals who serve as an Informal Resolution Facilitator must be trained upon hire, when Key Role duties change, and annually thereafter on:

- i. All training requirements applicable to all employees;
- ii. All training requirements applicable to Key Roles;
- iii. The rules and practices of the District's informal resolution process; and
- iv. How to serve impartially, including by avoiding conflicts of interest and bias.

c. Title IX Coordinator

Individuals who are designated as a Title IX Coordinator must be trained upon hire, when Key Role duties change, and annually thereafter on:

- i. All training requirements applicable to all employees;
- ii. All training requirements applicable to Key Roles;
- iii. All training requirements applicable to the Informal Resolution Coordinator;
- iv. The Coordinator's obligation to coordinate the District's efforts to comply with its responsibilities under Title IX;
- v. Supportive Measures;
- vi. The District's recordkeeping system;
- vii. Recordkeeping requirements; and
- viii. Any other training necessary to coordinate the District's Title IX compliance.

B. Other Coordinator Training Requirements

All other Coordinators and individuals assigned to serve in a Key Role outside of Title IX investigations must be adequately trained.

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1. For each Title IX Sex Discrimination Complaint, records documenting the informal resolution process or the Grievance Procedure, and the resulting outcome;
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3. All materials used to provide training under Title IX.

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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., 6101 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.

Date adopted: August 19, 2024

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3116 *District Technology and Acceptable Use*

The Board will provide students, staff, volunteers, and other authorized users access to the District's technology resources, including its computers and network resources, in a manner that encourages responsible use. Any use of District technology resources that violates federal or state law is expressly prohibited.

A. Children's Internet Protection Act

The Board complies with the Children's Internet Protection Act ("CIPA") and directs its administration to:

1. Monitor minors' online activities and use technology protection measures on the District's computers with internet access to block minors' access to visual depictions that are obscene, constitute child pornography, or are harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - a. taken as a whole and as to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. depicts, describes, or represents, in a patently offensive way as to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
2. Use technology protection measures on the District's computers with internet access to block all access to visual depictions that are obscene or that constitute child pornography. The technology protection measures may be disabled by authorized personnel during adult use to enable access to bona fide research or for other lawful purposes. The Superintendent or designee will determine which District personnel are authorized to disable the protection measures.
3. Educate minors about appropriate online behavior, including interacting with other people on social networking websites and chat rooms, as well as cyberbullying awareness and response.
4. Prohibit access by minors to inappropriate matter on the internet.
5. Prohibit unauthorized access, including hacking and other unlawful online activity by minors.

6. Prohibit the unauthorized disclosure, use, and dissemination of personal identification information about minors.
7. Restrict minors' access to materials that are inappropriate for minors. The Board defines materials that are "inappropriate for minors" to include [the following is suggested language but the Board has discretion to define "inappropriate for minors": obscene depictions, child pornography, and any other material harmful to minors].
8. Encourage the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communication.

The Superintendent or designee will take steps necessary to implement this Policy and to otherwise comply with CIPA.

B. Acceptable Use Agreement

The Superintendent or designee will develop, review, and revise as necessary an acceptable use agreement that must be signed before a user is provided access to the District's technology resources. Different acceptable use agreements may be developed based on the user's status. At a minimum, the Superintendent or designee will develop an acceptable use agreement to be signed by each of the following groups:

- adult users, including employees, volunteers, and Board members;
- students in grades 7 and above and their ~~parent/guardian~~Parent; and
- students in grades 6 and below and their ~~parent/guardian~~Parent.

The acceptable use agreement must be consistent with this Policy and must include, at a minimum, all of the following:

1. A statement that:
 - a. use of District technology resources is a privilege that may be revoked at any time;
 - b. a user has no expectation of privacy when using District technology resources;
 - c. District technology resources use may be monitored by the District and that the use may be subject to FOIA or disclosure in litigation;
 - d. District technology resources may not be used to bully, harass, or intimidate others;
 - e. misuse of District technology resources may result in loss of access to the resources and potential disciplinary action; and

- f. the District does not guarantee that the District's technology resources will be error free or uninterrupted.
2. Provisions to protect the integrity of District technology resources, including a requirement that each user only access the resources by using that user's assigned user name and password.
3. A list of what constitutes misuse of District technology resources.
4. A prohibition against:
 - a. accessing other user accounts or files without authorization;
 - b. conducting personal business or activities;
 - c. accessing pornography;
 - d. communicating inappropriately with students;
 - e. accessing or downloading confidential student information which the employee has no legitimate educational need to know; and
 - f. accessing or downloading unauthorized software or programs.
5. A requirement that users report any material that is threatening, harassing, or bullying.
6. A release of all claims and liability against the District for use of District technology resources.

C. District Personnel Use

District personnel must comply with Policies 4215 and 4216.

D. State Assessments

During the administration of state assessments (e.g., WIDA, M-STEP, etc.), unless otherwise permitted by this subsection, students and District personnel, including those individuals acting as test administrators, are prohibited from possessing, using, wearing, or otherwise accessing any electronic devices not being actively used for testing purposes when in an active testing session or while on a break when in an active testing session. Pictures, videos, or other communications regarding test content are prohibited during all testing and breaks.

For the purposes of this subsection, an "electronic device" includes any electronic device that can be used to record, transmit, or receive information not used for testing, including but not limited to computers, tablets, iPads, e-readers, smart watches (including Fitbits), smartphones and cell phones, Bluetooth headphones or smart earbuds, or smart glasses.

The Superintendent and building principals are authorized to develop additional building-level rules related to state assessments so long as those rules are not in conflict with this subsection.

1. Students

- a. Students shall leave all electronic devices outside of the testing room [Optional: or shall power off all electronic devices and surrender them to the test administrator for collection prior to beginning the testing session].
- b. If an additional electronic device is medically necessary for a testing student, the device must be left with the test administrator, unless the student is required to possess the device, in which case the test must be administered to the student by a test administrator in a one-on-one setting and the student must be actively monitored at all times while testing.
- c. During the testing sessions or breaks, students may not access any additional websites or applications on a device used for testing.

2. Test Administrators

- a. Test administrators or other District personnel monitoring or troubleshooting the administration of state assessments must:
 - i. Ensure that all background applications and alternative websites are disabled on testing devices.
 - ii. Actively monitor students in the testing room and verify that students do not have access to additional electronic devices before, during, and after testing, including breaks.
 - iii. Refrain from disturbing the testing environment, including through texting, speaking, or using electronic devices for non-testing purposes (e.g., to complete other work). Test administrators must silence all electronic devices. [Option 1: Test administrators are prohibited from wearing or accessing a wearable electronic device (e.g., smart watch or Fitbit).] [Option 2: Test administrators may wear a wearable electronic device (e.g., smart watch or Fitbit), but must ensure that the device is in airplane mode during test administration.]
- b. Test administrators may use electronic devices to alert other personnel of issues or emergencies requiring assistance. Such other personnel may use their electronic devices for troubleshooting purposes, but should exit the testing room when engaging in those communications.

3. Penalties

The failure to comply with this subsection may result, as applicable, in employee or student disciplinary action and such consequences as deemed necessary or appropriate by the Michigan Department of Education (e.g.,

invalidation of an individual student's test, or misadministration of the entire testing session and invalidation of all the students' tests).

E. Public Access to Technology

1. Pursuant to the Michigan Library Privacy Act, each school library offering public access to the internet or a computer, computer program, computer network, or computer system (a "Qualifying School Library") will limit minors to only use or view those terminals that do not receive material that is obscene, sexually explicit, or harmful to minors. Persons age 18 or older, or a minor accompanied by the minor's ~~parent/guardian~~Parent, may access a school library terminal that is not restricted from receiving such material, if any.
2. Only when a Qualifying School Library offers public access as described in subsection D.1., the District must designate at least 1 terminal that is not restricted from receiving such material and at least 1 terminal that is restricted from receiving such material. Library staff must take steps to ensure that minors not accompanied by a ~~parent or guardian~~Parent do not access the unrestricted terminal. The Superintendent or designee will determine which employees will implement subsection D in each Qualifying School Library.
3. As used in this Policy, "terminal" means a device used to access the internet or a computer, computer program, computer network, or computer system.

Legal authority: 47 USC 254; MCL 397.602, 397.606

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3116 *District Technology and Acceptable Use*

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1. Monitor minors' online activities and use technology protection measures on the District's computers with internet access to block minors' access to visual depictions that are obscene, constitute child pornography, or are harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - a. taken as a whole and as to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. depicts, describes, or represents, in a patently offensive way as to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
2. Use technology protection measures on the District's computers with internet access to block all access to visual depictions that are obscene or that constitute child pornography. The technology protection measures may be disabled by authorized personnel during adult use to enable access to bona fide research or for other lawful purposes. The Superintendent or designee will determine which District personnel are authorized to disable the protection measures.
3. Educate minors about appropriate online behavior, including interacting with other people on social networking websites and chat rooms, as well as cyberbullying awareness and response.
4. Prohibit access by minors to inappropriate matter on the internet.
5. Prohibit unauthorized access, including hacking and other unlawful online activity by minors.

6. Prohibit the unauthorized disclosure, use, and dissemination of personal identification information about minors.
7. Restrict minors' access to materials that are inappropriate for minors. The Board defines materials that are "inappropriate for minors" to include obscene depictions, child pornography, and any other material harmful to minors.
8. Encourage the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communication.

The Superintendent or designee will take steps necessary to implement this Policy and to otherwise comply with CIPA.

B. Acceptable Use Agreement

The Superintendent or designee will develop, review, and revise as necessary an acceptable use agreement that must be signed before a user is provided access to the District's technology resources. Different acceptable use agreements may be developed based on the user's status. At a minimum, the Superintendent or designee will develop an acceptable use agreement to be signed by each of the following groups:

- adult users, including employees, volunteers, and Board members;
- students in grades 7 and above and their Parent; and
- students in grades 6 and below and their Parent.

The acceptable use agreement must be consistent with this Policy and must include, at a minimum, all of the following:

1. A statement that:

- a. use of District technology resources is a privilege that may be revoked at any time;
- b. a user has no expectation of privacy when using District technology resources;
- c. District technology resources use may be monitored by the District and that the use may be subject to FOIA or disclosure in litigation;
- d. District technology resources may not be used to bully, harass, or intimidate others;
- e. misuse of District technology resources may result in loss of access to the resources and potential disciplinary action; and
- f. the District does not guarantee that the District's technology resources will be error free or uninterrupted.

2. Provisions to protect the integrity of District technology resources, including a requirement that each user only access the resources by using that user's assigned user name and password.
3. A list of what constitutes misuse of District technology resources.
4. A prohibition against:
 - a. accessing other user accounts or files without authorization;
 - b. conducting personal business or activities;
 - c. accessing pornography;
 - d. communicating inappropriately with students;
 - e. accessing or downloading confidential student information which the employee has no legitimate educational need to know; and
 - f. accessing or downloading unauthorized software or programs.
5. A requirement that users report any material that is threatening, harassing, or bullying.
6. A release of all claims and liability against the District for use of District technology resources.

C. District Personnel Use

District personnel must comply with Policies 4215 and 4216.

D. State Assessments

During the administration of state assessments (e.g., WIDA, M-STEP, etc.), unless otherwise permitted by this subsection, students and District personnel, including those individuals acting as test administrators, are prohibited from possessing, using, wearing, or otherwise accessing any electronic devices not being actively used for testing purposes when in an active testing session or while on a break when in an active testing session. Pictures, videos, or other communications regarding test content are prohibited during all testing and breaks.

For the purposes of this subsection, an "electronic device" includes any electronic device that can be used to record, transmit, or receive information not used for testing, including but not limited to computers, tablets, iPads, e-readers, smart watches (including Fitbits), smartphones and cell phones, Bluetooth headphones or smart earbuds, or smart glasses.

The Superintendent and building principals are authorized to develop additional building-level rules related to state assessments so long as those rules are not in conflict with this subsection.

1. Students

- a. Students shall leave all electronic devices outside of the testing room or shall power off all electronic devices and surrender them to the test administrator for collection prior to beginning the testing session.
- b. If an additional electronic device is medically necessary for a testing student, the device must be left with the test administrator, unless the student is required to possess the device, in which case the test must be administered to the student by a test administrator in a one-on-one setting and the student must be actively monitored at all times while testing.
- c. During the testing sessions or breaks, students may not access any additional websites or applications on a device used for testing.

2. Test Administrators

- a. Test administrators or other District personnel monitoring or troubleshooting the administration of state assessments must:
 - i. Ensure that all background applications and alternative websites are disabled on testing devices.
 - ii. Actively monitor students in the testing room and verify that students do not have access to additional electronic devices before, during, and after testing, including breaks.
 - iii. Refrain from disturbing the testing environment, including through texting, speaking, or using electronic devices for non-testing purposes (e.g., to complete other work). Test administrators must silence all electronic devices. Test administrators may wear a wearable electronic device (e.g., smart watch or Fitbit), but must ensure that the device is in airplane mode during test administration.
- b. Test administrators may use electronic devices to alert other personnel of issues or emergencies requiring assistance. Such other personnel may use their electronic devices for troubleshooting purposes but should exit the testing room when engaging in those communications.

3. Penalties

The failure to comply with this subsection may result, as applicable, in employee or student disciplinary action and such consequences as deemed necessary or appropriate by the Michigan Department of Education (e.g., invalidation of an individual student's test, or misadministration of the entire testing session and invalidation of all the students' tests).

E. Public Access to Technology

1. Pursuant to the Michigan Library Privacy Act, each school library offering public access to the internet or a computer, computer program, computer network, or computer system (a "Qualifying School Library") will limit minors to only use or view those terminals that do not receive material that is obscene, sexually explicit, or harmful to minors. Persons age 18 or older, or a minor accompanied by the minor's Parent, may access a school library terminal that is not restricted from receiving such material, if any.
2. Only when a Qualifying School Library offers public access as described in subsection D.1., the District must designate at least 1 terminal that is not restricted from receiving such material and at least 1 terminal that is restricted from receiving such material. Library staff must take steps to ensure that minors not accompanied by a Parent do not access the unrestricted terminal. The Superintendent or designee will determine which employees will implement subsection D in each Qualifying School Library.
3. As used in this Policy, "terminal" means a device used to access the internet or a computer, computer program, computer network, or computer system.

Legal authority: 47 USC 254; MCL 397.602, 397.606

Date adopted: August 15, 2022

Date revised: March 20, 2023

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3118 Title IX Sexual Harassment Nondiscrimination Covenant in Contracts with the District

A contract to which the District is a party shall 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 hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, national origin, religion, sex (including pregnancy, gender identity, or sexual orientation), age, height, weight, and marital status.

~~Consistent with Policy 3115, the District prohibits unlawful sex discrimination, including harassment and retaliation, in any of its education programs or activities in accordance with Title IX of the Education Amendments of 1972 and its implementing regulations.~~

~~This Policy addresses allegations of Title IX sexual harassment that occurred on or after August 14, 2020. Allegations of discrimination, harassment, or retaliation not covered by this Policy should be addressed under the District's applicable non-discrimination or anti-harassment policies. Allegations alleging both Title IX sexual harassment and other forms of unlawful discrimination and harassment (e.g., race, age, disability) that cannot be reasonably separated into two distinct complaints should be investigated under this Policy. Investigating other forms of discrimination, including harassment and retaliation, through this Policy will fulfill the District's investigation requirements under Policies 4104 or 5202, but nothing in this paragraph limits the District's right to determine at any time that a non-Title IX allegation should be addressed under Policies 4104 or 5202 or any other applicable Policy.~~

~~The Board directs the Superintendent or designee to designate one or more employees who meet the training requirements in Section M of this Policy to serve as the District's Title IX Coordinator(s). The Title IX Coordinator will designate an Investigator, Decision-Maker, and Appeals Officer, if applicable, for each Formal Complaint made under this Policy. If a Formal Complaint is made under this Policy against the Title IX Coordinator, the Board President will designate the persons who will serve as the Investigator, Decision-Maker, and Appeals Officer and will work with District administrators to ensure that all other requirements of this Policy are met.~~

~~The Investigator, Decision-Maker, Appeals Officer, and any person designated to facilitate an informal resolution process cannot be the same person on a specific matter, and the persons designated to serve in those roles may or may not be District employees. Any person serving as the Investigator, Decision-Maker, Appeals Officer, or person designated to facilitate an informal resolution process must meet the training requirements in Section M of this Policy.~~

~~Inquiries about Title IX's application to a particular situation may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.~~

~~A. Definitions~~

~~For purposes of this Policy, the below terms are defined as follows:~~

- ~~1. "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:~~
 - ~~a. A District employee conditioning the provision of a District aid, benefit, or service on a person's participation in unwelcome sexual conduct;~~
 - ~~b. Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or~~
 - ~~c. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8), or "stalking" as defined in 34 USC 12291(a)(30).~~
 - ~~i. "Sexual assault" is an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. It includes unlawful sexual intercourse (including incest and statutory rape) and any sexual act, including rape, sodomy, sexual assault with an object, or fondling, directed against another person without the consent of that person, including when that person is incapable of giving consent."~~
 - ~~A) Rape: (Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.~~
 - ~~B) Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.~~
 - ~~C) Sexual Assault With An Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.~~
 - ~~D) Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving~~

~~consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.~~

~~E) Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.~~

~~F) Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent.~~

~~ii. "Dating violence" means violence committed by a person who is or has been in a romantic or intimate relationship with the Complainant. The existence of such a relationship is based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.~~

~~iii. "Domestic violence" means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the Complainant, person with whom the Complainant shares a child, person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Michigan; or any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Michigan.~~

~~iv. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.~~

~~2. "Actual Knowledge" means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or any District employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only District employee with actual knowledge is the Respondent.~~

~~3. "Appeals Officer" is the person designated by the District to handle appeals of a dismissal or determination of responsibility for matters investigated under this Policy. The Appeals Officer may not be the same person as the Investigator, Title IX Coordinator, Decision Maker, or person designated to facilitate an informal resolution process on a specific matter.~~

~~4. "Complainant" is a person who is alleged to be the victim of conduct that could constitute Title IX sexual harassment.~~

~~5. "Consent" means a voluntary agreement to engage in sexual activity by a person legally capable of consenting. Someone who is incapacitated cannot consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage in sexual activity with~~

~~one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent. Sexual conduct or relationships between District employees, volunteers, or contractors and students, regardless of age or consent, are prohibited.~~

- ~~6. "Day," unless otherwise indicated, means a day that the District's central office is open for business.~~
- ~~7. "Decision Maker" is the person designated by the District to review the investigation report and provide a written determination of responsibility that provides the evidentiary basis for the Decision Maker's conclusions. The Decision Maker may not be the same person as the Investigator, Title IX Coordinator, Appeals Officer, or person designated to facilitate an informal resolution process on a specific matter.~~
- ~~8. "Education Program or Activity" means any location, event, or circumstance over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred.~~
- ~~9. "Formal Complaint" means a written document or electronic submission signed and filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the sexual harassment allegation.~~
- ~~10. "Grievance Process" is the process by which the District handles Formal Complaints.~~
- ~~11. "Investigator" is the person designated by the District to investigate a Title IX Formal Complaint. The Investigator cannot be the same person as the Decision Maker, Appeals Officer, or person designated to facilitate an informal resolution process on a specific matter. The Title IX Coordinator may serve as the Investigator on a particular investigation, unless the Title IX Coordinator has a conflict of interest or bias.~~
- ~~12. "Report" means an account of alleged Title IX sexual harassment made by any person (regardless of whether the reporting party is the alleged victim).~~
- ~~13. "Respondent" is a person who has been reported to be the perpetrator of conduct that could constitute Title IX sexual harassment.~~
- ~~14. "Supportive Measures" are non-disciplinary, non-punitive, individualized services offered and implemented by the Title IX Coordinator as appropriate, as reasonably available, and at no cost to the Complainant and the Respondent before or after the filing of a Formal Complaint or when no Formal Complaint has been filed. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to~~

~~protect the safety of all parties or the District's educational environment, or deter sexual harassment.~~

~~15. "Title IX Coordinator" is the person(s) designated by the District to coordinate the District's Title IX compliance. The Title IX Coordinator may not be the same person as the Appeals Officer or Decision Maker on any matter. A person not serving as a Title IX Coordinator in a particular matter is not disqualified from serving in another role in that matter. The Title IX Coordinator may also serve as the Investigator or person designated to facilitate an informal resolution process on a particular investigation, unless the Title IX Coordinator signed the Formal Complaint.~~

~~B. Posting Requirement~~

~~The Title IX Coordinator's contact information (name or title, office address, electronic mail address, and telephone number), along with the District's Title IX nondiscrimination statement, must be prominently posted on the District's website and in any catalogs or handbooks provided to applicants for admission or employment, students, parents/guardians, and unions or professional organizations with a collective bargaining or professional agreement with the District.~~

~~The District will provide notice of this Policy to all applicants, students, parents/guardians, employees, and unions or professional organizations with a collective bargaining or professional agreement with the District by prominently posting this Policy on its website and referencing this Policy in its handbooks, which will include the Title IX Coordinator's name or title, office address, electronic mail address, and telephone number.~~

~~C. Designation of Title IX Coordinator~~

~~The District designates the following person(s) as the Title IX Coordinator(s):~~

~~[TITLE IX COORDINATOR NAME OR POSITION/TITLE]
[TITLE IX COORDINATOR OFFICE ADDRESS]
[TITLE IX COORDINATOR PHONE NUMBER]
[TITLE IX COORDINATOR EMAIL]~~

~~D. Reporting Title IX Sexual Harassment:~~

~~A person may make a report of sexual harassment or retaliation at any time. Reports may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that result in the Title IX Coordinator receiving the person's verbal or written report.~~

~~Any District employee who receives a report of sexual harassment or has actual knowledge of possible sexual harassment must convey that information to the Title IX Coordinator by the end of the next day.~~

~~Any other person who witnesses an act of sexual harassment is encouraged to report it to a District employee and may do so anonymously. No person will be retaliated against based on any report of suspected sexual harassment or retaliation.~~

~~E. General Response to Sexual Harassment~~

~~1. District's Obligation to Respond without Deliberate Indifference~~

~~Upon actual knowledge of Title IX sexual harassment, the Title IX Coordinator must respond promptly in a manner that is not deliberately indifferent. The District will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.~~

~~If the Title IX Coordinator receives a report of sexual harassment and the Complainant does not file a Formal Complaint, the Title IX Coordinator must evaluate the information and determine whether to sign and file a Formal Complaint. If the Title IX Coordinator determines not to sign and file a Formal Complaint, the Title IX Coordinator must address the allegations in a manner that is not deliberately indifferent.~~

~~2. Response to Report of Title IX Sexual Harassment~~

~~Upon receipt of a report of sexual harassment, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint.~~

~~3. Formal Complaint Filed~~

~~Upon the receipt of a Formal Complaint, the District must follow the Grievance Process in Section F of this Policy. A Formal Complaint may be submitted using the Title IX Sexual Harassment Formal Complaint Form.~~

~~4. Equitable Treatment~~

~~The District will treat the Complainant and Respondent equitably throughout the Grievance Process, which may include offering supportive measures as described in Subsection E(6) of this Policy.~~

~~5. Documentation and Recordkeeping~~

~~The Title IX Coordinator will document all sexual harassment reports and all incidents of sexual harassment that the Title IX Coordinator receives or personally observes.~~

~~The District will retain this documentation in accordance with applicable record retention requirements in Section N of this Policy.~~

~~6. Supportive Measures~~

~~After receiving a report of Title IX sexual harassment, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, with or without the filing of a Formal Complaint. If the District does not provide a Complainant with supportive measures, then the Title IX Coordinator must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.~~

~~The District may provide, as appropriate, non-disciplinary, non-punitive individualized services to the Complainant or Respondent before or after the filing of a Formal Complaint or when no Formal Complaint has been filed.~~

~~Supportive measures should be designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party.~~

~~Supportive measures are offered without charge to all parties and are designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment.~~

~~Supportive measures may include, but are not limited to:~~

- ~~a. District-provided counseling;~~
- ~~b. Course-related adjustments, such as deadline extensions;~~
- ~~c. Modifications to class or work schedules;~~
- ~~d. Provision of an escort to ensure that the Complainant and Respondent can safely attend classes and school activities; and~~
- ~~e. No-contact orders.~~

~~All supportive measures must be kept confidential, to the extent that maintaining such confidentiality would not impair the District's ability to provide the supportive measures.~~

~~7. Respondent Removal~~

~~a. Emergency Removal (Student)~~

~~The District may only remove a student Respondent from a District program or activity if, following an individualized safety and risk analysis, the District determines that there is an immediate threat to the physical health or safety of any student or other person arising from the sexual harassment allegations. The District must provide the Respondent with notice and an opportunity to immediately challenge the removal decision. This provision may not be construed to modify any rights under the Individuals with~~

~~Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.~~

~~b. Administrative Leave (Employee)~~

~~The District may place an employee Respondent on non-disciplinary administrative leave during the pendency of the Grievance Process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.~~

~~8. Law Enforcement~~

~~In appropriate circumstances, a District employee will notify law enforcement or Child Protective Services, consistent with Policies 4202, 5201, and 5701.~~

~~The District will attempt to comply with all law enforcement requests for cooperation with related law enforcement activity. In some circumstances, compliance with law enforcement requests may require the District to briefly suspend or delay its investigation. If an investigation is delayed, the District will notify the parties in writing of the delay and the reasons for the delay.~~

~~If the District's investigation is suspended or delayed, supportive measures will continue during the suspension or delay. If the law enforcement agency does not notify the District within 10 days that the District's investigation may resume, the District will notify the law enforcement agency that the District intends to promptly resume its investigation.~~

~~F. Grievance Process~~

~~1. Generally~~

~~The Grievance Process begins when a Formal Complaint is filed or when the Title IX Coordinator signs a Formal Complaint and concludes the date the parties receive the Appeals Officer's written decision or the date on which an appeal is no longer timely. The District will endeavor to complete the Grievance Process within 90-120 days, absent extenuating circumstances or delays as described below. The District will treat both the Complainant and the Respondent equitably throughout the Grievance Process.~~

~~Neither the Title IX Coordinator, the Decision Maker, the Investigator, Appeals Officer, nor any person designated to facilitate an informal resolution process will have a conflict of interest or bias for or against Complainants or Respondents generally or for or against an individual Complainant or Respondent.~~

~~The Grievance Process requires an objective evaluation of all relevant evidence — including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.~~

~~Throughout the Grievance Process, there is a presumption that the Respondent is not responsible for the alleged conduct unless, in the determination of responsibility, the Decision-Maker finds the Respondent responsible for the alleged conduct.~~

~~At any point, the Title IX Coordinator, Investigator, Decision-Maker, or Appeals Officer may temporarily delay the Grievance Process or permit a limited extension of time frames for good cause. Good cause may include absence of a party, party's advisor, or witness; concurrent law enforcement activity; or the need for accommodations (e.g., language assistance or accommodation of disabilities). If there is a delay or extension, the parties will receive written notice of the delay or extension and the reasons for the action.~~

~~Any disciplinary action resulting from the Grievance Process will be issued in accordance with District Policy, as applicable, and any applicable codes of conduct, handbooks, collective bargaining agreements, and individual employee contracts.~~

~~After the investigation portion of the Grievance Process has concluded, the Decision-Maker will endeavor to issue a determination of responsibility within 30 days, absent extenuating circumstances.~~

~~2. Notice of Allegations~~

~~Upon receipt of a Formal Complaint, the District must provide written notice to the parties who are known at the time that includes:~~

- ~~a. A copy of this Policy, which includes the District's Grievance Process, and any informal resolution process;~~
- ~~b. The sexual harassment allegations, including sufficient details known at the time and with sufficient time so that parties may prepare a response before the initial interview. Sufficient details include parties involved in the incident, if known; the alleged conduct constituting sexual harassment; and the date and time of the alleged incident;~~
- ~~c. A statement that the Respondent is presumed not responsible for the alleged conduct;~~
- ~~d. A statement that a determination of responsibility is made at the Grievance Process's conclusion;~~
- ~~e. A statement that the parties may have an advisor of their choice, who may be an attorney, although any attorney or advisor who is not a District employee will be at the party's own cost;~~
- ~~f. A statement that the parties will be provided an opportunity to inspect and review any evidence before the investigation report is finalized; and~~

~~g. If the Complainant or Respondent is a student, and the District's Student Code of Conduct addresses false statements by students during the disciplinary process, a citation to that portion of the Code of Conduct. If the Code of Conduct does not address false statements by students, the notice is not required to include any reference.~~

~~If, during the course of an investigation, the Investigator decides to investigate allegations that are not included in this notice, the District will provide notice of the additional allegations to the Complainant and Respondent.~~

~~3. Informal Resolution~~

~~During the Grievance Process, after a Formal Complaint has been filed but before a determination of responsibility has been made, the District may offer to facilitate an informal resolution process, or either party may request the informal resolution process. A Formal Complaint must be filed to initiate the informal resolution process.~~

~~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. The Title IX Coordinator will determine the informal resolution process that will be used, including the person who will facilitate that process.~~

~~Informal resolution is not available for a Formal Complaint alleging that an employee sexually harassed a student.~~

~~A party is not required to participate in an informal resolution process.~~

~~When offering informal resolution, the Title IX Coordinator must (1) provide both parties written notice of their rights in an informal resolution; and (2) obtain written, voluntary consent from both parties to enter into the informal resolution process. The written notice must contain the:~~

- ~~a. Allegations;~~
- ~~b. Informal resolution requirements, including the circumstances under which the informal resolution precludes the parties from resuming a Formal Complaint arising from the same allegations;~~
- ~~c. Right to withdraw from informal resolution and resume the Grievance Process at any time prior to agreeing to a resolution; and~~
- ~~d. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared~~

~~4. Investigation~~

~~The District has the burden of proof and the burden to gather evidence sufficient to reach a determination of responsibility.~~

~~a. Investigation Process~~

~~The District will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege in writing.~~

~~The District may not access, consider, disclose, or otherwise use a party's medical records, including mental health records, which are made and maintained by a healthcare provider in connection with the party's treatment unless the District obtains that party's voluntary, written consent to do so for the Grievance Process.~~

~~The Investigator must provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory or exculpatory evidence. The Investigator cannot restrict parties from discussing the allegations under investigation, nor can the Investigator restrict parties from gathering or presenting relevant evidence.~~

~~Parties may be accompanied by an advisor of their choice, including an attorney, in any meeting or Grievance Process proceeding. If a party chooses an advisor who is not a District employee, the District is not responsible for any associated costs. The Superintendent or designee may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties (e.g., abusive, disruptive behavior or language will not be tolerated; advisor will not interrupt the investigator to ask questions of witnesses).~~

~~The Investigator must provide the date, time, location, participants, and purpose of all hearings (if any), investigative interviews, and meetings, to a party whose participation is invited or expected. Written notice must be provided a sufficient time in advance so that a party may prepare to participate.~~

~~As described in Section L of this Policy, retaliation against a person for making a complaint or participating in an investigation is prohibited.~~

~~The Investigator must ensure that the Complainant and Respondent have an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party has the opportunity to meaningfully respond to the evidence before the investigation's conclusion. This evidence includes (1) evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and (2) inculpatory or exculpatory evidence obtained from any source.~~

~~Before the investigation's completion, the Investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at~~

~~least 10 calendar days to submit a written response to the Investigator. The party's response must be considered by the Investigator before completing the final investigation report.~~

~~b. Investigation Report~~

~~The Investigator must create an investigation report that fairly summarizes relevant evidence and submit the investigation report to the Decision-Maker.~~

~~At least 10 calendar days before a determination of responsibility is issued, the Investigator must send the investigation report to each party for review and written response. Written responses to the investigation report must be submitted directly to the Decision-Maker.~~

~~The Investigator will endeavor to complete the investigation and finalize the report within 60 days.~~

~~5. Determination of Responsibility~~

~~The Decision-Maker cannot be the same person as the Title IX Coordinator, Investigator, Appeals Officer, or person designated to facilitate an informal resolution process.~~

~~Before the Decision-Maker reaches a determination of responsibility, and after the Investigator has sent the investigation report to the parties, the Decision-Maker must:~~

- ~~a. Afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness; and~~
- ~~b. Provide each party with the answers, and allow for additional, limited follow-up questions from each party.~~

~~Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless offered to prove that someone other than the Respondent committed the alleged misconduct, or the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.~~

~~If the Decision-Maker decides to exclude questions from either party as not relevant, the Decision-Maker must explain the decision to the party proposing the questions.~~

~~The Decision-Maker must issue a written determination of responsibility based on a preponderance of the evidence standard (i.e., more likely than not) simultaneously to both parties. The written determination of responsibility must include:~~

- ~~a. Identification of the sexual harassment allegations;~~

- ~~b. Description of the procedural steps taken from the receipt of the Formal Complaint through the determination of responsibility, including any:
 - ~~i. Notification to the parties;~~
 - ~~ii. Party and witness interviews;~~
 - ~~iii. Site visits;~~
 - ~~iv. Methods used to collect evidence; and~~
 - ~~v. Hearings held.~~~~
- ~~c. Factual findings that support the determination;~~
- ~~d. Conclusions about the application of any relevant code of conduct, policy, law, or rule to the facts;~~
- ~~e. A statement of, and rationale for, the result as to each allegation, including:
 - ~~i. A determination of responsibility;~~
 - ~~ii. Any disciplinary action taken against the Respondent (consistent with Policies 4309, 4407, 4506, 4606, or 5206, as applicable, and any applicable codes of conduct, handbooks, collective bargaining agreements, or individual employee contracts); and~~
 - ~~iii. Whether remedies designed to restore and preserve equal access to the District's education program or activity will be provided to the Complainant.~~~~
- ~~f. Appeal rights.~~

~~6. Appeals~~

~~Notice of the determination of responsibility or dismissal decision must include notice of the parties' appeal rights.~~

~~Both parties may appeal a determination of responsibility or the decision to dismiss a Formal Complaint in whole or in part for the following reasons only:~~

- ~~a. A procedural irregularity that affected the outcome.~~
- ~~b. New evidence that was not reasonably available at the time the determination of responsibility or dismissal decision was made that could affect the outcome.~~
- ~~c. The Title IX Coordinator, Investigator, or Decision Maker had a conflict of interest or bias for or against the Complainant or Respondent, generally or individually, that affected the outcome.~~

d. ~~[District may choose to include additional appeal grounds, but should consult with legal counsel before doing so.]~~

~~An appeal must be filed with the Title IX Coordinator within 5 calendar days of the date of the determination of responsibility or dismissal decision.~~

~~Upon receipt of an appeal, the Title IX Coordinator will assign an Appeals Officer who will provide both parties written notice of the appeal and an equal opportunity to submit a written statement in support of, or challenging, the determination or dismissal decision.~~

~~The Appeals Officer must provide a written decision describing the result of the appeal and the rationale for the result to both parties simultaneously. The Appeals Officer will endeavor to decide an appeal within 30 days.~~

~~The Appeals Officer cannot be the same person who acts as the Title IX Coordinator, Investigator, Decision-Maker, or person designated to facilitate an informal resolution process on the same matter. The Appeals Officer also cannot have a conflict of interest or bias against Complainants and Respondents generally or individually.~~

~~The determination of responsibility is final upon the date the parties receive the Appeals Officer's written decision or on the date on which an appeal is no longer timely.~~

~~G. Dismissal~~

~~1. Mandatory Dismissals~~

~~The Title IX Coordinator must dismiss a Formal Complaint if:~~

- ~~a. The Formal Complaint's allegations, even if proven, would not constitute sexual harassment as defined in this Policy;~~
- ~~b. The Formal Complaint's allegations did not occur in the District's programs or activities; or~~
- ~~c. The Formal Complaint's allegations did not occur in the United States.~~

~~2. Discretionary Dismissals~~

~~The Title IX Coordinator may dismiss a Formal Complaint if:~~

- ~~a. The Complainant notifies the Title IX Coordinator in writing that the Complainant wishes to withdraw the Formal Complaint in whole or in part;~~
- ~~b. The Respondent's enrollment or employment ends; or~~
- ~~c. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination (e.g., several years have passed~~

~~between alleged misconduct and Formal Complaint filing, Complainant refuses or ceases to cooperate with Grievance Process).~~

~~The Title IX Coordinator will promptly and simultaneously notify both parties when a Formal Complaint is dismissed. The notice must include the reasons for mandatory or discretionary dismissal and the right to appeal. Appeal rights are discussed above in Subsection F(6) of this Policy.~~

~~Dismissal of a Formal Complaint under this Policy does not excuse or preclude the District from investigating alleged violations of other policy, rule, or law, or from issuing appropriate discipline based on the results of the investigation.~~

~~H. Consolidation of Complaints~~

~~The Title IX Coordinator or Investigator may consolidate Formal Complaints where the allegations arise out of the same facts or circumstances. Where a Grievance Process involves more than one Complainant or more than one Respondent, references in this Policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.~~

~~I. Remedies and Disciplinary Sanctions~~

~~The District will take appropriate and effective measures to promptly remedy the effects of sexual harassment. The Title IX Coordinator is responsible for the effective implementation of any remedies.~~

~~Appropriate remedies will be based on the circumstances and may include, but are not limited to:~~

- ~~1. Providing an escort to ensure that the Complainant and Respondent can safely attend classes and school activities;~~
- ~~2. Offering the parties school-based counseling services, as necessary;~~
- ~~3. Providing the parties with academic support services, such as tutoring, as necessary;~~
- ~~4. Rearranging course or work schedules, to the extent practicable, to minimize contact between the Complainant and Respondent;~~
- ~~5. Moving the Complainant's or the Respondent's locker or work space;~~
- ~~6. Issuing a "no contact" directive between the Complainant and Respondent;~~
- ~~7. Providing counseling memoranda with directives or recommendations.~~

~~These remedies may also be available to any other student or person who is or was affected by the sexual harassment.~~

~~The District will impose disciplinary sanctions consistent with District Policy, as applicable, and any applicable codes of conduct, handbooks, collective bargaining~~

~~agreements, or individual employee contracts. Discipline may range from warning or reprimand to termination of employment, or student suspension or expulsion.~~

~~After a determination of responsibility, the Title IX Coordinator should consider whether broader remedies are required, which may include, but are not limited to:~~

- ~~1. Assemblies reminding students and staff of their obligations under this Policy and applicable handbooks;~~
- ~~2. Additional staff training;~~
- ~~3. A climate survey; or~~
- ~~4. Letters to students, staff, and parents/guardians reminding persons of their obligations under this Policy and applicable handbooks.~~

~~If the Complainant or Respondent is a student with a disability, the District will convene an IEP or Section 504 Team meeting to determine if additional or different programs, services, accommodations, or supports are required to ensure that the Complainant or Respondent continues to receive a free appropriate public education. Any disciplinary action taken against a Respondent who is a student with a disability must be made in accordance with Policy 5206B and the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.~~

~~J. False Statements~~

~~Any person who knowingly makes a materially false statement in bad faith during a Title IX investigation will be subject to discipline, up to and including discharge or permanent expulsion. A dismissal or determination that the Respondent did not violate this Policy is not sufficient, on its own, to conclude that a person made a materially false statement in bad faith.~~

~~K. Confidentiality~~

~~The District will keep confidential the identity of a person who reports sexual harassment or files a Formal Complaint, including parties and witnesses, except as permitted or required by law or to carry out any provision of this Policy, applicable regulations, or laws.~~

~~L. Retaliation~~

~~Retaliation (e.g., intimidation, threats, coercion) for the purpose of interfering with a person's rights under Title IX is prohibited. This prohibition applies to retaliation against any person who makes a report, files a Formal Complaint, or participates in, or refuses to participate in a Title IX proceeding. Complaints alleging retaliation may be pursued in accordance with District Policy.~~

~~The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this Section.~~

~~When processing a report or Formal Complaint of sexual harassment, pursuing discipline for other conduct arising out of the same facts or circumstances constitutes retaliation if done for the purpose of interfering with that person's rights under Title IX.~~

~~Any person who engages in retaliation will be disciplined in accordance with District Policy, as applicable, and any applicable codes of conduct, handbooks, collective bargaining agreements, and individual employee contracts.~~

~~M. Training~~

~~All District employees must be trained on how to identify and report sexual harassment.~~

~~Any person designated as a Title IX Coordinator, Investigator, Decision Maker, Appeals Officer, or any person who facilitates an informal resolution process must be trained on the following:~~

- ~~1. The definition of sexual harassment;~~
- ~~2. The scope of the District's education programs or activities;~~
- ~~3. How to conduct an investigation and the District's grievance process, including, as applicable, hearings, appeals, and informal resolution processes; and~~
- ~~4. How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias.~~

~~Investigators must receive training on how to prepare an investigation report as outlined in Subsection F(4)(b) above, including, but not limited to, issues of relevance.~~

~~Decision Makers and Appeals Officers must receive training on issues of evidence and questioning, including, but not limited to, when questions about a Complainant's prior sexual history or disposition are not relevant.~~

~~Any materials used to train District employees who act as Title IX Coordinators, Investigators, Decision Makers, Appeals Officers, or who facilitate an informal resolution process must not rely on sex stereotypes and must promote impartial investigations and adjudications of Formal Complaints. These training materials must be posted on the District's website.~~

~~N. Record Keeping~~

~~The District will maintain records related to reports of alleged Title IX sexual harassment for a minimum of seven years. This retention requirement applies to investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken, such as supportive measures.~~

~~The District will also retain any materials used to train Title IX Coordinators, Investigators, Decision-Makers, Appeals Officers, and any person designated to facilitate an informal resolution process.~~

~~O. Office for Civil Rights~~

~~Any person who believes that he or she was the victim of sexual harassment may file a complaint with the Office for Civil Rights (OCR) at any time:~~

~~U.S. Department of Education Office for Civil Rights
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
Phone: (216) 522-4970
E-mail: OCR.Cleveland@ed.gov~~

~~An OCR complaint may be filed before, during, or after filing a Formal Complaint with the District. A person may forego filing a Formal Complaint with the District and instead file a complaint directly with OCR. The District recommends that a person who has been subjected to sexual harassment also file a Formal Complaint with the District to ensure that the District is able to take steps to prevent any further harassment and to discipline the alleged perpetrator, if necessary. OCR does not serve as an appellate body for District decisions under this Policy. An investigation by OCR will occur separately from any District investigation.~~

~~Legal authority: Education Amendments Act of 1972, 20 USC §§1681-1688; 34 CFR Part 406 MCL 37.1101 et seq., 37.2101 et seq., 37.2209~~

Date adopted:

Date revised:

Series 3000: Operation, Finance, and Property

3100 General Operations

3118-F-1 Title IX Sexual Harassment Formal Complaint Form

District Letterhead

This form is being submitted by: Complainant Title IX Coordinator

Complainant Name: _____

Address: _____

Phone: _____ -Email: _____

If the Complainant is a student:

Date of Birth: _____ -Grade: _____

School Building Attending: _____

If the Complainant is an employee:

Job Title: _____ -Building: _____

Complaint Details

Reporter's Name (if different than Complainant): _____

Reporter's Relationship to Complainant: _____

Reporter's Address: _____

Reporter's Phone: _____ -Reporter's Email: _____

1. Describe the alleged sexual harassment that you are requesting the District investigate. Please be specific. Describe the incident(s) and identify the individuals and potential witnesses involved. Describe or attach any evidence you believe is relevant. Attach additional pages if needed.

3118-F-1 Title IX Sexual Harassment Formal Complaint Form

~~2. Describe the date/time/location(s) of the alleged incident(s).~~

~~3. What would you like the District to do to remedy the situation?~~

Complainant's/Coordinator's Signature

Date

Please submit this form to:

[Title IX Coordinator Name]

[Title IX Coordinator Title]

[School District Name]

[Street Address]

[City, State, Zip Code]

[Title IX Coordinator Email Address]

[Title IX Coordinator Phone Number]

~~A person alleging discrimination by the District on the basis of sex may file a complaint through the District's grievance procedure. A complaint may also be filed at any time with the Office for Civil Rights (OCR), U.S. Department of Education, 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115. Filing a complaint with the District is not a prerequisite to filing with OCR. For additional information about the District's grievance procedure, please contact the Title IX Coordinator identified above.~~

Series 3000: Operations, Finance, and Property

3100 General Operations

3118 Nondiscrimination Covenant in Contracts with the District

A contract to which the District is a party shall 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 hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, national origin, religion, sex (including pregnancy, gender identity, or sexual orientation), age, height, weight, and marital status.

Legal authority: MCL 37.1101 et seq., 37.2101 et seq., 37.2209

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3119 *Experimental or Pilot Programs* [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

The Board encourages innovation and creativity in its educational programming and general operations through the use of experimental or pilot programs ("Programs"). An experimental or pilot program is a trial program conducted to evaluate feasibility that may be converted to a regular program at the conclusion of the trial period.

Employees may submit a proposal for a Program to the Superintendent or designee for consideration. The Superintendent may also prepare a Program proposal.

A Program proposal must include the Program name, duration, purpose, and goals. Proposals must also include:

- A. A list of proposed materials and equipment to be used in the Program;
- B. Anticipated Program costs, including staffing costs;
- C. A proposed framework for implementing the Program and evaluating the Program's success, including evaluation intervals and criteria; and
- D. Other relevant information, if requested by the Superintendent or designee.

The Superintendent or designee will review the Program proposal and may seek clarification from the employee(s) that submitted the proposal, if prepared by employees other than the Superintendent. The Superintendent or designee may also amend the proposed Program in the Superintendent's or designee's sole discretion.

If the Superintendent or designee believes that the proposed Program (either as originally drafted or as amended) is in the best interests of the District, the Superintendent or designee will present the proposed Program to the Board for its consideration. The Program may be approved by the Board in its sole discretion.

The Board recognizes that experimental and pilot programs are a prohibited subject of bargaining under the Michigan Public Employment Relations Act. The Superintendent is encouraged to consult with legal counsel about legal implications of a Program before submitting it for Board approval.

At the conclusion of the Program, the Board may consider conversion of the Program to a regular program.

Legal Authority: MCL 380.11a; MCL 423.215(3)(hg)

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3100 General Operations

3119 *Experimental or Pilot Programs*

The Board encourages innovation and creativity in its educational programming and general operations through the use of experimental or pilot programs ("Programs"). An experimental or pilot program is a trial program conducted to evaluate feasibility that may be converted to a regular program at the conclusion of the trial period.

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Legal Authority: MCL 380.11a; MCL 423.215(3)(g)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3207 School Activities Fund

A. Fiduciary Funds

A fiduciary fund is a fund held by the District, in its discretion, in a trustee or agency capacity, for a purpose within the scope of the District's legal authority. A fiduciary fund cannot be used by the District to support its operations. All District fiduciary funds must comply with generally accepted accounting principles and be held in accordance with the standards adopted by MDE in the Michigan Public School Accounting Manual (Bulletin 1022). A fiduciary fund may be a Custodial Fund or a Private-Purpose Trust Fund. For purposes of this Policy, capitalized terms not defined in this Policy are defined by Bulletin 1022.

1. Activity Funds

The District may not use an activity fund as defined by GASB Statement No. 84 and adopted by Bulletin 1022.

2. Custodial Funds

A Custodial Fund may be used only to hold assets and issue payments for a non-District Custodial Fund beneficiary. A Custodial Fund may be maintained if the account:

- a. does not contain the District's sole source revenue, such as state and federal aid, tax collections, and non-exchange transactions;
- b. does not designate the District as a beneficiary; and
- c. is not subject to District control, including administrative or financial control.

3. Private-Purpose Trust Funds

A Private-Purpose Trust Fund (Private Trust) may be maintained as a fiduciary fund if:

- a. a written, lawful trust agreement exists and is submitted to the District;
- b. the trust assets are for a private purpose;
- c. the District is not a beneficiary, directly or indirectly; and
- d. the District does not have control, including administrative or financial control, or the ability to make decisions about trust assets.

Trust funds failing to meet the above requirements must be treated as a public purpose trust fund, subject to Policy 3201.

B. Scholarship Funds

1. Public funds may not be used to administer scholarships.
2. An individual, estate, support group, club, company, or other donor that desires to establish a trust fund to benefit persons through scholarships must meet the criteria for a Private Trust described above.

Legal authority: MCL 380.601a; MDE *Michigan Public School Accounting Manual (Bulletin 1022)*, ~~as amended March 28, 2019;~~ GASB Statement No. 84, *Fiduciary Activities* ~~(January 2017)~~

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3207 School Activities Fund

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A fiduciary fund is a fund held by the District, in its discretion, in a trustee or agency capacity, for a purpose within the scope of the District's legal authority. A fiduciary fund cannot be used by the District to support its operations. All District fiduciary funds must comply with generally accepted accounting principles and be held in accordance with the standards adopted by MDE in the Michigan Public School Accounting Manual (Bulletin 1022). A fiduciary fund may be a Custodial Fund or a Private-Purpose Trust Fund. For purposes of this Policy, capitalized terms not defined in this Policy are defined by Bulletin 1022.

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- a. a written, lawful trust agreement exists and is submitted to the District;
- b. the trust assets are for a private purpose;
- c. the District is not a beneficiary, directly or indirectly; and
- d. the District does not have control, including administrative or financial control, or the ability to make decisions about trust assets.

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Legal authority: MCL 380.601a; MDE *Michigan Public School Accounting Manual (Bulletin 1022)*; GASB Statement No. 84, *Fiduciary Activities*

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3208 Surety Bonds of ISD Officials [Optional] [Note: Before removing this Policy, confirm that your District is a member of a group self-insurance pool and that the insurance pool provides similar coverage. If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

A. Bonded Officials

1. The Superintendent, any financial officer, and any attendance officer of the District must furnish a surety bond in the penal sum of not less than \$[REDACTED], or an amount otherwise required by law, to assure the faithful performance of their respective duties.
2. A "financial officer" is any person who is required, by job description or Policy, to transact financial business on behalf of the District or to supervise or handle monetary receipts or disbursements on a reasonably consistent basis, including, but not limited to, the persons holding in whole or in part the following positions or their functional equivalent:
 - Treasurer;
 - [Chief Business Official];
 - [Assistant Business Official];
 - [Payroll Clerk];
 - [Fund Custodian]; and
 - [REDACTED].

B. Bond Requirements

1. A surety bond may be furnished as either:
 - a. a separate bond or surety contract for each individual officer or employee; or
 - b. a blanket bond.

A blanket bond must be a blanket position bond that covers the Superintendent and any financial or attendance officer positions (rather than the individual people).

2. A surety bond must be purchased by the District and furnished by a company duly qualified under state law. Each surety bond must be payable to the District

and require the Superintendent, all financial officers, and all attendance officers to faithfully perform their duties during their employment or term of office and properly account for all monies and property received by virtue of their position or employment.

3. The Superintendent's surety bond must be furnished or become effective within 10 days after appointment as Superintendent.

Legal Authority: MCL [124.10](#); 129.51; MCL 380.613, 380.652, 380.1571

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3208 Surety Bonds of ISD Officials Bonded Officials

1. The Superintendent, any financial officer, and any attendance officer of the District must furnish a surety bond in the penal sum of not less than \$1,000,000 or an amount otherwise required by law, to assure the faithful performance of their respective duties.
2. A "financial officer" is any person who is required, by job description or Policy, to transact financial business on behalf of the District or to supervise or handle monetary receipts or disbursements on a reasonably consistent basis, including, but not limited to, the persons holding in whole or in part the following positions or their functional equivalent:
 - Treasurer;
 - Assistant Superintendent of Administrative Services;
 - Director of Fiscal Services;
 - Payroll Supervisor and Payroll Clerks;
 - Accounts Payable and Accounts Receivable Clerks; and
 - Staff members charged with making deposits at financial institutions.

B. Bond Requirements

1. A surety bond may be furnished as either:
 - a. a separate bond or surety contract for each individual officer or employee; or
 - b. a blanket bond.

A blanket bond must be a blanket position bond that covers the Superintendent and any financial or attendance officer positions (rather than the individual people).

2. A surety bond must be purchased by the District and furnished by a company duly qualified under state law. Each surety bond must be payable to the District and require the Superintendent, all financial officers, and all attendance officers to faithfully perform their duties during their employment or term of office and properly account for all monies and property received by virtue of their position or employment.
3. The Superintendent's surety bond must be furnished or become effective within 10 days after appointment as Superintendent.

Legal Authority: MCL 124.10; 129.51; MCL 380.613, 380.652, 380.1571

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3211 *Post-Issuance Tax Compliance*

A. Policy

Federal tax law requires that issuers of outstanding tax-exempt or tax credit debt obligations (“Obligations”) comply with certain post-issuance requirements in the Internal Revenue Code (IRC) and Treasury Regulations. Obligations include, but are not limited to, tax-exempt bonds, refunding bonds, tax credit bonds, installment and lease purchase agreements, lines of credit, state aid notes, and tax anticipation notes.

B. Policy Implementation

To preserve the tax-exempt or tax credit status of the Obligations and to comply with federal tax law after Obligations have been issued, the Board authorizes the Superintendent or designee to establish administrative guidelines in connection with Obligations to comply with federal tax law.

C. Designation of Debt Compliance Officer

The District’s chief business official will be the debt compliance officer responsible for implementing this Policy (“Debt Compliance Officer”). In the absence of a chief business official, the Superintendent or designee will serve as the Debt Compliance Officer until a replacement Debt Compliance Officer is assigned. The Superintendent will ensure that a person serves in this position at all times. If the District contracts with a third party for business services, including another school district, the Superintendent or designee remains responsible for the oversight of the third-party Debt Compliance Officer.

D. Responsibilities of Debt Compliance Officer

The Debt Compliance Officer will be responsible for administration and oversight of post-issuance tax compliance requirements and other provisions of this Policy related to the District’s Obligations, including implementation and compliance with remedial action procedures outlined below. The Debt Compliance Officer’s responsibilities will include:

1. Overseeing and managing compliance with federal rules and regulations applicable to post-issuance tax compliance for all outstanding Obligations from the date of issuance through the date of maturity of such Obligations, including any refunding Obligations related to the original issuance of debt;
2. Consulting with bond counsel, financial advisors, and other professionals about non-compliance, if any, and required remedial actions as necessary;

3. Maintaining written records of expenditures and investments of Obligations in accordance with subsection G;
4. Supervising and ensuring timely filings of reports and forms required by state and federal agencies related to Obligations;
5. Providing written documentation and other requested disclosures, including to the District's bond counsel, financial advisors, and other professionals, upon request;
6. Monitoring arbitrage, yield restriction, and rebate requirements under IRC Section 148. This duty includes monitoring compliance with 6-month, 18-month, or 2-year spending exceptions, as applicable; and
7. Monitoring all record retention requirements and oversee compliance with record retention requirements set forth in this Policy.

E. Internal Written Procedures and Protocols

1. The Debt Compliance Officer will develop written internal controls and procedures related to post-issuance tax compliance that address at least the following:
 - a. Identifying and reporting non-compliance, including protocols for contacting bond counsel and financial advisors;
 - b. Monitoring compliance with arbitrage, yield restriction, and rebate requirements under IRC Section 148; and
 - c. Monitoring and tracking the use of bond-financed or refinanced assets, including identifying non-compliance and taking appropriate remedial action in accordance with Treasury Regulation 1.141-12.
2. Internal procedures and controls will provide for detailed written guidelines to be used for the purpose of identifying potential non-compliance. If non-compliance is confirmed, the Debt Compliance Officer will take immediate action to report and resolve non-compliance in accordance with the District's internal procedures and federal law and regulations.

F. Periodic Compliance Review

1. Annual Review. The Debt Compliance Officer will conduct an annual review of District records related to outstanding Obligations to ensure that such records, including tax documentation, are adequately maintained.
2. Periodic Review. The Debt Compliance Officer will review and update District records, including tax documentation, related to an Obligation upon the occurrence of any of the following events:
 - a. The retirement, defeasance, or refunding of an Obligation; and

- b. Upon the sale, re-purposing, change in use, or refinancing of property purchased with outstanding Obligations that remain outstanding.

G. Record Retention

The District will maintain detailed written records of all expenditures and investments of Obligations for the life of the Obligation, which will be maintained until final maturity. With respect to bond issues, the District will maintain records of all expenditures and investments for the life of the bonds, including any subsequent refunding bonds, plus 3 years.

H. Training and Education

The District will provide, at its cost, training for the Debt Compliance Officer. The Debt Compliance Officer will complete training at least annually. Annual training may be provided to additional personnel who assist the Debt Compliance Officer.

Legal Authority: IRC 148; Treasury Regulation 1.141-12

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3211 Post-Issuance Tax Compliance

A. Policy

Federal tax law requires that issuers of outstanding tax-exempt or tax credit debt obligations (“Obligations”) comply with certain post-issuance requirements in the Internal Revenue Code (IRC) and Treasury Regulations. Obligations include, but are not limited to, tax-exempt bonds, refunding bonds, tax credit bonds, installment and lease purchase agreements, lines of credit, state aid notes, and tax anticipation notes.

B. Policy Implementation

To preserve the tax-exempt or tax credit status of the Obligations and to comply with federal tax law after Obligations have been issued, the Board authorizes the Superintendent or designee to establish administrative guidelines in connection with Obligations to comply with federal tax law.

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The Debt Compliance Officer will be responsible for administration and oversight of post-issuance tax compliance requirements and other provisions of this Policy related to the District’s Obligations, including implementation and compliance with remedial action procedures outlined below. The Debt Compliance Officer’s responsibilities will include:

1. Overseeing and managing compliance with federal rules and regulations applicable to post-issuance tax compliance for all outstanding Obligations from the date of issuance through the date of maturity of such Obligations, including any refunding Obligations related to the original issuance of debt;
2. Consulting with bond counsel, financial advisors, and other professionals about non-compliance, if any, and required remedial actions as necessary;

3. Maintaining written records of expenditures and investments of Obligations in accordance with subsection G;
4. Supervising and ensuring timely filings of reports and forms required by state and federal agencies related to Obligations;
5. Providing written documentation and other requested disclosures, including to the District's bond counsel, financial advisors, and other professionals, upon request;
6. Monitoring arbitrage, yield restriction, and rebate requirements under IRC Section 148. This duty includes monitoring compliance with 6-month, 18-month, or 2-year spending exceptions, as applicable; and
7. Monitoring all record retention requirements and oversee compliance with record retention requirements set forth in this Policy.

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 - a. Identifying and reporting non-compliance, including protocols for contacting bond counsel and financial advisors;
 - b. Monitoring compliance with arbitrage, yield restriction, and rebate requirements under IRC Section 148; and
 - c. Monitoring and tracking the use of bond-financed or refinanced assets, including identifying non-compliance and taking appropriate remedial action in accordance with Treasury Regulation 1.141-12.
2. Internal procedures and controls will provide for detailed written guidelines to be used for the purpose of identifying potential non-compliance. If non-compliance is confirmed, the Debt Compliance Officer will take immediate action to report and resolve non-compliance in accordance with the District's internal procedures and federal law and regulations.

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 - a. The retirement, defeasance, or refunding of an Obligation; and

- b. Upon the sale, re-purposing, change in use, or refinancing of property purchased with outstanding Obligations that remain outstanding.

G. Record Retention

The District will maintain detailed written records of all expenditures and investments of Obligations for the life of the Obligation, which will be maintained until final maturity. With respect to bond issues, the District will maintain records of all expenditures and investments for the life of the bonds, including any subsequent refunding bonds, plus 3 years.

H. Training and Education

The District will provide, at its cost, training for the Debt Compliance Officer. The Debt Compliance Officer will complete training at least annually. Annual training may be provided to additional personnel who assist the Debt Compliance Officer.

Legal Authority: IRC 148; Treasury Regulation 1.141-12

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3301 Purchasing and Procurement

This Policy applies to all purchases of materials, supplies, and equipment. Purchases acquired through lease financing are governed by this Policy, but true leases (i.e., rental agreements) are not.

A. Responsibility for Purchasing

The District's administration, under the Superintendent's supervision, may purchase items for the District, subject to any Policy 2202 subsection C and any other parameters established by the Board.

B. When Competitive Bidding is Required

1. The District must competitively bid the purchase of an item or group of items costing an amount equal to or greater than the then-current state bid threshold published annually by MDE.
2. The District does not need to competitively bid a purchase [Optional: in an emergency or] if competitive bidding is not required by law.
3. The District will not artificially segregate purchases into smaller orders to avoid the bid threshold.

C. Bidding Procedure

1. The District may competitively bid a purchase using 1 or more of the following methods:
 - a. Requesting written price quotations from at least 3 known and practical vendors of an item;
 - b. Distributing a request for proposals to at least 3 known and practical vendors of an item;
 - c. Posting a request for proposals on the District's website or any other website that regularly informs vendors of bid opportunities;
 - d. Selecting a contract awarded to a winning bidder under a bid process operated by a reputable bid cooperative if the District determines, after reasonable due diligence, that the bid procedure used by the bid cooperative was fair and open, resulted in a bid award to the lowest responsible bidder, and the contract price is comparable to current market rates for the purchased item; or

- e. Any other process, in the Superintendent's or designee's discretion, that is likely to result in at least 3 known vendors providing bids for the item sought, regardless of whether at least 3 bids are actually received.
 2. Each bidder responding to a request for proposals must certify that it is not an Iran-linked business as defined by MCL 129.312.
 3. Awarding Bids
 - a. If competitive bidding is required by law, any contract must be awarded by the Board to the lowest responsible bidder.
 - b. In determining bidder responsibility, the District may take 1 or more of the following into account:
 - The District's experience with the bidder;
 - Others' experience with the bidder;
 - The bidder's history of satisfactory performance or questionable litigation, protests, or disputes;
 - The bidder's capitalization and solvency;
 - The length of time the bidder has been engaged in its business;
 - The recommendation of the District's professional consultants; and
 - Any other factor consistently and lawfully applied.
 - c. In any bid procedure, the District reserves the right to reject any or all bids or waive any informalities or irregularities in the bid process.
 4. Michigan-Based Business Preference
 - a. The District may give up to a 10% preference to a bidder that is a Michigan-based business as defined by MCL 18.1268.
 - b. The Michigan-based business preference will not apply if federal funds are used for the purchase.
- D. Purchases Using State Aid Act Funds
1. The District will not use state aid to purchase foreign goods or services if American goods or services are available, competitively priced, and of comparable quality.
 2. The District will give a preference to goods or services manufactured or provided by Michigan businesses if competitively priced and of comparable quality.

3. The District will give a preference to goods or services manufactured or provided by Michigan businesses owned and operated by veterans if competitively priced and of comparable quality.

E. Purchases Using Federal Funds

Purchases made with federal funds and subject to the federal Uniform Grant Guidance are also governed by Policy 3301A.

Legal authority: 2 CFR 200.1 et seq.; MCL 129.311 et seq.; MCL 380.623a; MCL 388.1764c

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3301 Purchasing and Procurement

This Policy applies to all purchases of materials, supplies, and equipment. Purchases acquired through lease financing are governed by this Policy, but true leases (i.e., rental agreements) are not.

A. Responsibility for Purchasing

The District's administration, under the Superintendent's supervision, may purchase items for the District, subject to Policy 2202 subsection C and any other parameters established by the Board.

B. When Competitive Bidding is Required

1. The District must competitively bid the purchase of an item or group of items costing an amount equal to or greater than the then-current state bid threshold published annually by MDE.
2. If the purchase of an item or group of items is greater than \$10,000 but less than the current state bid threshold published annually by MDE, the District will obtain at least a second price quotation.
3. The District does not need to competitively bid a purchase if competitive bidding is not required by law.
4. The District will not artificially segregate purchases into smaller orders to avoid the bid threshold.

C. Bidding Procedure

1. The District may competitively bid a purchase using 1 or more of the following methods:
 - a. Requesting written price quotations from at least 3 known and practical vendors of an item;
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 - d. Selecting a contract awarded to a winning bidder under a bid process operated by a reputable bid cooperative if the District determines, after reasonable due diligence, that the bid procedure used by the bid cooperative was fair and open, resulted in a bid award to the lowest

responsible bidder, and the contract price is comparable to current market rates for the purchased item; or

- e. Any other process, in the Superintendent's or designee's discretion, that is likely to result in at least 3 known vendors providing bids for the item sought, regardless of whether at least 3 bids are actually received.
2. Each bidder responding to a request for proposals must certify that it is not an Iran-linked business as defined by MCL 129.312.

3. Awarding Bids

- a. If competitive bidding is required by law, any contract must be awarded by the Board to the lowest responsible bidder.
- b. In determining bidder responsibility, the District may take 1 or more of the following into account:
 - The District's experience with the bidder;
 - Others' experience with the bidder;
 - The bidder's history of satisfactory performance or questionable litigation, protests, or disputes;
 - The bidder's capitalization and solvency;
 - The length of time the bidder has been engaged in its business;
 - The recommendation of the District's professional consultants; and
 - Any other factor consistently and lawfully applied.
- c. In any bid procedure, the District reserves the right to reject any or all bids or waive any informalities or irregularities in the bid process.

4. Michigan-Based Business Preference

- a. The District may give up to a 10% preference to a bidder that is a Michigan-based business as defined by MCL 18.1268.
- b. The Michigan-based business preference will not apply if federal funds are used for the purchase.

D. Purchases Using State Aid Act Funds

1. The District will not use state aid to purchase foreign goods or services if American goods or services are available, competitively priced, and of comparable quality.

2. The District will give a preference to goods or services manufactured or provided by Michigan businesses if competitively priced and of comparable quality.
3. The District will give a preference to goods or services manufactured or provided by Michigan businesses owned and operated by veterans if competitively priced and of comparable quality.

E. Purchases Using Federal Funds

Purchases made with federal funds and subject to the federal Uniform Grant Guidance are also governed by Policy 3301A.

Legal authority: 2 CFR 200.1 et seq.; MCL 129.311 et seq.; MCL 380.623a; MCL 388.1764c

Date adopted: August 15, 2022

Date revised: August 19, 2024



Series 3000: Operations, Finance, and Property

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/guardian~~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 ~~[\$] or less~~. The Board retains authority, in its discretion, to accept Donations of personal property exceeding ~~[\$]~~.
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 ~~the District~~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.

B. ~~Optional: 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 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.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

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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 \$5000 or less. The Board retains authority, in its discretion, to accept Donations of personal property exceeding \$5000.
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.

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3306 Construction Bidding

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

A. When Competitive Bidding is Required

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

B. Bidding Procedure

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

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.](#)

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

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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.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3307 Construction Administration

This Policy sets forth procedures and requirements for District building and site improvements. Bidding requirements for construction appear in Policy 3306.

A. Plan Review

1. Before commencing construction, the District, or an authorized agent on the District's behalf, will submit project plans and specifications to the Michigan Bureau of Construction Codes Plan Review Division.
2. Alternatively, the District may submit the plans and specifications to the applicable local building department if the Board and the municipality's governing body have properly certified that full-time code officials, inspectors, and plan reviewers registered under the Skilled Trades Regulation Act will conduct plan reviews and inspections. In that situation, the District must also submit the plans and specifications to the Bureau of Fire Safety.
3. ~~[Optional but recommended for a District that may construct or expand a high school located within a city or village or a District high school that does not have with an athletic field or facility / Recommended if the District has or anticipates constructing such a high school in accordance with a township. If required by Revised School Code Section 1263, before building a new high school or expanding a high school by at least 20% of its existing square footage, the District, or an authorized agent on the District's behalf, will submit the site plan to the local zoning authority for administrative review.]~~
4. Before the District commences new construction or major renovation of a school building or athletic facility, the Superintendent or designee will consult with the law enforcement agency that will be the first responder for that building or facility about safety issues.

B. Professional Consultants

1. If the total cost of a school building construction project will be \$15,000 or more:
 - a. a Michigan-licensed architect or professional engineer must prepare the plans and specifications; and
 - b. a qualified person or firm must supervise construction as provided in MCL 388.851.
2. The District may hire a construction manager for any project. If the construction manager also performs construction, either directly or by assuming responsibility for the work of other contractors (e.g., construction manager as constructor):

- a. the construction manager may not supervise such construction under MCL 388.851; and
- b. the District must still bid the project as required by law.

C. Payment and Performance Bonds

1. For all contracts described in MCL 129.201 that exceed \$50,000, the principal contractor must procure performance and payment bonds in accordance with law.
2. Unless the Superintendent or designee determines otherwise, the District requires payment and performance bonds to be 100% of the contract sum.
3. The responsibility for procuring payment and performance bonds rests solely with the contractor. The District has no duty to ensure that a contractor has procured a payment or performance bond.

D. Prevailing Wage

1. Bid materials, project specifications, and contract documents must comply with applicable federal and state law prevailing wage requirements.
2. The responsibility for paying prevailing wage rates rests solely with the contractor. The District has no duty to ensure that a contractor has paid prevailing wage rates.

Legal authority: 40 USC 3141, et seq.; MCL 129.201 et seq.; MCL 339.6001 et seq.; MCL 380.1263, 380.1264; MCL 388.851 et seq.; MCL 408.1101, et seq.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

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3. Reserved
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Legal authority: 40 USC 3141, et seq.; MCL 129.201 et seq.; MCL 339.6001 et seq.; MCL 380.1263, 380.1264; MCL 388.851 et seq.; MCL 408.1101, et seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

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:

~~A.~~ 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:

~~B.~~ The Board will develop, adopt, and provide for annual review a cardiac emergency response plan as required by law. Beginning in the 2025-26 school year, the Board will integrate the cardiac emergency response plan into the protocols of the local emergency response system and emergency response agencies. Beginning in the 2025-26 school year, 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

By January 2025, the Board will develop, adopt, update, implement, and make available upon request a Drinking Water Management Plan as required by law.

D. Cooperation:

~~C.~~ 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:

~~D.~~ 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.

F. Reporting Incidents of Crime:

~~E.~~ Each building principal will collect and update information at least weekly on incidents of crime in the applicable building. At least annually, the Board will post information on its website about incidents of crime in the District and will make this information available to ~~parents and guardians~~Parents on a per-building basis. Within 24 hours after an incident occurs, the Superintendent or designee will report to the Michigan State Police crimes and attempted crimes identified in MCL 380.1310a(2).

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

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3403 Reporting Accidents

If a student suffers a serious physical injury while at school or while participating in a school-sponsored activity, District personnel, if aware of the injury, will promptly report the injury to the building principal or designee. If the student is a minor, the building principal or designee will promptly notify the student's ~~parent(s)/legal guardian~~Parent(s) and complete an accident report. See Policy 5702.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3403 Reporting Accidents

If a student suffers a serious physical injury while at school or while participating in a school-sponsored activity, District personnel, if aware of the injury, will promptly report the injury to the building principal or designee. If the student is a minor, the building principal or designee will promptly notify the student's Parent(s) and complete an accident report. See Policy 5702.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3406 Integrated Pest Management

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

A. Pest Application

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

B. Notice

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

C. Records

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

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

Date adopted:

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

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2. The Board only authorizes the lawful application of a pesticide by a certified or registered applicator who has been properly trained. After the application of a pesticide, a person may only reenter District property in compliance with restrictions identified by the applicator and required by law.
3. A "pesticide" does not include sanitizers, germicides, disinfectants, or antimicrobial agents.

B. Notice

1. Within 30 days after the beginning of each school year, the Superintendent or designee will provide notice to students' Parents that they will receive advance notice of the application of a pesticide.
2. Except in an emergency, the Superintendent or designee will provide at least 48 hours' advance notice to students' Parents of the application of a pesticide. In an emergency, the Superintendent or designee will provide notice to students' Parents promptly after a pesticide has been applied.
3. Notices will comply with methods, time frames, and information requirements established by MCL 324.8316.
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Legal authority: MCL 324.8316; Mich Admin Code R 285.637.1 et seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3408 Firearms and Weapons

The District is a weapon-free school zone. Except as otherwise permitted by Policy or required by applicable law, a person may not possess a weapon on District property. See also Policy 5206. Each person on District property must also comply with the federal Gun-Free School Zones Act.

A. As used in this Policy:

1. [Optional in conjunction with subsection B.7: An "antique firearm" means that term as defined by MCL 750.237a.]
2. A "firearm" means any weapon that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
3. "Pistol" means that term as defined by MCL 28.421.
4. "District property" means:
 - a. a building, playing field, or property used for school purposes to impart instruction to students or used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses; and
 - b. a vehicle used by the District to transport students to or from a place described in subsection A.4.a above.
5. A "weapon" means a firearm, pneumatic gun, [Optional: dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles, or any other object used, intended, or represented to inflict serious bodily injury or property damage].

B. Permitted Uses

The following persons may possess a weapon on District property:

1. A peace officer as defined by law; or those persons listed in MCL 28.425o(5);
2. A student's ~~parent or guardian~~ Parent licensed to carry a concealed pistol may carry a concealed pistol (but no other weapons) while in a vehicle if the ~~parent or guardian~~ Parent is dropping the student off at, or picking the student up from, the student's school;
3. A person with permission from the Superintendent or designee to possess a firearm (but no other weapons) within any lawful parameters established by the Board;

[The following are optional and should be discussed in conjunction with legal counsel.]

4. An employee or contracted person if the possession of that weapon is to provide security services for the District;
5. A person licensed to carry a concealed ~~weapon~~ **pistol may possess a pistol but is only allowed to open carry;**
6. A person who possesses a weapon provided by the District or the District's instructor for purposes of providing or receiving instruction in the use of that weapon; and
7. [Use in conjunction with subsection A.1: A non-student at least 18 years old who possesses an unloaded firearm (but no other weapons) in a wrapper or container in a vehicle's trunk while transporting a student to or from the school if any of the following apply:
 - a. The person is carrying an antique firearm while en route to or from a hunting or target shooting area or function involving the exhibition, demonstration, or sale of antique firearms;
 - b. The person is carrying a firearm while in possession of a valid Michigan hunting license or proof of valid membership in an organization having shooting range facilities and while en route to or from a hunting or target shooting area;
 - c. The person is carrying a firearm from the place of purchase to his or her home or place of business or to a place of repair or back to his or her home or place of business, or in moving goods from one abode or business to another abode or business; or
 - d. If the vehicle does not have a trunk, the person is carrying a firearm in the passenger compartment and the person is otherwise complying with the requirements of subsection b or c and the wrapper or container is not readily accessible to the vehicle's occupants.]

C. Violations

1. Students and District personnel with knowledge that a person is in violation of this Policy should immediately report the violation to the building principal or designee.
2. Violation of this Policy will result in discipline of students, employees, and contractors, up to and including expulsion or termination, removal from District property, and referral to law enforcement.

Legal authority: 18 USC 921; 18 USC 922(q); MCL 28.425f, 28.425o; MCL 750.237a

Date adopted:

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3408 Firearms and Weapons

The District is a weapon-free school zone. Except as otherwise permitted by Policy or required by applicable law, a person may not possess a weapon on District property. See also Policy 5206. Each person on District property must also comply with the federal Gun-Free School Zones Act.

A. As used in this Policy:

1. In conjunction with subsection B.7: An “antique firearm” means that term as defined by MCL 750.237a.
2. A “firearm” means any weapon that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
3. “Pistol” means that term as defined by MCL 28.421.
4. “District property” means:
 - a. a building, playing field, or property used for school purposes to impart instruction to students or used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses; and
 - b. a vehicle used by the District to transport students to or from a place described in subsection A.4.a above.
5. A “weapon” means a firearm, pneumatic gun, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles, or any other object used, intended, or represented to inflict serious bodily injury or property damage.

B. Permitted Uses

The following persons may possess a weapon on District property:

1. A peace officer as defined by law or those persons listed in MCL 28.425o(5);
2. A student’s Parent licensed to carry a concealed pistol may carry a concealed pistol (but no other weapons) while in a vehicle if the Parent is dropping the student off at, or picking the student up from, the student’s school;
3. A person with permission from the Superintendent or designee to possess a firearm (but no other weapons) within any lawful parameters established by the Board;

4. An employee or contracted person if the possession of that weapon is to provide security services for the District;

C. Violations

1. Students and District personnel with knowledge that a person is in violation of this Policy should immediately report the violation to the building principal or designee.
2. Violation of this Policy will result in discipline of students, employees, and contractors, up to and including expulsion or termination, removal from District property, and referral to law enforcement.

Legal authority: 18 USC 921; 18 USC 922(q); MCL 28.425f, 28.425o; MCL 750.237a

Date adopted: August 15, 2022

Date revised: August 21, 2023

Date revised: February 12, 2024

Date revised: August 19, 2024

Series ~~5000: Students, Curriculum~~ ~~3000: Operations, Finance, and Academic Matters~~ Property

~~5700 Student Health and~~ 3400 School Safety and Security

~~57063410 Opioid Antagonist~~ [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number *and* in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

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

A. Emergency Preparedness

1. The Superintendent or designee will obtain 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 on school grounds 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/guardian~~ 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/guardian~~ 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.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3410 Opioid Antagonist

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

A. Emergency Preparedness

1. The Superintendent or designee will obtain opioid antagonists, as authorized by law.
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 - a. a licensed registered professional nurse employed or contracted by the District; or
 - b. a District employee appropriately trained in accordance with state law.

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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.

Date adopted: August 19, 2024

Date revised:

Series 3000: Operations, Finance, and Property

3500 FOIA Requests and Record Retention

3501-AG Michigan Freedom of Information Act Procedures and Guidelines

The Michigan Freedom of Information Act (FOIA) provides for public access to certain public records, permits the charging of prescribed fees and deposits, and provides remedies and penalties for non-compliance. A person has a right to inspect, copy, or receive copies of certain requested public records. Some public records are permitted or required not to be disclosed. The District is a public body that must comply with FOIA. The District has established the following Procedures and Guidelines to implement FOIA. For purposes of these Procedures and Guidelines, terms have the same meaning as defined in FOIA. A complete copy of FOIA is available on the Michigan Legislature's website at www.legislature.mi.gov.

These Procedures and Guidelines (which include a Public Summary and a Fee Itemization Form) are available on the District's website at: [\[insert link to district website\]](#). This link or a physical copy of these Procedures and Guidelines will be included in each of the District's FOIA responses. Paper copies of these Procedures and Guidelines are available upon request by a visitor at the District's Central Administration Offices, located at [\[insert physical address\]](#).

A. Written Public Summary

1. How to Submit Written Requests

A written request to inspect, copy, or review a public record should be submitted to the District's FOIA Coordinator.

FOIA requests can be sent via U.S. Mail to: [\[insert District address\]](#)

FOIA requests sent via email should be sent to: [\[insert email address\]](#)

FOIA requests sent via fax should be faxed to: [\[insert fax number\]](#)

A request must describe the public record in sufficient detail to enable the District to find the requested record. A sample Request Form is ~~appended~~ ~~to~~ ~~included~~ ~~with~~ these Procedures and Guidelines as ~~Attachment A~~ ~~Form~~ ~~3501-F-1~~.

A request must include the requester's (1) complete name (first and last name), (2) mailing address, and (3) either phone number or email address. A request made by an organization must include the contact information of its agent or representative. Any mailing address provided must be in a format that complies with United States Postal Service addressing standards. This information is not required for a request by an individual who qualifies as indigent under FOIA (i.e., by submitting an affidavit that describes the individual's indigence).

A person may subscribe to future issuances of public records created, issued, or disseminated by the District *on a regular basis*, such as notices of board meetings. A subscription is valid for up to 6 months and may be renewed by the subscriber.

In lieu of paper copies, the requester may stipulate that the District provide non-exempt public records on non-paper physical media, electronically mailed, or otherwise electronically provided. The District is not required to produce non-exempt public records on non-paper physical media if the District lacks the technological capability necessary to provide the requested records on the particular non-paper physical media stipulated in the particular instance. The District is not required to use non-paper physical media provided *by the requester* and, to safeguard the District's information technology infrastructure, will not do so.

A person may request a certified copy of a public record.

2. Explanation of Written Responses

The District will respond to a written request under FOIA within 5 business days (excluding weekends and legal holidays) after the District receives the written request, unless otherwise agreed to in writing by the requester. FOIA defines the date of receipt by the District differently depending upon how the request was delivered to the District (e.g., hand-delivery, U.S. Mail, email, facsimile).

The District will respond to a request by doing one of the following: (a) granting the request; (b) issuing a written notice denying the request; (c) granting the request in part and issuing a written notice denying the request in part; or (d) issuing a notice extending for not more than 10 business days the period during which the District will respond to the request. The District will not issue more than 1 notice of extension for a particular request.

If a requester asks for information that is available on the District's website, the District will notify the requester in its response where to find the records on its website. Paper copies of public records available on the District's website will be made available upon request, but a fee may be charged as explained in Section B.4 and on the detailed Fee Itemization Form.

The District will provide reasonable facilities for a requester to inspect non-exempt public records. The facilities will be available during the District's normal business hours. The FOIA Coordinator will establish rules regulating the manner in which a requester may inspect records to protect the District's records from loss, alteration, mutilation, or destruction or to prevent undue interference with the District's normal operations.

If a request is denied in whole or in part, the District will include in the written notice of denial an explanation of the basis for the denial and, if applicable, a certificate that the public record does not exist under the name given by the requester or by another name reasonably known to the District. A sample

Certificate of Non-Existence of Public Record is ~~appended~~included as ~~Attachment B~~Form 3501-F-2. If a public record or information is separated and exempt from disclosure (redacted), the District will describe generally the material exempted unless that description would reveal the contents of the exempt information and thus defeat the purpose of the exemption.

3. Deposit Requirements

Where the District estimates that the fee authorized under the FOIA and these Procedures and Guidelines for responding to a request will exceed \$50, the District may require a good-faith deposit from the requester before processing the request. A good-faith deposit will not exceed half of the total estimated fee and will include a detailed itemization of estimated fee amounts. The FOIA Coordinator will provide the requester with a detailed itemization of the allowable fees estimated to be incurred by the District to process the request as well as notice of the date by which the deposit must be received, which is 48 days after the notice is sent by any means of transmission. The District will include with its request for a good-faith deposit a best efforts estimate of the time frame within which the District will provide the requested public records. The time frame estimate is not binding on the District but will be made in good faith, and the District will strive to be reasonably accurate.

If a requester previously requested public records from the District and if the District made the requested public records available on a timely basis but was not paid in full the total estimated public fee for that previous request, the District may, to the extent permitted by the FOIA, require a deposit of up to 100% of the estimated fee for the subsequent request(s).

If a requester fails to pay the good-faith deposit within 48 days after the date of the deposit notice and if the requester has not appealed the deposit amount, the request will be considered abandoned and the District will no longer be required to fulfill the request.

4. Fee Calculations

The FOIA permits the District to charge 6 fee components: (a) labor costs of searching for, locating, and examining public records; (b) labor costs of separating or deleting (redacting) exempt information from non-exempt information; (c) labor costs to duplicate or publish requested public records; (d) actual costs of paper copies (not to exceed 10 cents per sheet for standard 8-1/2 by 11-inch sheets of paper or 8-1/2 by 14-inch sheets of paper); (e) actual costs of non-paper physical media (e.g., flash drive, CD), if requested and if the District has the technological capability to comply; and (f) actual costs of postal delivery. For more detailed information about the District's fee calculations, including fee reductions for untimely responses, see Section B.4. of these Procedures and Guidelines and ~~Attachment C~~Form 3501-F-3, Fee Itemization Form. The FOIA Coordinator will require that payment be made in full for the allowable fees before the requested records are made available.

- a. **Fee Waivers.** A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the District determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public records can be considered as primarily benefiting the general public.
- b. **Discounts.** Under the following circumstances, a public record search will be made by the District and a copy of a non-exempt public record will be furnished without charge for the first \$20 of the fee:
 - i. If an individual who is entitled to information under the FOIA:
 - submits an affidavit stating that the individual is receiving specific public assistance or is unable to pay the fee because of indigence and stating that the individual is not making the request in conjunction with outside parties in exchange for payment or other remuneration; and
 - that individual has not previously received discounted copies of public records from the District twice during the same calendar year.
 - ii. If a nonprofit corporation formally designated by the State of Michigan to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Individuals with Mental Illness Act, Public Law 99-319, or their successors, submits a request that meets all of the following requirements:
 - is made directly on behalf of the organization or its clients;
 - is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931; and
 - is accompanied by documentation of its designation by the state, if requested by the District.

5. Avenues for Challenge and Appeal

- a. **Challenge to Record Denial.** If the District fails to respond to a FOIA request or makes a final determination to deny all or a portion of a request, the requester may submit an appeal to the Board or may commence an action in the circuit court for the county in which the public record or the District's office is located. See Section B.5.a. of these Procedures and Guidelines for a more detailed explanation of the procedures and timelines for appealing a record denial.
- b. **Challenge to Fee.** If the District requires a fee that the requester believes exceeds the amount permitted under FOIA or the District's publicly available procedures and guidelines, the requester may commence an action in the circuit court for the county in which the public record or the District's office

is located. See Section B.5.b. of these Procedures and Guidelines for a more detailed explanation of the procedures and timelines for a fee appeal.

B. Procedures and Guidelines

1. Requests

- a. All “persons,” except those persons incarcerated in state or local correctional facilities, are entitled to submit a FOIA request to the District. A “person” is defined for purposes of the FOIA to mean “an individual, corporation, limited liability company, partnership, firm, organization, association, governmental entity, or other legal entity.” A request made by a “person,” other than an individual (e.g., a corporation, firm, governmental entity) must include the requester’s complete name (first and last name), mailing address, and either the phone number or email address of the “person’s” agent who is an individual. Any mailing address provided must comply with United States Postal Service addressing standards.
- b. A FOIA request is a written request to inspect, copy, or receive copies of a public record. A request must describe the public record in sufficient detail to enable the District to find the requested record. The District suggests that requesters use the sample Request Form ~~appended as Attachment A.~~ [\(Form 3501-F-1\)](#).
- c. FOIA requests must be in writing. If, however, a person makes an oral request for information that is available on the District’s website and if the employee to whom the request is directed knows that the information is available on the District’s website, that employee must inform the requester that the information is available on the District’s website.
- d. The District’s FOIA Coordinator is responsible to process requests to inspect, copy, or receive copies of public records. FOIA requests should be sent to the District’s FOIA Coordinator.
 - i. FOIA requests can be sent via U.S. Mail to: [\[insert District address\]](#)
 - ii. FOIA requests sent via email should be sent to: [\[insert email address\]](#)
 - iii. FOIA requests sent via fax should be faxed to: [\[insert fax number\]](#)

If an employee of the District receives a written request to inspect, copy, or receive copies of a public record, the employee should promptly forward the request to the District’s FOIA Coordinator. A requester is not required to use the District’s sample Request Form or to include the word “FOIA” in the request. Therefore, all written requests to inspect, copy, or receive copies of records should be promptly forwarded to the FOIA Coordinator for review.

- e. The FOIA Coordinator will keep a copy of all written requests for public records received by the District on file for a period of at least 1 year.

- f. A person may subscribe to future issuances of public records created, issued, or disseminated on a regular basis, such as notices or agendas of board meetings. In all other respects, if the requested public record does not exist as of the date requested, the District has no obligation under the FOIA to create the requested record or to provide a copy if created on a later date. A subscription is valid for up to 6 months and may be renewed by the subscriber.
- g. The FOIA Coordinator will, upon written request, furnish a certified copy of a public record to the requester.

2. Responses

- a. Unless otherwise agreed to in writing by the person making the request, the District must respond to a written request under FOIA within 5 business days (excluding weekends and legal holidays) after the District receives the request by doing one of the following:
 - i. granting the request;
 - ii. sending written notice denying the request;
 - iii. granting the request in part and issuing a written notice denying the request in part; or
 - iv. issuing a notice extending for not more than 10 business days the period during which the District will respond to the request. The District will not issue more than 1 notice of extension for a particular request.
- b. If a request is denied in whole or in part, the District must include in the written notice of denial an explanation of the basis for the denial and, if applicable, a certificate that the public record does not exist under the name given by the requester or by another name reasonably known to the District. A sample Certificate of Non-Existence of Public Record is appended/included as Attachment B Form 3501-F-2.
 - i. Exemptions to disclosure are set forth in Section 13 of the FOIA, MCL 15.243, which is available on the Michigan Legislature's website at www.legislature.mi.gov.
 - ii. If a public record or information is separated and exempt from disclosure (redacted), the District will describe generally the material exempted unless that description would reveal the contents of the exempt information and thus defeat the purpose of the exemption.
- c. The date for responding to a FOIA request depends upon the manner in which the request was delivered. A request sent by mail or delivered by hand is received for purposes of FOIA on the day it arrives at the District. A request sent by email, fax, or other electronic means is received for

purposes of FOIA 1 business day after the date on which it was electronically transmitted. If a request is sent by email and is diverted to the District spam or junk mail folder, the request is not received until 1 day after the date it is discovered in the spam or junk mail folder. The FOIA Coordinator will include in the District's records both the time that a written request was delivered to its spam or junk-mail folder and the time that the District first became aware of that request. The District will review the FOIA Coordinator's spam or junk mail folder at least once every 30 days.

- d. If a request is fully granted, the District will provide copies of, or an opportunity to inspect, all the public records that were requested upon payment of the appropriate fee (if any). No pages will be left out, and nothing will be redacted.
- e. The District will provide reasonable facilities for a requester to inspect non-exempt public records. The facilities will be available during the District's normal business hours. The FOIA Coordinator will establish rules regulating the manner in which records may be inspected to protect the District's records from loss, alteration, mutilation, or destruction or to prevent undue interference with the District's normal operations.
- f. The FOIA identifies numerous specific exemptions to disclosure. If a request includes information that is exempt from disclosure, the District will provide a written response and list the reason(s) why the record(s) or portions of records will not be disclosed. The District will include a link to, or a copy of, these Procedures and Guidelines (including the Public Summary and [AttachmentsForms 3501-F-1, 3501-F-2, and 3501-F-3](#)) with each denial.
- g. If a request is partially denied, it means that some records or parts of records will be disclosed, and that some records or parts of records will not be disclosed. The District will provide copies of, or an opportunity to inspect, the non-exempt records, but exempt information (which may consist of entire documents, pages, or information on a page) may be withheld or redacted. The District will include in the written notice of denial-in-part an explanation of the basis for the denial-in-part and, if applicable, a certificate that one or more of the public records does not exist under the name given by the requester or by another name reasonably known to the District. The District will include a link to, or a copy of, these Procedures and Guidelines (including the Public Summary and [AttachmentsForms 3501-F-1, 3501-F-2, and 3501-F-3](#)) with each denial.
- h. Failure of the District to respond to a FOIA request within the prescribed timelines constitutes denial of the request. The fee the District is permitted to charge will be reduced by 5% per day, up to a 50% reduction, if the failure to timely respond was willful or intentional or if the request included language described in FOIA as readily conveying a FOIA request. (See Section B.4., Fees).



- i. The FOIA does not require the District to create any records or to make compilations, summaries, or reports of existing records. If a request seeks records that do not exist, the District will certify that no records responsive to the request exist under the name or description provided in the request or another name known to the District. (See sample Certificate of Non-Existence of Public Record ~~appended~~included as Attachment B Form 3501-F-2).
- j. If a request asks for information that is available on the District's website, the District will notify the requester in its response where the records may be found. If a requester seeks paper copies of information available on the website, the District may charge the fees noted below and on the Fee Itemization Form, except that there will be no charge for separating exempt from non-exempt material.
- k. In lieu of paper copies, the requester may stipulate that the District provide non-exempt public records on non-paper physical media, by electronic mail, or other electronic means. The District is not required to produce non-exempt public records on non-paper physical media if the District lacks the technological capability necessary to provide the requested records on the particular non-paper physical media stipulated in the particular instance. The District is not required to use non-paper physical media provided by the requester and, to safeguard the District's information technology infrastructure, will not do so.

3. Deposit Requirements

- a. Where the District estimates that the fee authorized under the FOIA and these Procedures and Guidelines for responding to a request will exceed \$50, the District may require a good-faith deposit from the requester before processing the request. A good-faith deposit will not exceed half of the total estimated fee and will include a detailed itemization of estimated fee amounts. The FOIA Coordinator will provide the requester with a detailed itemization of allowable fees estimated to be incurred by the District to process the request as well as notice of the date by which the deposit must be received, which is 48 days after the notice is sent by any means of transmission. The District will include with its request for a good-faith deposit a best efforts estimate of the time frame within which the District will provide the requested public records. The timeframe estimate is not binding on the District, but the estimate will be made in good faith and the District will strive to be reasonably accurate.
- b. If a requester fails to pay the good-faith deposit within 48 days of the date of notice and if the requester has not filed an appeal of the deposit amount, the request will be considered abandoned by the requester and the District is no longer required to fulfill the request.

- c. If a requester previously requested public records from the District and if the District made the requested public records available on a timely basis but was not paid in full the total estimated fee for that previous request, the District may, to the extent permitted by the FOIA, require a deposit of up to 100% of the estimated fee for the subsequent request(s).

4. Fees

- a. A fee will not be charged for the cost to search, examine, review, and delete/separate/redact exempt from non-exempt information unless failure to charge a fee would result in unreasonably high costs to the District. In determining whether such costs are “unreasonably high,” the District will consider, on a case-by-case basis, the estimated costs given the volume and complexity of the request relative to the usual or typical costs incurred by the District in responding to FOIA requests.
- b. Fees are calculated using the Fee Itemization Form ~~appended to~~included with these Guidelines and Procedures as ~~Attachment G~~Form 3501-F-3. The District charges the following fees:
 - i. Labor costs incurred for searching for, locating, and examining public records. Labor costs are calculated in 15-minute increments (rounded down) and will not exceed the hourly rate of the lowest-paid employee capable of searching for, locating, and examining the public records. No overtime will be charged unless requested by the requester, approved by the District, and included on the Fee Itemization Form. The hourly rate of the lowest-paid employee capable of searching for, locating, and examining particular records may vary depending upon the nature of the records sought and the corresponding qualifications or authorizations required to search for, locate, or examine the requested record. All charges will be noted on the Fee Itemization Form.
 - ii. Labor costs for separating and deleting exempt information from non-exempt information. Labor costs are calculated in 15-minute increments (rounded down) and will not exceed the hourly rate of the lowest-paid employee capable of separating and deleting material that is exempt from disclosure from information that is non-exempt from disclosure. No overtime will be charged unless requested by the requester, approved by the District, and included on the Fee Itemization Form. The hourly rate of the lowest-paid employee capable of separating and deleting exempt information from non-exempt information may vary depending upon the nature of the records sought and the corresponding qualifications or authorizations required to separate and redact exempt information from non-exempt information. If the District FOIA Coordinator determines on a case-by-case basis that no employee of the District is capable of separating and deleting exempt from non-exempt material, the District may engage a contracted services provider and charge labor costs. Such labor costs will be calculated in 15-minute

increments (rounded down), and the hourly rate will not exceed 6 times the state minimum wage. All charges will be noted on the Fee Itemization Form.

- iii. Costs for non-paper physical media. A requester may stipulate that records be produced on non-paper physical media (e.g., a flash drive or CD). If the District has the technological capability to comply with the request for production on non-paper physical media, the District may charge the actual and most reasonably economical cost of the requested non-paper physical media, and the cost of non-paper physical media will be included on the Fee Itemization Form.
 - iv. Actual cost of duplication for paper records. The District will charge the actual cost of duplication (not to exceed 10 cents per sheet) for 8-1/2 by 11-inch sheets of paper or 8-1/2 by 14-inch sheets of paper. The actual cost of duplication will be charged for non-standard-sized sheets of paper and may exceed 10 cents per sheet. The District will utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.
 - v. Actual labor costs for duplication or publication. The District's charges for duplication or publication will not exceed the hourly rate of the lowest-paid employee capable of duplicating or publishing the records. The hourly rate of the lowest-paid employee capable of duplicating or publishing records may vary depending on the nature of the records sought. Duplication or publication fees are calculated in 15-minute increments (rounded down). All charges will be noted on the Fee Itemization Form.
 - vi. Postal delivery charges. The District may charge the costs of the least expensive form of postal delivery. If a requester asks for expedited mailing and if the District agrees to provide expedited mailing, the actual cost of the expedited mailing may be charged and must be included on the Fee Itemization Form.
 - vii. Fringe benefits. The District may add to the labor charges described above the actual cost of the public employee's fringe benefits, up to 50% of the labor costs. Fringe benefits must be noted on the Fee Itemization Form.
 - viii. Overtime wages. No overtime will be charged unless requested by the requester, approved by the District, and included on the Fee Itemization Form.
- c. Each of the fee components described above must be specifically listed on the Fee Itemization Form. A completed copy of the Fee Itemization Form will be included with the response to the request. A copy of the Fee



Itemization Form is ~~appended to~~included with these Procedures and Guidelines as Attachment C Form 3501-F-3.

- d. Fee reductions. If the FOIA Coordinator does not respond to a written request within the time frames required by FOIA, the District will reduce the charges for labor costs otherwise permitted under FOIA and these Procedure and Guidelines by 5% for each day the District exceeds the time permitted for a response to the request, up to a maximum 50% reduction, if either of the following applies:
 - i. The late response was willful and intentional.
 - ii. The written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment or specifically included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy," or a recognizable misspelling of such, or appropriate legal code reference for the FOIA, on the front of an envelope or in the subject line of an electronic mail, letter, or facsimile cover page.

If a fee reduction is required, the District will fully note the fee reduction on the detailed Fee Itemization Form (Attachment C Form 3501-F-3).

- e. Payment. The FOIA Coordinator will require that payment be made in full for the allowable fees before the requested records are made available.
- f. Fee waivers. A search for a public record may be conducted, or copies of public records may be furnished, without charge or at a reduced charge if the District determines, in its discretion, that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public records can be considered as primarily benefiting the general public.
- g. Discounts. Under the following circumstances, a public record search will be made by the District and a copy of a non-exempt public record will be furnished without charge for the first \$20 of the fee:
 - i. if an individual who is entitled to information under the FOIA:
 - submits an affidavit stating that the individual is receiving specific public assistance or is unable to pay the fee because of indigence and stating that the individual is not making the request in conjunction with outside parties in exchange for payment or other remuneration; and
 - that individual has not previously received discounted copies of public records from the District twice during the same calendar year.
 - ii. if a nonprofit corporation formally designated by the State of Michigan to carry out activities under subtitle C of the Developmental Disabilities

Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Individuals with Mental Illness Act, Public Law 99-319, or their successors, submits a request that meets all of the following requirements:

- is made directly on behalf of the organization or its clients;
- is made for a reason wholly consistent with the mission and provisions of those laws under Mental Health Code Section 431, 1974 PA 258, MCL 330.1931; and
- is accompanied by documentation of its designation by the state, if requested by the District.

5. Appeals

A requester may appeal any denial of records or any fee charged for public records.

a. Challenge to Record Denial.

i. If the District denies a request for records, the requester may either:

A) appeal to the District's Board; or

B) commence an action in the circuit court in [REDACTED] County within 180 days of the denial.

ii. If the requester appeals to the Board, the appeal must specifically state the word "appeal" and state the reason(s) that the denial should be reversed. The following rules apply to record denial appeals to the governing board:

A) An appeal is not "received" until the first regularly scheduled board meeting after the appeal is submitted.

B) Within 10 business days after receiving the appeal, the Board will do one of the following:

- reverse the denial;
- issue written notice upholding the denial;
- reverse the denial in part and issue written notice upholding the denial, in part; or
- issue written notice extending the time for response by not more than 10 business days.

C) If the Board fails to respond in a timely manner to the written appeal or upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requester may seek judicial review by commencing a civil action in circuit court.

- iii. A requester is not required to submit an appeal to the Board before commencing a civil action in circuit court to challenge a disclosure denial. If a circuit court determines that the requested record is not exempt from disclosure, the court will order the District to cease withholding or to produce all or a portion of the public record determined to have been wrongfully withheld. If the court determines that a disclosure denial was arbitrary and capricious, willful and intentional, or made in bad faith, the court will order that the District pay a civil fine to the state and punitive damages to the requester. If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced in the circuit court, the court will also require the District to pay the requester's reasonable attorneys' fees, costs, and disbursements. If the requester or the District prevails in part, the court may, in its discretion, award the District all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.
- b. Challenge to fee. If the District requires a fee (defined to include a deposit) that the requester believes exceeds the amount permitted under the FOIA or these publicly available Procedures and Guidelines, the requester may, within 45 days after receiving notice of the required fee, commence an action in the circuit court for the county in which the public record or the District's office is located.
 - i. If a court determines that the fee exceeds the amount permitted under the FOIA or these Procedures and Guidelines, the court will reduce the fee to the permissible amount (if any).
 - ii. If the requester prevails in an action commenced under this section by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.
 - iii. If the court determines that the District arbitrarily and capriciously violated FOIA by charging an excessive fee, or by acting in bad faith, the court will order that the District pay a civil fine to the state and punitive damages to the requester.

6. Questions

Any questions about these Procedures and Guidelines should be directed to the District's FOIA Coordinator.

~~7. Attachments~~

7. Related Forms

- a. 3501-F-1 Sample FOIA Request Form
- b. 3501-F-2 Sample Certificate of Non-Existence of Public Record

c. 3501-F-3 Standard Form for Detailed Itemization of Fee Amounts

~~Adoption~~-Date adopted:

~~Revised~~-Date revised:



Series 3000: Operations, Finance, and Property

3500 FOIA Requests and Record Retention

3501-AG Michigan Freedom of Information Act Procedures and Guidelines

The Michigan Freedom of Information Act (FOIA) provides for public access to certain public records, permits the charging of prescribed fees and deposits, and provides remedies and penalties for non-compliance. A person has a right to inspect, copy, or receive copies of certain requested public records. Some public records are permitted or required not to be disclosed. The District is a public body that must comply with FOIA. The District has established the following Procedures and Guidelines to implement FOIA. For purposes of these Procedures and Guidelines, terms have the same meaning as defined in FOIA. A complete copy of FOIA is available on the Michigan Legislature's website at www.legislature.mi.gov.

These Procedures and Guidelines (which include a Public Summary and a Fee Itemization Form) are available on the District's website at: www.kentisd.org. This link or a physical copy of these Procedures and Guidelines will be included in each of the District's FOIA responses. Paper copies of these Procedures and Guidelines are available upon request by a visitor at the District's Central Administration Offices, located at 2930 Knapp St. NE Grand Rapids, MI 49525.

A. Written Public Summary

1. How to Submit Written Requests

A written request to inspect, copy, or review a public record should be submitted to the District's FOIA Coordinator.

FOIA requests can be sent via U.S. Mail to:

Kent ISD - Office of the Superintendent
2930 Knapp St. NE Grand Rapids, MI
49525

FOIA requests sent via email should be sent to: FOIA@kentisd.org

FOIA requests sent via fax should be faxed to: 616-364-1488

A request must describe the public record in sufficient detail to enable the District to find the requested record. A sample Request Form is included with these Procedures and Guidelines as Form 3501-F-1.

A request must include the requester's (1) complete name (first and last name), (2) mailing address, and (3) either phone number or email address. A request made by an organization must include the contact information of its agent or representative. Any mailing address provided must be in a format that complies with United States Postal Service addressing standards. This information is not required for a request by an individual who qualifies as indigent under FOIA (i.e., by submitting an affidavit that describes the individual's indigence).

A person may subscribe to future issuances of public records created, issued, or disseminated by the District *on a regular basis*, such as notices of board meetings. A subscription is valid for up to 6 months and may be renewed by the subscriber.

In lieu of paper copies, the requester may stipulate that the District provide non-exempt public records on non-paper physical media, electronically mailed, or otherwise electronically provided. The District is not required to produce non-exempt public records on non-paper physical media if the District lacks the technological capability necessary to provide the requested records on the particular non-paper physical media stipulated in the particular instance. The District is not required to use non-paper physical media provided *by the requester* and, to safeguard the District's information technology infrastructure, will not do so.

A person may request a certified copy of a public record.

2. Explanation of Written Responses

The District will respond to a written request under FOIA within 5 business days (excluding weekends and legal holidays) after the District receives the written request, unless otherwise agreed to in writing by the requester. FOIA defines the date of receipt by the District differently depending upon how the request was delivered to the District (e.g., hand-delivery, U.S. Mail, email, facsimile).

The District will respond to a request by doing one of the following: (a) granting the request; (b) issuing a written notice denying the request; (c) granting the request in part and issuing a written notice denying the request in part; or (d) issuing a notice extending for not more than 10 business days the period during which the District will respond to the request. The District will not issue more than 1 notice of extension for a particular request.

If a requester asks for information that is available on the District's website, the District will notify the requester in its response where to find the records on its website. Paper copies of public records available on the District's website will be made available upon request, but a fee may be charged as explained in Section B.4 and on the detailed Fee Itemization Form.

The District will provide reasonable facilities for a requester to inspect non-exempt public records. The facilities will be available during the District's normal business hours. The FOIA Coordinator will establish rules regulating the manner in which a requester may inspect records to protect the District's records from loss, alteration, mutilation, or destruction or to prevent undue interference with the District's normal operations.

If a request is denied in whole or in part, the District will include in the written notice of denial an explanation of the basis for the denial and, if applicable, a certificate that the public record does not exist under the name given by the requester or by another name reasonably known to the District. A sample

Certificate of Non-Existence of Public Record is included as Form 3501-F-2. If a public record or information is separated and exempt from disclosure (redacted), the District will describe generally the material exempted unless that description would reveal the contents of the exempt information and thus defeat the purpose of the exemption.

3. Deposit Requirements

Where the District estimates that the fee authorized under the FOIA and these Procedures and Guidelines for responding to a request will exceed \$50, the District may require a good-faith deposit from the requester before processing the request. A good-faith deposit will not exceed half of the total estimated fee and will include a detailed itemization of estimated fee amounts. The FOIA Coordinator will provide the requester with a detailed itemization of the allowable fees estimated to be incurred by the District to process the request as well as notice of the date by which the deposit must be received, which is 48 days after the notice is sent by any means of transmission. The District will include with its request for a good-faith deposit a best efforts estimate of the time frame within which the District will provide the requested public records. The time frame estimate is not binding on the District but will be made in good faith, and the District will strive to be reasonably accurate.

If a requester previously requested public records from the District and if the District made the requested public records available on a timely basis but was not paid in full the total estimated fee for that previous request, the District may, to the extent permitted by the FOIA, require a deposit of up to 100% of the estimated fee for the subsequent request(s).

If a requester fails to pay the good-faith deposit within 48 days after the date of the deposit notice and if the requester has not appealed the deposit amount, the request will be considered abandoned and the District will no longer be required to fulfill the request.

4. Fee Calculations

The FOIA permits the District to charge 6 fee components: (a) labor costs of searching for, locating, and examining public records; (b) labor costs of separating or deleting (redacting) exempt information from non-exempt information; (c) labor costs to duplicate or publish requested public records; (d) actual costs of paper copies (not to exceed 10 cents per sheet for standard 8-1/2 by 11-inch sheets of paper or 8-1/2 by 14-inch sheets of paper); (e) actual costs of non-paper physical media (e.g., flash drive, CD), if requested and if the District has the technological capability to comply; and (f) actual costs of postal delivery. For more detailed information about the District's fee calculations, including fee reductions for untimely responses, see Section B.4. of these Procedures and Guidelines and Form 3501-F-3, Fee Itemization Form. The FOIA Coordinator will require that payment be made in full for the allowable fees before the requested records are made available.

- a. **Fee Waivers.** A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the District determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public records can be considered as primarily benefiting the general public.
- b. **Discounts.** Under the following circumstances, a public record search will be made by the District and a copy of a non-exempt public record will be furnished without charge for the first \$20 of the fee:
 - i. If an individual who is entitled to information under the FOIA:
 - submits an affidavit stating that the individual is receiving specific public assistance or is unable to pay the fee because of indigence and stating that the individual is not making the request in conjunction with outside parties in exchange for payment or other remuneration; and
 - that individual has not previously received discounted copies of public records from the District twice during the same calendar year.
 - ii. If a nonprofit corporation formally designated by the State of Michigan to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Individuals with Mental Illness Act, Public Law 99-319, or their successors, submits a request that meets all of the following requirements:
 - is made directly on behalf of the organization or its clients;
 - is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931; and
 - is accompanied by documentation of its designation by the state, if requested by the District.

5. Avenues for Challenge and Appeal

- a. **Challenge to Record Denial.** If the District fails to respond to a FOIA request or makes a final determination to deny all or a portion of a request, the requester may submit an appeal to the Board or may commence an action in the circuit court for the county in which the public record or the District's office is located. See Section B.5.a. of these Procedures and Guidelines for a more detailed explanation of the procedures and timelines for appealing a record denial.
- b. **Challenge to Fee.** If the District requires a fee that the requester believes exceeds the amount permitted under FOIA or the District's publicly available procedures and guidelines, the requester may commence an action in the circuit court for the county in which the public record or the District's office

is located. See Section B.5.b. of these Procedures and Guidelines for a more detailed explanation of the procedures and timelines for a fee appeal.

B. Procedures and Guidelines

1. Requests

- a. All “persons,” except those persons incarcerated in state or local correctional facilities, are entitled to submit a FOIA request to the District. A “person” is defined for purposes of the FOIA to mean “an individual, corporation, limited liability company, partnership, firm, organization, association, governmental entity, or other legal entity.” A request made by a “person,” other than an individual (e.g., a corporation, firm, governmental entity) must include the requester’s complete name (first and last name), mailing address, and either the phone number or email address of the “person’s” agent who is an individual. Any mailing address provided must comply with United States Postal Service addressing standards.
- b. A FOIA request is a written request to inspect, copy, or receive copies of a public record. A request must describe the public record in sufficient detail to enable the District to find the requested record. The District suggests that requesters use the sample Request Form (Form 3501-F-1).
- c. FOIA requests must be in writing. If, however, a person makes an oral request for information that is available on the District’s website and if the employee to whom the request is directed knows that the information is available on the District’s website, that employee must inform the requester that the information is available on the District’s website.
- d. The District’s FOIA Coordinator is responsible to process requests to inspect, copy, or receive copies of public records. FOIA requests should be sent to the District’s FOIA Coordinator.
 - i. FOIA requests can be sent via U.S. Mail to:

Kent ISD - Office of the Superintendent 2930 Knapp St. NE Grand Rapids, MI 49525
 - ii. FOIA requests sent via email should be sent to: FOIA@kentisd.org
 - iii. FOIA requests sent via fax should be faxed to: 616-364-1488

If an employee of the District receives a written request to inspect, copy, or receive copies of a public record, the employee should promptly forward the request to the District’s FOIA Coordinator. A requester is not required to use the District’s sample Request Form or to include the word “FOIA” in the request. Therefore, all written requests to inspect, copy, or receive copies of records should be promptly forwarded to the FOIA Coordinator for review.

- e. The FOIA Coordinator will keep a copy of all written requests for public records received by the District on file for a period of at least 1 year.
- f. A person may subscribe to future issuances of public records created, issued, or disseminated on a regular basis, such as notices or agendas of board meetings. In all other respects, if the requested public record does not exist as of the date requested, the District has no obligation under the FOIA to create the requested record or to provide a copy if created on a later date. A subscription is valid for up to 6 months and may be renewed by the subscriber.
- g. The FOIA Coordinator will, upon written request, furnish a certified copy of a public record to the requester.

2. Responses

- a. Unless otherwise agreed to in writing by the person making the request, the District must respond to a written request under FOIA within 5 business days (excluding weekends and legal holidays) after the District receives the request by doing one of the following:
 - i. granting the request;
 - ii. sending written notice denying the request;
 - iii. granting the request in part and issuing a written notice denying the request in part; or
 - iv. issuing a notice extending for not more than 10 business days the period during which the District will respond to the request. The District will not issue more than 1 notice of extension for a particular request.
- b. If a request is denied in whole or in part, the District must include in the written notice of denial an explanation of the basis for the denial and, if applicable, a certificate that the public record does not exist under the name given by the requester or by another name reasonably known to the District. A sample Certificate of Non-Existence of Public Record is included as Form 3501-F-2.
 - i. Exemptions to disclosure are set forth in Section 13 of the FOIA, MCL 15.243, which is available on the Michigan Legislature's website at www.legislature.mi.gov.
 - ii. If a public record or information is separated and exempt from disclosure (redacted), the District will describe generally the material exempted unless that description would reveal the contents of the exempt information and thus defeat the purpose of the exemption.
- c. The date for responding to a FOIA request depends upon the manner in which the request was delivered. A request sent by mail or delivered by

hand is received for purposes of FOIA on the day it arrives at the District. A request sent by email, fax, or other electronic means is received for purposes of FOIA 1 business day after the date on which it was electronically transmitted. If a request is sent by email and is diverted to the District spam or junk mail folder, the request is not received until 1 day after the date it is discovered in the spam or junk mail folder. The FOIA Coordinator will include in the District's records both the time that a written request was delivered to its spam or junk-mail folder and the time that the District first became aware of that request. The District will review the FOIA Coordinator's spam or junk mail folder at least once every 30 days.

- d. If a request is fully granted, the District will provide copies of, or an opportunity to inspect, all the public records that were requested upon payment of the appropriate fee (if any). No pages will be left out, and nothing will be redacted.
- e. The District will provide reasonable facilities for a requester to inspect non-exempt public records. The facilities will be available during the District's normal business hours. The FOIA Coordinator will establish rules regulating the manner in which records may be inspected to protect the District's records from loss, alteration, mutilation, or destruction or to prevent undue interference with the District's normal operations.
- f. The FOIA identifies numerous specific exemptions to disclosure. If a request includes information that is exempt from disclosure, the District will provide a written response and list the reason(s) why the record(s) or portions of records will not be disclosed. The District will include a link to, or a copy of, these Procedures and Guidelines (including the Public Summary and Forms 3501-F-1, 3501-F-2, and 3501-F-3) with each denial.
- g. If a request is partially denied, it means that some records or parts of records will be disclosed, and that some records or parts of records will not be disclosed. The District will provide copies of, or an opportunity to inspect, the non-exempt records, but exempt information (which may consist of entire documents, pages, or information on a page) may be withheld or redacted. The District will include in the written notice of denial-in-part an explanation of the basis for the denial-in-part and, if applicable, a certificate that one or more of the public records does not exist under the name given by the requester or by another name reasonably known to the District. The District will include a link to, or a copy of, these Procedures and Guidelines (including the Public Summary and Forms 3501-F-1, 3501-F-2, and 3501-F-3) with each denial.
- h. Failure of the District to respond to a FOIA request within the prescribed timelines constitutes denial of the request. The fee the District is permitted to charge will be reduced by 5% per day, up to a 50% reduction, if the failure to timely respond was willful or intentional or if the request included

language described in FOIA as readily conveying a FOIA request. (See Section B.4., Fees).

- i. The FOIA does not require the District to create any records or to make compilations, summaries, or reports of existing records. If a request seeks records that do not exist, the District will certify that no records responsive to the request exist under the name or description provided in the request or another name known to the District. (See sample Certificate of Non-Existence of Public Record included as Form 3501-F-2).
- j. If a request asks for information that is available on the District's website, the District will notify the requester in its response where the records may be found. If a requester seeks paper copies of information available on the website, the District may charge the fees noted below and on the Fee Itemization Form, except that there will be no charge for separating exempt from non-exempt material.
- k. In lieu of paper copies, the requester may stipulate that the District provide non-exempt public records on non-paper physical media, by electronic mail, or other electronic means. The District is not required to produce non-exempt public records on non-paper physical media if the District lacks the technological capability necessary to provide the requested records on the particular non-paper physical media stipulated in the particular instance. The District is not required to use non-paper physical media provided by the requester and, to safeguard the District's information technology infrastructure, will not do so.

3. Deposit Requirements

- a. Where the District estimates that the fee authorized under the FOIA and these Procedures and Guidelines for responding to a request will exceed \$50, the District may require a good-faith deposit from the requester before processing the request. A good-faith deposit will not exceed half of the total estimated fee and will include a detailed itemization of estimated fee amounts. The FOIA Coordinator will provide the requester with a detailed itemization of allowable fees estimated to be incurred by the District to process the request as well as notice of the date by which the deposit must be received, which is 48 days after the notice is sent by any means of transmission. The District will include with its request for a good-faith deposit a best efforts estimate of the time frame within which the District will provide the requested public records. The timeframe estimate is not binding on the District, but the estimate will be made in good faith and the District will strive to be reasonably accurate.
- b. If a requester fails to pay the good-faith deposit within 48 days of the date of notice and if the requester has not filed an appeal of the deposit amount, the request will be considered abandoned by the requester and the District is no longer required to fulfill the request.

- c. If a requester previously requested public records from the District and if the District made the requested public records available on a timely basis but was not paid in full the total estimated fee for that previous request, the District may, to the extent permitted by the FOIA, require a deposit of up to 100% of the estimated fee for the subsequent request(s).

4. Fees

- a. A fee will not be charged for the cost to search, examine, review, and delete/separate/redact exempt from non-exempt information unless failure to charge a fee would result in unreasonably high costs to the District. In determining whether such costs are “unreasonably high,” the District will consider, on a case-by-case basis, the estimated costs given the volume and complexity of the request relative to the usual or typical costs incurred by the District in responding to FOIA requests.
- b. Fees are calculated using the Fee Itemization Form included with these Guidelines and Procedures as Form 3501-F-3. The District charges the following fees:
 - i. Labor costs incurred for searching for, locating, and examining public records. Labor costs are calculated in 15-minute increments (rounded down) and will not exceed the hourly rate of the lowest-paid employee capable of searching for, locating, and examining the public records. No overtime will be charged unless requested by the requester, approved by the District, and included on the Fee Itemization Form. The hourly rate of the lowest-paid employee capable of searching for, locating, and examining particular records may vary depending upon the nature of the records sought and the corresponding qualifications or authorizations required to search for, locate, or examine the requested record. All charges will be noted on the Fee Itemization Form.
 - ii. Labor costs for separating and deleting exempt information from non-exempt information. Labor costs are calculated in 15-minute increments (rounded down) and will not exceed the hourly rate of the lowest-paid employee capable of separating and deleting material that is exempt from disclosure from information that is non-exempt from disclosure. No overtime will be charged unless requested by the requester, approved by the District, and included on the Fee Itemization Form. The hourly rate of the lowest-paid employee capable of separating and deleting exempt information from non-exempt information may vary depending upon the nature of the records sought and the corresponding qualifications or authorizations required to separate and redact exempt information from non-exempt information. If the District FOIA Coordinator determines on a case-by-case basis that no employee of the District is capable of separating and deleting exempt from non-exempt material, the District may engage a contracted services provider and charge labor costs. Such labor costs will be calculated in 15-minute

increments (rounded down), and the hourly rate will not exceed 6 times the state minimum wage. All charges will be noted on the Fee Itemization Form.

- iii. Costs for non-paper physical media. A requester may stipulate that records be produced on non-paper physical media (e.g., a flash drive or CD). If the District has the technological capability to comply with the request for production on non-paper physical media, the District may charge the actual and most reasonably economical cost of the requested non-paper physical media, and the cost of non-paper physical media will be included on the Fee Itemization Form.
 - iv. Actual cost of duplication for paper records. The District will charge the actual cost of duplication (not to exceed 10 cents per sheet) for 8-1/2 by 11-inch sheets of paper or 8-1/2 by 14-inch sheets of paper. The actual cost of duplication will be charged for non-standard-sized sheets of paper and may exceed 10 cents per sheet. The District will utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.
 - v. Actual labor costs for duplication or publication. The District's charges for duplication or publication will not exceed the hourly rate of the lowest-paid employee capable of duplicating or publishing the records. The hourly rate of the lowest-paid employee capable of duplicating or publishing records may vary depending on the nature of the records sought. Duplication or publication fees are calculated in 15-minute increments (rounded down). All charges will be noted on the Fee Itemization Form.
 - vi. Postal delivery charges. The District may charge the costs of the least expensive form of postal delivery. If a requester asks for expedited mailing and if the District agrees to provide expedited mailing, the actual cost of the expedited mailing may be charged and must be included on the Fee Itemization Form.
 - vii. Fringe benefits. The District may add to the labor charges described above the actual cost of the public employee's fringe benefits, up to 50% of the labor costs. Fringe benefits must be noted on the Fee Itemization Form.
 - viii. Overtime wages. No overtime will be charged unless requested by the requester, approved by the District, and included on the Fee Itemization Form.
- c. Each of the fee components described above must be specifically listed on the Fee Itemization Form. A completed copy of the Fee Itemization Form will be included with the response to the request. A copy of the Fee

Itemization Form is included with these Procedures and Guidelines as Form 3501-F-3.

- d. Fee reductions. If the FOIA Coordinator does not respond to a written request within the time frames required by FOIA, the District will reduce the charges for labor costs otherwise permitted under FOIA and these Procedure and Guidelines by 5% for each day the District exceeds the time permitted for a response to the request, up to a maximum 50% reduction, if either of the following applies:
 - i. The late response was willful and intentional.
 - ii. The written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment or specifically included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy," or a recognizable misspelling of such, or appropriate legal code reference for the FOIA, on the front of an envelope or in the subject line of an electronic mail, letter, or facsimile cover page.

If a fee reduction is required, the District will fully note the fee reduction on the detailed Fee Itemization Form (Form 3501-F-3).

- e. Payment. The FOIA Coordinator will require that payment be made in full for the allowable fees before the requested records are made available.
- f. Fee waivers. A search for a public record may be conducted, or copies of public records may be furnished, without charge or at a reduced charge if the District determines, in its discretion, that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public records can be considered as primarily benefiting the general public.
- g. Discounts. Under the following circumstances, a public record search will be made by the District and a copy of a non-exempt public record will be furnished without charge for the first \$20 of the fee:
 - i. if an individual who is entitled to information under the FOIA:
 - submits an affidavit stating that the individual is receiving specific public assistance or is unable to pay the fee because of indigence and stating that the individual is not making the request in conjunction with outside parties in exchange for payment or other remuneration; and
 - that individual has not previously received discounted copies of public records from the District twice during the same calendar year.
 - ii. if a nonprofit corporation formally designated by the State of Michigan to carry out activities under subtitle C of the Developmental Disabilities

Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Individuals with Mental Illness Act, Public Law 99-319, or their successors, submits a request that meets all of the following requirements:

- is made directly on behalf of the organization or its clients;
- is made for a reason wholly consistent with the mission and provisions of those laws under Mental Health Code Section 431, 1974 PA 258, MCL 330.1931; and
- is accompanied by documentation of its designation by the state, if requested by the District.

5. Appeals

A requester may appeal any denial of records or any fee charged for public records.

a. Challenge to Record Denial.

i. If the District denies a request for records, the requester may either:

A) appeal to the District's Board; or

B) commence an action in the circuit court in Kent County within 180 days of the denial.

ii. If the requester appeals to the Board, the appeal must specifically state the word "appeal" and state the reason(s) that the denial should be reversed. The following rules apply to record denial appeals to the governing board:

A) An appeal is not "received" until the first regularly scheduled board meeting after the appeal is submitted.

B) Within 10 business days after receiving the appeal, the Board will do one of the following:

- reverse the denial;
- issue written notice upholding the denial;
- reverse the denial in part and issue written notice upholding the denial, in part; or
- issue written notice extending the time for response by not more than 10 business days.

C) If the Board fails to respond in a timely manner to the written appeal or upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requester may seek judicial review by commencing a civil action in circuit court.

- iii. A requester is not required to submit an appeal to the Board before commencing a civil action in circuit court to challenge a disclosure denial. If a circuit court determines that the requested record is not exempt from disclosure, the court will order the District to cease withholding or to produce all or a portion of the public record determined to have been wrongfully withheld. If the court determines that a disclosure denial was arbitrary and capricious, willful and intentional, or made in bad faith, the court will order that the District pay a civil fine to the state and punitive damages to the requester. If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced in the circuit court, the court will also require the District to pay the requester's reasonable attorneys' fees, costs, and disbursements. If the requester or the District prevails in part, the court may, in its discretion, award the District all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.
- b. Challenge to fee. If the District requires a fee (defined to include a deposit) that the requester believes exceeds the amount permitted under the FOIA or these publicly available Procedures and Guidelines, the requester may, within 45 days after receiving notice of the required fee, commence an action in the circuit court for the county in which the public record or the District's office is located.
 - i. If a court determines that the fee exceeds the amount permitted under the FOIA or these Procedures and Guidelines, the court will reduce the fee to the permissible amount (if any).
 - ii. If the requester prevails in an action commenced under this section by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.
 - iii. If the court determines that the District arbitrarily and capriciously violated FOIA by charging an excessive fee, or by acting in bad faith, the court will order that the District pay a civil fine to the state and punitive damages to the requester.

6. Questions

Any questions about these Procedures and Guidelines should be directed to the District's FOIA Coordinator.

7. Related Forms

- a. 3501-F-1 Sample FOIA Request Form
- b. 3501-F-2 Sample Certificate of Non-Existence of Public Record
- c. 3501-F-3 Standard Form for Detailed Itemization of Fee Amounts

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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 ~~discrimination, Unlawful Discrimination, including~~ unlawful harassment, and ~~unlawful retaliation~~ 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 (including pregnancy or related conditions, gender identity, and/or sexual orientation), height, weight, marital status, age, disability, genetic information, veteran status, military service, or any other legally protected class. This Policy also prohibits ~~unlawful retaliation~~ 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 (including gender identity and sexual orientation);
- 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;
- ~~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;~~
- 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;
- ~~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;~~
- 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;

- Michigan Paid Medical Leave Act of 2018 (PMLA), which provides eligible employees paid medical leave 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;
- 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 ~~must~~ is encouraged to file a complaint ~~using the Employment Complaint Procedure in Policy 4104. If Title IX sexual harassment is alleged, promptly with a supervisor. A complaint implicating an individual's civil rights will be investigated pursuant to the procedures set forth outlined in Policy 3118 should be followed 4104 and 3115-3115H.~~

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~~ Unlawful Discrimination and ~~retaliation. This duty to report applies to unlawful discrimination and retaliation~~ Retaliation that the Board member, administrator, or supervisor 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 ~~discrimination~~Unlawful Discrimination and ~~retaliation~~Retaliation complaints.

The District may also provide ~~discrimination~~Unlawful Discrimination and ~~retaliation~~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.; 38 USC 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.

Date adopted:

Date revised:

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 (including pregnancy or related conditions, gender identity, or sexual orientation), 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 (including gender identity and sexual orientation);
- 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;
- 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;
- Michigan Paid Medical Leave Act of 2018 (PMLA), which provides eligible employees paid medical leave 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;
- 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 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.

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.; 38 USC 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.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4102 ~~Anti-Harassment, Including Sexual Harassment~~

A. Policy Statement

Employees will have the opportunity to work in an atmosphere free from unlawful harassment, ~~including sex-based harassment~~, as defined by state, federal, and local laws. ~~The District prohibits quid pro quo and hostile work environment harassment.~~

The District will promptly and thoroughly investigate complaints ~~pursuant to Policy 4104~~ alleging unlawful harassment and take appropriate action, including discipline, against any person found to have ~~violated this Policy. Investigation determinations will be based on a preponderance of the evidence engaged in unlawful harassment.~~

~~Unlawful harassment is strictly prohibited. This Policy applies to employee conduct perpetrated against other employees, parents/guardians, officers, Board members, agents, contractors, volunteers, and members of the public. Although Title VII sexual harassment falls within this Policy, Title IX sexual harassment does not. For the District's Policy on Title IX sexual harassment, see Policy 3118. Allegations that an employee engaged in unlawful discrimination, harassment, or retaliation against a student will be investigated under Policy 5202.~~

~~This Policy applies to unlawful conduct related to work in any way, regardless of location.~~

~~D. Unlawful Employment Harassment Definition~~

~~Except with regard to Title IX sexual harassment, the following definitions apply:~~

~~0. "Quid pro quo" harassment occurs when a supervisor requires sex, sexual favors, or sexual contact from an employee or job candidate as a condition of employment and where:~~

~~— submission to that conduct or communication is made a term or condition, either explicitly or implicitly, to obtain or maintain employment; or~~

~~— submission to or rejection of that conduct or communication is used as a factor in a decision affecting a person's employment.~~

~~0. "Hostile work environment" harassment is unwelcome verbal, visual/written, or physical conduct towards an employee because of the employee's race, color, national origin, ethnicity, religion, sex (including pregnancy), height, weight, marital status, gender identity or expression, age, sexual orientation, disability, genetic information, veteran status, military service, or any other protected class and that has:~~

- ~~— the purpose or effect of creating an intimidating, hostile, or offensive work environment;~~
- ~~— the purpose or effect of unreasonably interfering with an employee's work; or~~
- ~~— an adverse impact on a person's employment opportunities.~~

~~Hostile work environment harassment is unlawful where it is based on an employee's protected class and the offensive conduct becomes a condition of continued employment or the conduct is sufficiently severe or pervasive to create a work environment that a reasonable person under the totality of circumstances would consider intimidating, hostile, or offensive.~~

~~Q. Examples of conduct that may constitute unlawful sexual harassment include:~~

- ~~— Verbal: Unwelcome comments, including: the use of derogatory, sexually suggestive, or vulgar language; the use of sexual innuendo; unwelcome advances or repeated requests for dates or sexual favors; threats based on or motivated by a person's sex; demanding or pressuring another person to submit to sexual requests or advances to attain academic or professional achievement; threatening another person's academic or professional reputation if that person does not submit to sexual requests or advances; or any other similar behavior.~~
- ~~— Visual/Written: Subjecting another person to sexually suggestive, pornographic, or obscene images, text, or cartoons, including by electronic mail, text message, letter, or any other medium; the use of obscene gestures toward or around another person; leering at another person; or any other similar behavior.~~
- ~~— Physical: Unwanted kissing, touching, patting, hugging, pinching, or any other unwanted physical contact; impeding another person's normal movements; stalking, assault, or battery based on the victim's sex; any other physical interference with another person based on that person's sex; or any other similar behavior.~~

~~R. Unlawful Retaliation~~

~~Unlawful retaliation against a complainant, witness, or other investigation participant is prohibited. Any person who unlawfully retaliates is subject to discipline, including discharge. A person who knowingly files a materially false complaint or makes a materially false statement is subject to discipline, including discharge.~~

~~B. The District's procedures for investigating unlawful harassment are contained in Policy 3115-3115H.~~

~~T.C. Reporting Requirements~~

Board members, administrators, and supervisors must promptly report incidents of unlawful harassment and ~~retaliation. This duty to report applies to unlawful harassment and retaliation that the Board member, administrator, or supervisor~~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.

Legal authority: 20 USC 1681 et seq.; 29 USC 621 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 106.8, ~~106.9;1~~ et seq.; MCL 37.1101 et seq., 37.2101 et seq.; MCL 380.1300a

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4102 *Anti-Harassment*

A. Policy Statement

Employees will have the opportunity to work in an atmosphere free from unlawful harassment as defined by state, federal, and local laws.

The District will promptly and thoroughly investigate complaints alleging unlawful harassment and take appropriate action, including discipline, against any person found to have engaged in unlawful harassment.

- B. The District's procedures for investigating unlawful harassment are contained in Policy 3115-3115H.

C. Reporting Requirements

Board members, administrators, and supervisors must promptly report incidents of unlawful harassment 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.

Legal authority: 20 USC 1681 et seq.; 29 USC 621 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.; MCL 380.1300a

Date adopted: August 15, 2022

Date revised: August 19, 2024

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~~Unlawful Discrimination, including unlawful ~~Title VII sexual harassment~~, and ~~retaliation~~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 and retaliation~~ 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, including unlawful~~Unlawful Discrimination, harassment, or ~~retaliation~~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.

~~[EMPLOYMENT COMPLIANCE OFFICER NAME OR POSITION/TITLE]~~

~~[EMPLOYMENT COMPLIANCE OFFICER ADDRESS]~~

~~[EMPLOYMENT COMPLIANCE OFFICER PHONE NUMBER]~~

~~[EMPLOYMENT COMPLIANCE OFFICER EMAIL]~~

~~[Note - Consider listing 2 people]~~

~~Title IX sexual harassment complaints, including dual Title VII and Title IX harassment complaints that cannot be bifurcated, must be processed under Policy 3118.~~

- ~~8. A complaint against the Employment Compliance Officer(s) must be made to the Superintendent or President. A complaint against the Superintendent must be made to the President. A complaint against the President must be made to the Vice President.~~

- ~~9.2. A complaint of discriminationUnlawful Discrimination, including unlawful harassment, or retaliationRetaliation, may be made verbally or in writing. The complaint will be memorialized on Form 44043115-F-1.~~

B. Investigation Procedures

- ~~—A written or verbal report (including an anonymous report) of discriminationUnlawful Discrimination, including unlawful harassment, or retaliationRetaliation, will be investigated promptly and thoroughly.~~

- ~~2. An impartial investigator will investigate using the complaint and, if appropriate, notify law enforcement. A third party investigator may be appointed to investigate Grievance Procedure outlined in Policy 3115E, unless the complaint. The investigator(s) should consult with legal counsel in appropriate cases.~~
- ~~2. The investigator(s) will determine the relevant and appropriate witnesses to be interviewed based on the allegations, Board policy, and the law, and use reasonable efforts to do so. In most cases, the Complainant(s) and the Respondent(s) will be interviewed. The investigator(s) should remind interviewees to maintain confidentiality to the extent permitted by law.~~
- ~~2. Complaints, evidence, witness statements, investigation notes, and findings will be maintained in a confidential manner and protected from disclosure to the extent permitted by law.~~
- ~~2. The preponderance of the evidence (i.e., more likely than not) standard of proof will be used to determine whether discrimination, including unlawful harassment, or retaliation occurred.~~
- ~~2. The investigator(s) may create an investigation report of factual conclusions and findings.~~
- ~~2. The outcome of the investigation will be reported to the Complainant(s) and the Respondent(s).~~

~~B. Remedies~~

~~The District will take prompt and appropriate remedial action to address substantiated instances of discrimination, including unlawful harassment, or retaliation. Remediation may include restorative practices, training, counseling, discipline, transfer, demotion, discharge, or other action as deemed appropriate.~~

~~B. False Complaint or False Statement~~

~~A person who knowingly files a false complaint or makes a materially false statement is subject to discipline, including discharge.~~

~~B. Unlawful Retaliation~~

~~Retaliation against an investigation participant dismissed pursuant to Policy 3115F or informal resolution is prohibited. Any person who unlawfully retaliates is subject to discipline, including discharge. reached Pursuant to Policy 3115D.~~

~~C. Appeal Process~~

~~A Complainant or Respondent who objects to the investigation process or findings must file a written appeal with the Superintendent within 10 business days after receiving the investigation outcome. The written appeal must cite specific objections to the investigation process or findings. If the Superintendent is the~~

~~Respondent or Complainant, an appeal must be filed with the President. If the President is the Respondent or Complainant, an appeal must be filed with the Vice President.~~

~~An appeal will be forwarded to the Board or designee for consideration and action. The Board or designee, in consultation with legal counsel, will take appropriate action, generally within 30 calendar days after receipt of the appeal. A Board officer will then notify the parties in writing of the appeal decision.~~

F.C. Reports to State or Federal Administrative Agencies

Any person who believes that he/she was the victim of ~~discrimination~~Unlawful Discrimination, including unlawful harassment; or ~~retaliation~~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 Capitol Tower Building
110 W. Michigan Avenue, Suite 800
Lansing, MI 48933
Phone: 517-335-3165
Fax: 517-241-0546
TTY: 517-241-1965
Email: MDCR-INFO@michigan.gov

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
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 ~~discrimination~~Unlawful Discrimination, including unlawful harassment; or ~~retaliation~~Retaliation, also file a complaint with the District to ensure that the District can take steps to prevent further ~~discrimination~~Unlawful Discrimination, including unlawful harassment; or ~~retaliation~~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, 106.8, ~~106.9, 110.1, et seq.~~; MCL 15.261 et seq.; MCL 37.1101 et seq., 37.2101 et seq.

Date adopted:

Date revised:

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.

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.

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 Capitol Tower Building
110 W. Michigan Avenue, Suite 800
Lansing, MI 48933
Phone: 517-335-3165
Fax: 517-241-0546
TTY: 517-241-1965
Email: MDCR-INFO@michigan.gov

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
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.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105 *Disability Workplace Accommodations for Employees and Applicants* ~~Under State and Federal Law~~

The District complies with the ADA, Section 504, the MPDCRA, ~~PWFA~~, and other federal, state, and local laws that prohibit discrimination in employment against qualified persons with disabilities ~~or with limitations related to pregnancy, childbirth, or related medical conditions.~~ The District does not unlawfully discriminate against otherwise qualified employees or applicants for employment with a physical or mental impairment that substantially limits one or more major life activities, those regarded as having a disability, ~~or those with a record of a disability, or employees with limitations related to pregnancy, childbirth, or related medical conditions.~~

An applicant or employee with a disability, ~~or an employee with limitations related to pregnancy, childbirth, or related medical conditions,~~ like all other applicants and employees, must meet the District's requirements for the job, including education, training, employment experience, skills, or licenses/certifications. An applicant or employee with a disability ~~or an employee with limitations related to pregnancy, childbirth, or related medical conditions~~ must be able to perform the job's essential functions with or without reasonable accommodation(s). After an applicant has been given a conditional job offer, the District may ask disability-related questions about the applicant's ability to perform the essential functions of the position with or without reasonable accommodation.

An employee who requires a reasonable accommodation to perform essential job functions must promptly inform the employee's supervisor or the Superintendent or designee. An applicant who requires a reasonable accommodation to perform essential job functions must promptly inform the Superintendent or designee after receiving a conditional offer of employment. A reasonable accommodation is defined as a change in the work environment or in the methods of performing work to enable an otherwise qualified applicant or employee to perform the essential job functions of a position and to enjoy equal employment opportunities.

Upon receipt of an accommodation request, the District will begin the interactive process with the employee or applicant to consider reasonable accommodation options consistent with the ADA, Section 504, and the MPDCRA: ~~[Optional using the interactive process form, Form 4105-F].~~

Reasonable accommodation requests that do not pose a direct threat to health or safety or cause undue hardship, as defined by law, will be considered for qualified applicants or employees with a physical or mental impairment that substantially limits one or more major life activities, ~~or for employees with limitations related to pregnancy, childbirth, or related medical conditions.~~

After considering the relevant medical information, essential job functions, and the applicant's or employee's requested accommodations, the District will, as appropriate, implement reasonable accommodations that do not pose a direct threat to health or safety

or cause an undue hardship. The District is not obligated to adopt the applicant's or employee's specific accommodation request.

The District may engage or re-engage in the interactive process, as necessary.

The District may require a medical statement supporting the requested accommodation. The District may also require an employee to undergo an independent medical examination, limited to the accommodation request, at the District's expense. Medical information will be kept confidential.

Reasonable accommodation of a disability with a limited duration may be provided.

An applicant or employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104.

A qualified applicant or employee with a disability who needs a reasonable accommodation to attend or participate in a public Board meeting may request an accommodation under Policy 2501.

Legal authority: 29 USC 701 et seq.; 42 USC 12101 et seq.; 29 CFR 1630; 34 CFR 104; ~~H.R. 2617-1626, 117th Cong. § 103(1)~~; MCL 37.1101 et seq., 37.2101 et seq.

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105 Disability Workplace Accommodations for Employees and Applicants

The District complies with the ADA, Section 504, the MPDCRA, and other federal, state, and local laws that prohibit discrimination in employment against qualified persons with disabilities. The District does not unlawfully discriminate against otherwise qualified employees or applicants for employment with a physical or mental impairment that substantially limits one or more major life activities, those regarded as having a disability, or those with a record of a disability.

An applicant or employee with a disability, like all other applicants and employees, must meet the District's requirements for the job, including education, training, employment experience, skills, or licenses/certifications. An applicant or employee with a disability must be able to perform the job's essential functions with or without reasonable accommodation(s). After an applicant has been given a conditional job offer, the District may ask disability-related questions about the applicant's ability to perform the essential functions of the position with or without reasonable accommodation.

An employee who requires a reasonable accommodation to perform essential job functions must promptly inform the employee's supervisor or the Superintendent or designee. An applicant who requires a reasonable accommodation to perform essential job functions must promptly inform the Superintendent or designee after receiving a conditional offer of employment. A reasonable accommodation is defined as a change in the work environment or in the methods of performing work to enable an otherwise qualified applicant or employee to perform the essential job functions of a position and to enjoy equal employment opportunities.

Upon receipt of an accommodation request, the District will begin the interactive process with the employee or applicant to consider reasonable accommodation options consistent with the ADA, Section 504, and the MPDCRA.

Reasonable accommodation requests that do not pose a direct threat to health or safety or cause undue hardship, as defined by law, will be considered for qualified applicants or employees with a physical or mental impairment that substantially limits one or more major life activities.

After considering the relevant medical information, essential job functions, and the applicant's or employee's requested accommodations, the District will, as appropriate, implement reasonable accommodations that do not pose a direct threat to health or safety or cause an undue hardship. The District is not obligated to adopt the applicant's or employee's specific accommodation request.

The District may engage or re-engage in the interactive process, as necessary.

The District may require a medical statement supporting the requested accommodation. The District may also require an employee to undergo an independent medical

examination, limited to the accommodation request, at the District's expense. Medical information will be kept confidential.

Reasonable accommodation of a disability with a limited duration may be provided.

An applicant or employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104.

A qualified applicant or employee with a disability who needs a reasonable accommodation to attend or participate in a public Board meeting may request an accommodation under Policy 2501.

Legal authority: 29 USC 701 et seq.; 42 USC 12101 et seq.; 29 CFR 1630; 34 CFR 104; MCL 37.1101 et seq., 37.2101 et seq.

Date adopted: August 15, 2022

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Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105A Pregnancy Workplace Accommodations for Employees and Applicants

[Recommended for Districts with 15 or More Employees] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

The District complies with state and federal law prohibiting pregnancy discrimination. The District will provide reasonable accommodations to known limitations related to pregnancy, childbirth, or related medical conditions of a qualified employee absent an undue hardship. The District treats pregnancy or related conditions as any other temporary medical condition for all job-related purposes. For purposes of this policy, the term "employee" includes an applicant for employment where relevant.

For an employee who requires a reasonable accommodation due to a known limitation related to pregnancy, childbirth, or related medical conditions, the employee or the employee's representative must make a proper District official (as identified in Pregnant Workers Fairness Act ("PWFA") regulations) aware of the limitation.

Upon receipt of an accommodation request, the District will begin the interactive process with the employee to consider whether the employee is qualified under the PWFA and, if so, reasonable accommodation options consistent with the PWFA that do not cause undue hardship [Optional: using the interactive process form, 4105A-F].

Determining whether an employee is qualified may be a two-step inquiry. First, the District will determine whether the employee can perform the essential job functions of the employee's position with or without a reasonable accommodation. If so, the employee is qualified. If not, then the District will consider the employee to be qualified if: (1) any inability to perform an essential job function(s) is for a temporary period, (2) the essential function(s) could be performed in the near future, and (3) the inability to perform the essential function(s) can be reasonably accommodated without an undue hardship.

Reasonable accommodation requests will not be granted if they cause an undue hardship, as defined by law. The District may require medical documentation supporting the requested accommodation where allowed by law because the information is necessary for assessing the accommodation request. Medical information will be kept confidential.

After considering any relevant medical information, essential job functions, and the employee's requested accommodations, the District will, as appropriate, implement reasonable accommodations for a qualified employee that do not cause an undue hardship. The District is not obligated to adopt the employee's specific accommodation request. The District may engage or re-engage in the interactive process, as necessary.

A reasonable accommodation may include a voluntary leave of absence. If an employee has insufficient leave or insufficient accrued employment time to qualify for leave, or if the

District does not maintain a leave policy applicable to the employee, the District will treat any pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee will be reinstated to the status held when the leave began or to a comparable position without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

An employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104. For additional information about preventing and addressing pregnancy discrimination, see Policy 3115G.

Legal authority: 42 USC 2000gg et seq.; 29 CFR 1636.1 et seq.; 34 CFR 106.57

Date adopted:

Date revised:



Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105A Pregnancy Workplace Accommodations for Employees and Applicants

The District complies with state and federal law prohibiting pregnancy discrimination. The District will provide reasonable accommodations to known limitations related to pregnancy, childbirth, or related medical conditions of a qualified employee absent an undue hardship. The District treats pregnancy or related conditions as any other temporary medical condition for all job-related purposes. For purposes of this policy, the term "employee" includes an applicant for employment where relevant.

For an employee who requires a reasonable accommodation due to a known limitation related to pregnancy, childbirth, or related medical conditions, the employee or the employee's representative must make a proper District official (as identified in Pregnant Workers Fairness Act ("PWFA") regulations) aware of the limitation.

Upon receipt of an accommodation request, the District will begin the interactive process with the employee to consider whether the employee is qualified under the PWFA and, if so, reasonable accommodation options consistent with the PWFA that do not cause undue hardship.

Determining whether an employee is qualified may be a two-step inquiry. First, the District will determine whether the employee can perform the essential job functions of the employee's position with or without a reasonable accommodation. If so, the employee is qualified. If not, then the District will consider the employee to be qualified if: (1) any inability to perform an essential job function(s) is for a temporary period, (2) the essential function(s) could be performed in the near future, and (3) the inability to perform the essential function(s) can be reasonably accommodated without an undue hardship.

Reasonable accommodation requests will not be granted if they cause an undue hardship, as defined by law. The District may require medical documentation supporting the requested accommodation where allowed by law because the information is necessary for assessing the accommodation request. Medical information will be kept confidential.

After considering any relevant medical information, essential job functions, and the employee's requested accommodations, the District will, as appropriate, implement reasonable accommodations for a qualified employee that do not cause an undue hardship. The District is not obligated to adopt the employee's specific accommodation request. The District may engage or re-engage in the interactive process, as necessary.

A reasonable accommodation may include a voluntary leave of absence. If an employee has insufficient leave or insufficient accrued employment time to qualify for leave, or if the District does not maintain a leave policy applicable to the employee, the District will treat any pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee will be reinstated to the status held when the leave began or to a comparable position without

decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

An employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104. For additional information about preventing and addressing pregnancy discrimination, see Policy 3115G.

Legal authority: 42 USC 2000gg et seq.; 29 CFR 1636.1 et seq.; 34 CFR 106.57

Date adopted: August 19, 2024

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105B Religious Workplace Accommodations for Employees and Applicants

The District complies with Title VII and state and local laws that prohibit discrimination in employment against employees or applicants for employment based on religion. The District will reasonably accommodate sincerely held religious beliefs, practices, and observances of employees and applicants for employment absent an undue hardship.

An employee or applicant for employment who requests a reasonable accommodation based on religion must promptly inform the Superintendent or designee. Upon receipt of an accommodation request, the District will meet with the employee or applicant to consider reasonable accommodation options consistent with Title VII. Reasonable accommodation requests that do not pose an undue hardship will be considered.

After considering the requested accommodation and other relevant information, the District will, as appropriate, implement reasonable accommodations that do not pose an undue hardship (as defined by law). The District is not obligated to adopt the applicant's or employee's specific accommodation request.

The District may engage or re-engage in accommodation discussions, as necessary.

An applicant or employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104.

Legal authority: 42 USC 2000e, et seq.; *Groff v DeJoy*, 143 S Ct 646 (2023)

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105B Religious Workplace Accommodations for Employees and Applicants

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An employee or applicant for employment who requests a reasonable accommodation based on religion must promptly inform the Superintendent or designee. Upon receipt of an accommodation request, the District will meet with the employee or applicant to consider reasonable accommodation options consistent with Title VII. Reasonable accommodation requests that do not pose an undue hardship will be considered.

After considering the requested accommodation and other relevant information, the District will, as appropriate, implement reasonable accommodations that do not pose an undue hardship (as defined by law). The District is not obligated to adopt the applicant's or employee's specific accommodation request.

The District may engage or re-engage in accommodation discussions, as necessary.

An applicant or employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104.

Legal authority: 42 USC 2000e, et seq.; *Groff v DeJoy*, 143 S Ct 646 (2023)

Date adopted: August 19, 2024

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4106 Family and Medical Leave Act (FMLA) [Optional for Districts with Less Than 50 Employees / Required for Districts with 50 or More Employees] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

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

A. Qualifying for FMLA Leave

1. Employee Eligibility

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

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

b. The applicable 12-month period to determine an employee's entitlement to FMLA leave (i.e., the FMLA leave year) is [Choose one: a "rolling" 12-month period measured backward from when the FMLA leave would commence / a "rolling" 12-month period measured forward from the date the employee first takes FMLA leave / the period from _____ to _____ / the calendar year, January 1 to December 31].

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

2. Qualifying Events

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

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

3. Limitations on FMLA Leave

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

- d. Concerning spouses who are both employed by the District, and both eligible for FMLA leave to care for a covered service member, they are limited to a combined total of 26 work weeks of leave for all leaves authorized by the Act during the 12-month period commencing with FMLA leave to care for a covered service member. The spouses are subject to the 12 work week limitation for leave related to the birth or placement, or related care, of a child for adoption or foster care with the employees or the care of a parentParent with a serious health condition.

B. FMLA Notice

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

C. Certification

1. If an employee requests FMLA leave due to the employee's serious health condition or to care for a parentParent, child, or spouse with a serious health condition, the employee must provide medical certification from a health care provider of the serious health condition involved and, if applicable, verification that the employee is needed to care for the family member and the expected

duration of the leave. Employees requesting leave for a qualifying exigency or leave to care for a covered service member with a serious injury or illness must provide the appropriate certification. The District will provide the employee with the appropriate DOL form applicable to the employee's requested leave.

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

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

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

D. Concurrent Leave and Substitution of Paid Leave

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

with the paid leave. A medical leave of absence covered by workers' compensation runs concurrently with FMLA leave and consistent with an applicable individual employment contract or collective bargaining agreement. FMLA leave beyond an employee's applicable accrued paid leave is unpaid.

E. Intermittent and Reduced Schedule Leave

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

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

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

F. Group Health Plan Benefits

1. Eligible employees are generally entitled to the continuation of District-provided group health plan benefits while on FMLA leave. Group health plan benefits include medical, dental, and optical insurance coverages in which the employee is enrolled at the time that FMLA leave is taken.

2. The District will continue paying its portion, if any, of the employee's group health plan costs and insurance premiums or representative premiums while the employee is on FMLA leave and in accordance with any applicable collective bargaining or individual employment contract. Any share or portion of the group health plan costs, insurance premiums, or representative premiums paid by the employee before FMLA leave must continue to be paid by the employee during FMLA leave. See DOL Form WH-381. An employee's failure to pay his/her portion of group health plan costs, insurance premiums, or representative premiums during FMLA leave may result in loss of coverage if the employee's contribution is more than 30 calendar days late. The District will provide the employee with written notice at least 15 calendar days before cancelling the employee's coverage because of a failure to make employee contributions.
3. As addressed in subsection I below, an employee who fails to voluntarily return to work after FMLA leave may be required to repay the District for his/her group health plan benefit costs.

G. Return to Work

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

during the 2-week period immediately before the end of the term or semester and the leave is to last more than 2 weeks.

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

4. Fitness for Duty

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

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

H. Denial of Key Employee Restoration

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

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

I. Failure to Return to Work

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

J. Recordkeeping

1. The District will maintain the following records related to FMLA requests and use:

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

K. Notice to Employees

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

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

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4106 Family and Medical Leave Act (FMLA)

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

A. Qualifying for FMLA Leave

1. Employee Eligibility

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

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

b. The applicable 12-month period to determine an employee's entitlement to FMLA leave (i.e., the FMLA leave year) is a "rolling" 12-month period measured backward from when the FMLA leave would commence.

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

2. Qualifying Events

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

- i. the birth or care of the employee's newborn child;
- ii. the employee's care for a newly adopted child or child placed in the employee's home for foster care;
- iii. to care for a spouse, child (who is younger than age 18, or over 18 but incapable of self-care), a Parent (but not parent-in-law), or an individual

for whom the employee stands *in loco parentis* who has a serious health condition;

- iv. the employee's own serious health condition; or
 - v. a qualifying military exigency about an employee, the employee's spouse, child (regardless of age), or Parent.
- b. An eligible employee may take up to 26 work weeks of leave during a single 12-month period to care for a covered service member who is receiving medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list for a serious injury or illness. The employee must be the spouse, child, Parent (regardless of their child's age), or next of kin of the covered service member. This subsection applies to veterans of the Armed Services who suffered an injury or illness, or aggravated an injury or illness, in the line of duty on active duty if the veteran was a member of the Armed Forces at any time during the 5 years before receiving treatment.

3. Limitations on FMLA Leave

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

care, of a child for adoption or foster care with the employees or the care of a Parent with a serious health condition.

B. FMLA Notice

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

C. Certification

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

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

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

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

D. Concurrent Leave and Substitution of Paid Leave

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

E. Intermittent and Reduced Schedule Leave

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

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

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

F. Group Health Plan Benefits

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

employee during FMLA leave. See DOL Form WH-381. An employee's failure to pay his/her portion of group health plan costs, insurance premiums, or representative premiums during FMLA leave may result in loss of coverage if the employee's contribution is more than 30 calendar days late. The District will provide the employee with written notice at least 15 calendar days before cancelling the employee's coverage because of a failure to make employee contributions.

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

G. Return to Work

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

veteran, the District may require the employee to take FMLA leave until the end of the term or semester, if the leave will last more than five (5) work days.

- e. Any additional FMLA leave required of an instructional employee by the District will not count against the employee's allotment of FMLA leave.

4. Fitness for Duty

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

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

H. Denial of Key Employee Restoration

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

- e. the District must maintain its group health plan cost, contributions, premium, or representative premium contributions for the employee's group health plan benefits for the entire term of the employee's FMLA leave, even after giving the employee notice that restoration will be denied.

I. Failure to Return to Work

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

J. Recordkeeping

1. The District will maintain the following records related to FMLA requests and use:
 - a. basic payroll information;
 - b. dates (or hours) during which eligible employees take FMLA leave;
 - c. copies of all notices, requests, and other documents related to FMLA leave;

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

K. Notice to Employees

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4107 Military Leave

The District complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA), Michigan's Military Leaves Reemployment Protection Act (MLRPA), and Michigan's Public Employees Entering Armed Forces Act (MPEEAFA). The term "military service" as used in this Policy includes the "uniformed services" as defined in the USERRA, "service" as defined in the MLRPA, and "military duty" as defined in the MPEEAFA.

Military service also includes service and training in the Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, applicable reserve forces, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service, and other categories of persons designated by the U.S. President in times of war.

In qualifying circumstances, eligible full- and part-time employees may take leave related to military service and are entitled to reemployment and other rights during and at the conclusion of military leave. Military leave is unpaid, but employees may use accrued applicable paid leave for all or a portion of their military leave in accordance with a collective bargaining agreement or individual employment contract.

A. Employee Notice and Eligibility

1. Advance notice of military service is required, unless that service prevents advance notice or notice is otherwise unreasonable or impossible.
2. Employees are eligible for military leave when called to provide military service, whether voluntary or involuntary.
3. Military leave may be taken for the purpose of active duty, active duty training, inactive duty training, full-time National Guard duty, examinations to determine fitness for duty, funeral honors duty, duty related to the National Disaster Medical System, or any other activity authorized by law.

B. Reemployment Rights

1. Employees returning from military leave are entitled to prompt reemployment pursuant to conditions in the law.
2. Employees may be disqualified from reemployment when: (a) discharged dishonorably or for bad conduct; (b) separation from military service is considered "other than honorable" by the applicable military branch; (c) dismissal occurs via court martial or by order of the U.S. President; or (d) the employee is dropped from the military service rolls because of an unauthorized absence from military service or imprisonment.

3. The District may deny reemployment after military leave if the District's circumstances have changed to make reemployment impossible or unreasonable.

C. Reemployment Positions

An employee's reemployment position upon returning from military leave depends on the length of the employee's military service, advancement if the employee had remained continuously employed, the employee's qualifications, and other factors described in the law.

D. Pay and Rights Upon Reemployment

1. Upon reemployment, an employee receives seniority and other rights and benefits determined by seniority that the employee had attained on the date that military leave began, plus the additional seniority and rights and benefits that the employee would have attained if the employee had remained continuously employed. An employee is entitled to any other rights and benefits not determined by seniority as are generally provided by the District to other employees having similar seniority, status, and pay when taking a non-military leave.
2. Upon reemployment, an employee's eligibility calculation for leave under the FMLA will assume that the employee worked for the District during the period of military leave.
3. Upon reemployment, an employee may not be discharged except for a reason constituting just cause for a period of up to 1 year after reemployment from military leave depending on the length and type of military service.

E. Benefits

1. If an employee commencing military leave has coverage under a District-provided group health benefit plan, the employee may (at the employee's expense) elect to continue coverage for the employee, the employee's spouse, and/or the employee's dependents, subject to conditions in the law.
2. If an employee's health insurance coverage is terminated consistent with the law, upon reemployment, the employee (and the employee's spouse and dependents) is immediately eligible for reinstatement of health insurance coverage.

F. Notice and Complaints

1. Notice of employee rights under the USERRA will be posted in an appropriate location.
2. The District will not retaliate or take adverse action against an employee based on the employee's exercise of rights under the law.

3. An employee must immediately contact the Employment Compliance Officer(s) if the employee believes the District has violated the law or this Policy. The District will investigate the complaint pursuant to Policy 4104.

Legal authority: 38 USC 4301 et seq.; MCL 32.271 et seq.; MCL 35.351 et seq.

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4107 Military Leave

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Military service also includes service and training in the Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, applicable reserve forces, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service, and other categories of persons designated by the U.S. President in times of war.

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A. Employee Notice and Eligibility

1. Advance notice of military service is required, unless that service prevents advance notice or notice is otherwise unreasonable or impossible.
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2. Upon reemployment, an employee's eligibility calculation for leave under the FMLA will assume that the employee worked for the District during the period of military leave.
3. Upon reemployment, an employee may not be discharged except for a reason constituting just cause for a period of up to 1 year after reemployment from military leave depending on the length and type of military service.

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1. If an employee commencing military leave has coverage under a District-provided group health benefit plan, the employee may (at the employee's expense) elect to continue coverage for the employee, the employee's spouse, and/or the employee's dependents, subject to conditions in the law.
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1. Notice of employee rights under the USERRA will be posted in an appropriate location.
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Legal authority: 38 USC 4301 et seq.; MCL 32.271 et seq.; MCL 35.351 et seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4109 **Break Time for Nursing Mothers** [Recommended for districts with 50 or more employees] [Note: if the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

Each time an employee needs to express breast milk during the 1-year period after the child's birth, the District will provide reasonable break time for ~~a non-exempt (i.e., hourly) employee to express breast milk for her nursing child~~this purpose in a place, other than a bathroom, that is shielded from view and free from intrusion by co-workers and the public ~~for 1 year after the child's birth~~ [Optional: or additional time may be granted for appropriate cause as determined by the Superintendent or designee]. ~~The~~For non-exempt employees, break time for ~~this purpose~~expressing breast milk will be unpaid unless the ~~non-exempt employee is not completely relieved from duty during the entirety of the break, or the~~ employee uses paid break time to which ~~she~~the employee is otherwise entitled under an applicable collective bargaining agreement, individual employment contract, or employee handbook. A longer accommodation may be available under the Pregnant Workers Fairness Act.

Legal authority: 29 USC ~~207(r)~~218d; 34 CFR 106.57

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4109 Break Time for Nursing Mothers

Each time an employee needs to express breast milk during the 1-year period after the child's birth, the District will provide reasonable break time for this purpose in a place, other than a bathroom, that is shielded from view and free from intrusion by co-workers and the public. For non-exempt employees, break time for expressing breast milk will be unpaid unless the employee is not completely relieved from duty during the entirety of the break, or the employee uses paid break time to which the employee is otherwise entitled under an applicable collective bargaining agreement, individual employment contract, or employee handbook. A longer accommodation may be available under the Pregnant Workers Fairness Act.

Legal authority: 29 USC 218d; 34 CFR 106.57

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4201 Employee Ethics and Standards

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

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

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

A. Employee Ethical Conduct

Employees must exercise objectively sound and professional judgment when engaging with students, ~~parents/guardians~~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/guardians~~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 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;
- ~~7.8.~~ maintaining confidential information, including student, medical, personnel, financial, and security information, as protected by statute;
- ~~8.9.~~ appropriately using District funds, resources, and technology;

~~9.10.~~ maintaining consistent and reliable work attendance, unless excused by the employee's supervisor or the Superintendent or designee, as applicable;

~~10.11.~~ engaging in activities or behaviors that enhance the operational and instructional environment;

~~11.12.~~ professionally communicating with students, ~~parents/guardians~~ Parents, colleagues, Board members, and community members, including through electronic means;

~~12.13.~~ Completing time and effort reporting under 4201-AG.

~~13.14.~~ 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

~~14.15.~~ 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 of which is illegal, except as consistent with and permitted by Policy 3205 and Revised School Code Section 1814;
3. using or authorizing the use of the employee's public employment or any confidential information received through public employment to obtain personal, professional, political, or financial gain other than compensation received from the District in exchange for services provided to the District for the employee or a member of the employee's immediate family, or a business with which the employee is associated;
4. using or authorizing the use of District personnel, resources, property, or funds under the employee's care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or using those items for personal, professional, political, or financial gain;
5. providing private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration, except as permitted by Policy 4214;

6. engaging in any activity of a sexual or romantic nature with another employee(s) or contractor(s) that the employee supervises, unless the individuals are engaged to be married, married, or cohabitating;
7. engaging in any activity of a sexual or romantic nature on school property or at school-sponsored events;
8. directly or indirectly supervising, making, or contributing to an employment decision pertaining to a relative or significant other, or relative of a relative or significant other (as defined by Policy 4213);
9. engaging in any other activity that promotes an employee's financial and pecuniary interests over those of the District; and
10. entering into a proposed contract in which an administrator has a substantial conflict of interest (for Board members, see Policy 2301). Employees shall comply with the disclosure requirements in Policy 2301E(1).

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;
9. communicating directly or indirectly (e.g., by phone, email, text messaging, or social media) on a matter that does not pertain to school unless the employee obtained prior parental consent. Electronic communications with students generally are to be sent simultaneously to multiple recipients and not just to one student except when the communication is clearly school related and inappropriate for persons other than the individual student to receive (e.g., grades);
10. permitting a specific student to engage in conduct that is not permitted or tolerated from other students;
11. inappropriately discussing with a student the student's personal issues or problems that should normally be discussed with a parent/guardianParent 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 prior parent/guardianParent consent 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/guardianParent 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/guardianParent;
17. going to a student's home when the student's parent/guardianParent 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. ~~Employees suspecting~~ 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.

2. Vulnerable Adults: An employees 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.

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4201 *Employee Ethics and Standards*

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

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

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

A. Employee Ethical Conduct

Employees must exercise objectively sound and professional judgment when engaging with students, Parents, 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 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;
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 of which is illegal, except as consistent with and permitted by Policy 3205 and Revised School Code Section 1814;
3. using or authorizing the use of the employee's public employment or any confidential information received through public employment to obtain personal, professional, political, or financial gain other than compensation received from the District in exchange for services provided to the District for the employee or a member of the employee's immediate family, or a business with which the employee is associated;
4. using or authorizing the use of District personnel, resources, property, or funds under the employee's care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or using those items for personal, professional, political, or financial gain;
5. providing private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration, except as permitted by Policy 4214;
6. engaging in any activity of a sexual or romantic nature with another employee(s) or contractor(s) that the employee supervises, unless the individuals are engaged to be married, married, or cohabitating;

7. engaging in any activity of a sexual or romantic nature on school property or at school-sponsored events;
8. directly or indirectly supervising, making, or contributing to an employment decision pertaining to a relative or significant other, or relative of a relative or significant other (as defined by Policy 4213);
9. engaging in any other activity that promotes an employee's financial and pecuniary interests over those of the District; and
10. entering into a proposed contract in which an administrator has a substantial conflict of interest (for Board members, see Policy 2301). Employees shall comply with the disclosure requirements in Policy 2301E(1).

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;

9. communicating directly or indirectly (e.g., by phone, email, text messaging, or social media) on a matter that does not pertain to school unless the employee obtained prior parental consent. Electronic communications with students generally are to be sent simultaneously to multiple recipients and not just to one student except when the communication is clearly school related and inappropriate for persons other than the individual student to receive (e.g., grades);
10. permitting a specific student to engage in conduct that is not permitted or tolerated from other students;
11. inappropriately discussing with a student the student's personal issues or problems that should normally be discussed with a Parent 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 prior Parent consent 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.

2. Vulnerable Adults: An employees 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.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4202 *Children's Protective Services (CPS) and Adult Protective Services (APS) Reporting and Student Safety and Welfare*

During the performance of their duties, employees must exercise due care for the safety and welfare of the District's students.

A. Required Reports to CPS, APS, District administration, and Michigan State Police

1. A reporter must: (a) promptly notify the Superintendent or designee and the building principal of the report; and (b) submit an electronic or written report to CPS or APS within the statutory timeframe. Failure to make an immediate report or follow-up with an electronic or written report may result in discipline, including discharge, as well as criminal or civil penalties. CPS and APS may be contacted at 855-444-3911 or www.michigan.gov/mdhhs.

Administrators, teachers, counselors, social workers, psychologists, nurses, physical therapists, physical therapist assistants, occupational therapists, athletic trainers, and others identified as mandatory reporters pursuant to Michigan's Child Protection Law must *immediately* report all instances of suspected child abuse or neglect to CPS. Other employees are also expected to make reports to CPS of suspected child abuse or neglect.

School employees who suspect or have reasonable cause to believe that a vulnerable adult was or is being subjected to abuse, neglect, or exploitation must immediately report the matter to APS. A vulnerable adult means a person 18 years of age or older who is unable to protect themselves from abuse, neglect, or exploitation because of a mental or physical impairment or because of advanced age.

2. Employees must promptly report to the building principal or the Superintendent or designee any instances of injury (accidental or intentional), violence, threats of violence, self-harm, hazards, or any other situation that endangers student safety and welfare or raises reasonable concerns as to the safety of students.
3. Employees must promptly report to the building principal or the Superintendent or designee incidents of student bullying and crimes or attempted crimes involving physical violence, gang-related activity, illegal possession of a controlled substance or controlled substance analogue, or other intoxicant, trespassing, and property crimes, including theft and vandalism.

Within 24 hours of an alleged incident, an administrator must make an appropriate report to the Michigan State Police as required by law.

B. Student Safety and Welfare

1. Employees will maintain control and supervision of students to ensure student safety and will take appropriate action if the employee observes an unsafe or dangerous situation.
2. Employees will treat students with respect and maintain appropriate professional boundaries with students both in and out of school. Employees must avoid conduct with students that potentially creates the appearance of an unprofessional, unethical, or inappropriate relationship. Romantic relationships between employees and students are prohibited regardless of the student's age, including following graduation where the relationship arises out of an employee-student relationship.
3. An employee will not assess, diagnose, prescribe, or provide therapy or counseling services to a student unless: (a) the employee is appropriately certified or licensed under Michigan law; and (b) the services are within the employee's job duties. An employee will direct students in need of these services to the appropriate District employee or community resource.
4. Employees will comply with and respect confidentiality of student records and privacy rights, including not posting student information or images online without prior authorization from the employee's supervisor.
5. Employees will not interfere with or adversely impact a ~~parent's/guardian's~~Parent's right to determine and direct their student's care, wellbeing, teaching, and education.
6. [Optional: Pursuant to the state's 2013 Task Force on the Prevention of Sexual Abuse of Children, the Board authorizes the Superintendent or designee to consider and implement all of the following:
 - age-appropriate, evidence-based curriculum and instruction for students in grades pre-K to 5 concerning child sexual abuse awareness and prevention;
 - training for District personnel on child sexual abuse, including but not limited to, training on supportive, appropriate response to disclosure of abuse;
 - providing educational information to ~~parents/guardians~~Parents on the warning signs of a child being sexually abused and information on needed assistance, referral, or resources;
 - available counseling and resources for students affected by sexual abuse;
 - emotional and educational support for a students affected by sexual abuse; and
 - a review of the system to educate and support personnel who are legally required to report child abuse or neglect.]

Legal authority: MCL 380.10, 380.1308, 380.1308a, 380.1310a, 380.1505; MCL ~~388.1766;400.11 et seq.~~; MCL 722.621 et seq.

Dated adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

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Administrators, teachers, counselors, social workers, psychologists, nurses, physical therapists, physical therapist assistants, occupational therapists, athletic trainers, and others identified as mandatory reporters pursuant to Michigan's Child Protection Law must *immediately* report all instances of suspected child abuse or neglect to CPS. Other employees are also expected to make reports to CPS of suspected child abuse or neglect.

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3. An employee will not assess, diagnose, prescribe, or provide therapy or counseling services to a student unless: (a) the employee is appropriately certified or licensed under Michigan law; and (b) the services are within the employee's job duties. An employee will direct students in need of these services to the appropriate District employee or community resource.
4. Employees will comply with and respect confidentiality of student records and privacy rights, including not posting student information or images online without prior authorization from the employee's supervisor.
5. Employees will not interfere with or adversely impact a Parent's right to determine and direct their student's care, wellbeing, teaching, and education.
6. Reserved Legal authority: MCL 380.10, 380.1308, 380.1308a, 380.1310a, 380.1505; MCL 400.11 et seq.; MCL 722.621 et seq.

Dated adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4203-AG Corporal Punishment and Limited Use of Reasonable Force

A list of alternatives to corporal punishment includes the following:

- provide direct instruction to students in social skills and problem-solving strategies;
- use positive reinforcement to teach and maintain the use of appropriate problem-solving and social skills;
- use social reinforcers, such as teacher feedback and other self-esteem enhancing activities, to support and maintain the use of problem-solving and social skills;
- apply logical consequences that will teach students personal responsibility for their actions (e.g., losing the privilege of participating in special school activities);
- consider the use of time out, which may allow students to learn to take control of their actions and, ultimately, in conjunction with instruction in social skills, to cease their undesirable behavior;
- employ problem-solving classroom meetings and/or school assemblies with honest discussion of problems to encourage student ownership of and responsibility for solutions;
- establish a variety of strategies for communicating with **Parents**;
- establish contractual agreements that clearly outline consequences with students and their **Parents** to enhance the development of self-control behavior;
- establish an in-school suspension program, supervised by a responsible adult, in which the student performs curricula-related activities;
- when necessary, refer students to a counselor, social worker, or psychologist at the local or intermediate level and coordinate services with other units of state government (e.g., public health, social services, mental health). Also, seek assistance from private institutions or agencies with appropriate services;
- evaluate and arrange appropriate curriculum and adequate support for students who need academic acceleration, special education, alternative education, or services for achieving English proficiency;
- consider and take action, in accordance with the applicable student code of conduct and due process of law, when disruptive behavior occurs; or
- consider the use of suspensions or expulsions only after other alternatives have been considered.

The Board adopts the above list. District administration will distribute this list to each employee, volunteer, and contractor.

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4203-AG Corporal Punishment and Limited Use of Reasonable Force

A list of alternatives to corporal punishment includes the following:

- provide direct instruction to students in social skills and problem-solving strategies;
- use positive reinforcement to teach and maintain the use of appropriate problem-solving and social skills;
- use social reinforcers, such as teacher feedback and other self-esteem enhancing activities, to support and maintain the use of problem-solving and social skills;
- apply logical consequences that will teach students personal responsibility for their actions (e.g., losing the privilege of participating in special school activities);
- consider the use of time out, which may allow students to learn to take control of their actions and, ultimately, in conjunction with instruction in social skills, to cease their undesirable behavior;
- employ problem-solving classroom meetings and/or school assemblies with honest discussion of problems to encourage student ownership of and responsibility for solutions;
- establish a variety of strategies for communicating with Parents;
- establish contractual agreements that clearly outline consequences with students and their Parents to enhance the development of self-control behavior;
- establish an in-school suspension program, supervised by a responsible adult, in which the student performs curricula-related activities;
- when necessary, refer students to a counselor, social worker, or psychologist at the local or intermediate level and coordinate services with other units of state government (e.g., public health, social services, mental health). Also, seek assistance from private institutions or agencies with appropriate services;
- evaluate and arrange appropriate curriculum and adequate support for students who need academic acceleration, special education, alternative education, or services for achieving English proficiency;
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- consider the use of suspensions or expulsions only after other alternatives have been considered.

The Board adopts the above list. District administration will distribute this list to each employee, volunteer, and contractor.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4204 Confidentiality of Student Information

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

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

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

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

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

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4204 Confidentiality of Student Information

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

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

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

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

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 ~~Guidance~~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, ~~volunteers,~~ 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 [redacted] ~~[Note: add the position of individual. Delete this note upon designation.]~~ a District employee, who: (1) is an authorized user, (2) has completed fingerprinting and a fingerprint-based background check ~~have~~ as required, (3) has been found appropriate to have access to background checksCHRI, and (4) is directly involved in evaluating ~~person~~an individual's qualifications for employment. ~~Delete this note upon designation~~ 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/CHRIS 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:

- b.a. _____ compliance with these regulations and laws;
- e.b. _____ personnel security screening procedures are followed under this administrative guideline;
- d.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;
- d.e. _____ only approved District employees have access to and are using the information in compliance with the law;

~~e-f.~~ compliance with this administrative guideline; ~~and~~

~~g.~~ that the MSP Information Security Officer (ISO) is promptly informed of any security ~~breach(es)-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

~~f.i.~~ the District [~~Note: Select one or more. Delete this note and retain at least one listed item: (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:

~~b.a.~~ how District equipment is connected to the MSP system; and

~~e.b.~~ who is using the MSP-approved equipment 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.

1. Security with Separated Authorized Users

After an authorized user is separated from the District, that individual's access to CHRI will be terminated within ~~twenty-four (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.

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 CHRIS 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 ~~twenty-four (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, ~~unless the personally owned devices are approved~~, 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 ~~be~~ (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].

1. 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.

2. 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.

3. Passwords

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

- ~~b~~-a. _____ at least eight (8) characters;
- ~~e~~-b. _____ not consisting of only a proper noun or word found in a dictionary;
- ~~d~~-c. _____ not similar or identical to the username;
- ~~e~~-d. _____ not be displayed while entered or transmitted outside of the physically secure location or controlled area;
- ~~f~~-e. expires every ninety (90) days; and
- ~~g~~-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, following the template provided about the user's responsibilities and expected behavior when accessing CJI and the systems which process CJI, and on the MSP website, 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
- iv. within six (6) months of authorization and every two (2) years thereafter, 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 the training.

5. CHRI Dissemination

The District must maintain a record of any CHRI dissemination to another authorized agency for all dissemination outside the CHRIS 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 be tracked using the report the such incidents to the superintendent and MSP provides on its website <https://www.michigan.gov/msp/0,4643,7-123-72297-24055-332662-00.html>. 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 the office 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. AA <u>add company name of building alarm</u> building alarm or video surveillance will monitor for physical or	Electronic intrusions will be monitored by the virus and malware/spyware detection.

	unauthorized intrusions. The building must be locked at night.	
Analysis	The LASO will work with police authorities to determine how the incident occurred and what data was affected.	The IT department will determine what systems 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 <u>[name police department]</u> 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 <u>[name police department]</u> will handle and oversee 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 apply/take place:

b. Notice: Personnel will notify the LASO ~~will be notified~~ immediately;

a. or no later than one hour after the incident was discovered.

e.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.

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.

e-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;

~~e. the LASO will file the incident report with the MSP; and~~

g. when 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 handling 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.

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

2.E. Mobile Device Incident Handling Response Support and Plan

1. Response Support Resource: The District will, in addition, provide a response support resource that offers advice and assistance to the system users for handling procedure 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;
- 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 handling 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:
 - b. agency and system-level audit and accountability policy

1. addresses purpose, scope, roles, responsibilities, management commitment, coordination among organization entities, and compliance; and
 2. is consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines
 - c. 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 logging in the table above, 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.
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:
 1. addresses purpose, scope, roles, responsibilities, management commitment, coordination among organizational entities, and compliance;
 2. 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;

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 additional procedures for mobile devices to reduce the risk of unauthorized access to CHRI. process for changing shared or group account authenticators (if deployed) when individuals are removed from the group; and

~~When a device is lost, the District will document and indicate how long the device has been lost. For a lost device, the District will report if the owner believed the device was locked, unlocked, or could not verify the device's locked state. For a total loss of a device (unrecoverable), the District will report if CHRI was stored on the device, whether it was locked or unlocked, and whether the District can track or wipe the device remotely. The District will report any compromise of a device while still in the owner's possession and any compromise outside of the United States.~~

Adoption date:

- h. Revised date: align account management processes with personnel termination and transfer processes.

I. Access Enforcement

1. The District will:

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

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

J. Information Flow Enforcement

1. 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

1. The District will:

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

b. 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:

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

2. 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

1. 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 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; and

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.

1. The District establishes and documents usage restrictions, configuration/connection requirements, and implementation guidance for each type of remote access allowed.
2. The District authorizes each type of remote access to the system prior to allowing such connections.
3. The District employs automated mechanisms to monitor and control remote access methods.
4. The District implements cryptographic mechanisms to protect the confidentiality and integrity of remote access sessions.
5. The District routes remote access through authorized and managed network access control points.
6. The District 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.
7. The District documents the rationale 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.

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:

1. 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
2. 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)

Date adopted:

Date revised:

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 Human Resources Administrative Assistant, 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/CHRIS 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;
- f. compliance with this administrative guideline;

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 HR Offices at the Educational Services Center.

1. 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.

2. 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.

3. 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
 - 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 CHRIS 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 form. 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 the office 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 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 incident occurred and what data was affected.	The IT department will determine what systems 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 [Kent County Sherriff / Grand Rapids Township Police] 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 [Kent County Sherriff / Grand Rapids Township Police] will handle and oversee 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.
- 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 handling

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;
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 - d. meets unique requirements of the District related to mission, size, structure and functions;
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4. Incident Response Plan Management: The District will:
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F. Audit and Accountability

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

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1. The District will:

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1. The District will:

- a. identify and document separation of duties based on specific duties, operations, or information systems, as necessary to mitigate risk to CJI; and
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 1. established system accounts, configured access authorizations, set events to be audited, set intrusion detection parameters, and other security functions; and
 2. 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.

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 - 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
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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; and
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 - 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.

1. The District establishes and documents usage restrictions, configuration/connection requirements, and implementation guidance for each type of remote access allowed.
2. The District authorizes each type of remote access to the system prior to allowing such connections.
3. The District employs automated mechanisms to monitor and control remote access methods.
4. The District implements cryptographic mechanisms to protect the confidentiality and integrity of remote access sessions.
5. The District routes remote access through authorized and managed network access control points.

6. The District 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.
7. The District documents the rationale 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.

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:

1. 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
2. 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)

Date adopted: August 19, 2024

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4206 Employment Contracts

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

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

A. Authority

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

B. General Requirements

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

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

11. date and employee signature;

12. date and signature of authorized District representative; ~~and~~

13. an appeal process concerning the evaluation process and rating received as required by Revised School Code Sections 1249 (K-12 certified teachers of record) and 1249b (instructional administrators and the Superintendent); and

~~13,14.~~ other terms as necessary to serve the District's interests or that are legally required.

Administrative contracts must contain a provision prohibiting an Administrator from engaging in conduct involving moral turpitude and a provision allowing the Board to void the contract if the Administrator violates the moral turpitude provision.

C. Specific Requirements

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

1. Superintendent

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

2. Administrators

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

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

3. Non-Instructional Supervisors or Directors

Unless otherwise required by law, Non-Instructional Supervisors or Directors are not required to hold an Administrator certificate and may be subject to an individual employment contract for up to 3 years.

4. Professional Staff

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

D. Collective Bargaining Agreements

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

Legal authority: MCL 380.11a(3), 380.601(d), 380.623(1)(b), 380.634, 380.1229, 380.1231, 380.1246, 380.1249, 380.1249b

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

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4. merit pay and annual evaluation for teachers and required administrators;
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8. benefits (health insurance, leave time, etc.);
9. reduction in force and recall;
10. discipline, discharge, and transfer during the contract term;

11. date and employee signature;
12. date and signature of authorized District representative;
13. an appeal process concerning the evaluation process and rating received as required by Revised School Code Sections 1249 (K-12 certified teachers of record) and 1249b (instructional administrators and the Superintendent); and
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Legal authority: MCL 380.11a(3), 380.601(d), 380.623(1)(b), 380.634, 380.1229, 380.1231, 380.1246, 380.1249, 380.1249b

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4207 *Third-Party Contracting*

This Policy must be implemented consistent with Policy 1101. Unless ~~expressly~~ prohibited bybecause of a collective bargaining agreement and to the maximum extent permitted by law, the Board or designee may contract with third parties as determined by the Board.

Any selected third-party contractor must fully comply with Policies 2202 and 4205(C).

Legal authority: MCL 380.11a(3)

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4207 Third-Party Contracting

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Legal authority: MCL 380.11a(3)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4209 ~~Prohibition Against Abortion Referrals and Assistance~~ [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

A District official, Board member, or District employee shall not refer a student for an abortion or assist a student with obtaining an abortion. This prohibition does not apply to a person who is the ~~parent or legal guardian~~Parent of that student.

~~If a parent/guardian of a student enrolled in the District believes that a District official, Board member, or District employee has violated this Policy, the parent/guardian may file a complaint with the Superintendent, who will investigate the complaint and, within 30 calendar days after the date of the complaint, provide a written report of his/her finding to the complainant and to the Superintendent of Public Instruction in accordance with state law. If a violation is substantiated, the Board or designee will discipline that person in accordance with the law, Board Policy, and any applicable collective bargaining agreement or individual employment contract. See Policy 2303. The Superintendent or designee will take corrective action to ensure that there is no further violation.~~

Legal Authority: ~~MCL 380.1507; MCL 388.1766, 388.1766a11as~~

Date Adopted:

Date Revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4209 Abortion Referrals and Assistance

A District official, Board member, or District employee shall not refer a student for an abortion or assist a student with obtaining an abortion. This prohibition does not apply to a person who is the Parent of that student.

Legal Authority: MCL 380.11as

Date Adopted: August 15, 2022

Date Revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4213 Anti-Nepotism

A. General

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

B. Definitions

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

C. Employment Decisions

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

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

An employee's relative or significant other should not be hired to work in any position in which the Board or designee concludes a conflict of interest or the appearance of a conflict of interest may exist. Relatives and significant others are permitted to work at the District provided one does not report directly to, supervise, evaluate, or manage the other. The Superintendent ~~or designee, or the Board, as applicable,~~ may make exceptions to this Policy when in the District's best interest with [Option 1. Board approval] [Option 2. prompt notice to the Board].

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

Legal authority: MCL 380.11a, 380.601a

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

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Legal authority: MCL 380.11a, 380.601a

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4214 *Outside Activities and Employment*

A. General

An employee's duties to the District take precedence over other outside obligations while performing District duties or during work hours. An employee may not engage in other activities that adversely impact school employment or operation or that interfere with the employee's duties.

Except as otherwise provided in these Policies, an employee may secure additional employment, participate in business ventures, and serve as a volunteer. Such activities must not interfere with an employee's ability to carry out the employee's responsibilities, to serve as a role model in the community, or adversely impact the District's reputation.

Employees must communicate with a supervisor before engaging in outside activities where a conflict of interest (as defined in Policy 4201) or the appearance of a conflict of interest or impropriety may exist.

B. Conduct Standards

Employees must fulfill their duties without conflict from outside employment or activities. Unless the Superintendent or designee grants written authorization, employees may not engage in the following outside activities:

1. provide private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration;
2. conduct personal business during assigned duty hours;
3. represent, either expressly or by implication, that the District sponsors, sanctions, or endorses a non-District related activity, solicitation, or other endeavor;
4. sell, solicit, or promote the sale of goods or services to students or ~~parents/guardians~~Parents when the employee's relationship with the District is used to influence the sale or may be reasonably perceived as attempting to influence the sale;
5. sell, solicit, or promote the sale of goods or services to employees over whom the employee has supervisory or managerial responsibilities in a manner that the subordinate employee could reasonably perceive as coercive;
6. use employee, student, or ~~parent/guardian~~Parent information in connection with the solicitation, sale, or promotion of goods or services or provide that information to any person or entity for any purpose; or

7. use District personnel, facilities, resources, equipment, technology, property, or funds for personal financial gain or business activity.

C. Intellectual Property

Intellectual property includes written or artistic works, instructional materials, textbooks, curriculum, software, inventions, procedures, ideas, innovations, systems, programs, or other work product created or developed by an employee in the course and scope of performing District employment duties or during work hours, or derivative to District intellectual property, whether published or not. Such intellectual property will be the exclusive property of the District. The District has the sole right to sell, copy, license, assign, or transfer any and all right, title, or interest in and to that intellectual property.

Legal authority: 17 USC 101 et seq.; MCL 15.321 et seq., 15.401 et seq.; MCL 380.11a, 380.601a, 380.1805(1)

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

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2. conduct personal business during assigned duty hours;
3. represent, either expressly or by implication, that the District sponsors, sanctions, or endorses a non-District related activity, solicitation, or other endeavor;
4. sell, solicit, or promote the sale of goods or services to students or Parents when the employee's relationship with the District is used to influence the sale or may be reasonably perceived as attempting to influence the sale;
5. sell, solicit, or promote the sale of goods or services to employees over whom the employee has supervisory or managerial responsibilities in a manner that the subordinate employee could reasonably perceive as coercive;
6. use employee, student, or Parent information in connection with the solicitation, sale, or promotion of goods or services or provide that information to any person or entity for any purpose; or

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Legal authority: 17 USC 101 et seq.; MCL 15.321 et seq., 15.401 et seq.; MCL 380.11a, 380.601a, 380.1805(1)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4215 *District Technology and Acceptable Use Policy*

The Board provides students, employees, volunteers, and other authorized users access to the District's technology resources, including its computers and network resources, for educational and other District purposes, in a manner that encourages responsible use. Any use of technology resources that violates federal and state law is prohibited.

Employees have no expectation of privacy when using the District's technology resources. Information and records on the District's network may be subject to disclosure under the Freedom of Information Act, and the District may monitor or access employees' electronic files, as deemed necessary.

Employees must not use District technology resources to record students, ~~parents/guardians~~ Parents, or District personnel or to record a non-public meeting, unless performed for a legitimate educational purpose. The recording must be authorized by a supervisor or Policy. Unauthorized recording or dissemination of a recording may be subject to discipline, including discharge.

Employees must not use a password other than their own to access District technology resources unless authorized by a supervisor. Employees must protect their password(s) from being used by others. An employee will be responsible for any misuse if the employee failed to adequately secure their password(s).

District technology resources are provided for District-related services. Employees must minimize personal use of District technology resources and are prohibited from using those resources when doing so interferes with the employee's job responsibilities or District operations.

Requests for District records must be promptly directed to the FOIA Coordinator under Policy 3501. Only authorized employees may disclose District records to third parties unless otherwise permitted by law.

Employees must not permit students to engage in non-instructional computer games, movies, videos, and activities during the work or school day, unless authorized by a supervisor.

Employees must not download unauthorized software or applications.

Employees must immediately notify the District's technology department of any unauthorized access to, misuse of, or interference with the District's technology resources.

Employees must abide by Policy 3116 pertaining to District Technology and Acceptable Use, including complying with the Children's Internet Protection Act and executing an Acceptable Use Agreement.

Legal authority: 47 USC 254; MCL 397.606

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

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Legal authority: 47 USC 254; MCL 397.606

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4216 Personal Communication Devices

"Personal communication devices" include employee-owned cell phones, computers, tablets, or any other device that enables an employee to access the internet or engage in communications through an application, social media, or any other communication method. Employee use of personal communication 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 personal communication devices shall not interfere with instructional activities or work-related duties. Employees taking an authorized break may use personal communication devices in a manner that does not disrupt the District's operations or violate the confidentiality of students or others;
- B. employees shall not use personal communication devices 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 personal communication devices to inappropriately communicate with other employees, students, and ~~parents/guardians~~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 communication device;
- E. employees recognize that when a personal communication 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 their personal communication devices 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~~Parents, co-workers, or non-public meetings is prohibited [Optional: unless there is an educational purpose to do so.] and may result in discipline, including discharge.

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

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4217 Social Media

Employee use of social media while on District property, during work hours, or while using District-owned devices must not interfere with District educational purposes or work performance and must not be used in any manner that violates this Policy, Policy 4201, or federal or state law.

“Social media” refers to any publicly accessible internet-based service that enables a user to share communications, images, or videos with others or participate in social networking. Social media includes blogs and social networking sites.

While using social media on or off duty, an employee must:

- A. not engage in criminal activity;
- B. make clear that the employee’s views or endorsement of political candidates and political parties are their own, not the District’s, as applicable;
- C. refrain from using a District email address to register on social networks, blogs, or other online tools for personal use;
- D. engage in appropriate communications with students, ~~parents/guardians~~Parents, and District stakeholders and community members;
- E. maintain student privacy and not disclose confidential student information;
- F. report to the appropriate administrator(s) any behavior or activity which endangers student or staff security, safety, or welfare; and
- G. refrain from engaging in behavior that disrupts or adversely impacts the efficacy of the District’s operations.

Employee use of social media in violation of this Policy detracts from the District’s educational mission, adversely impacts the District, and may result in discipline, including discharge.

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

Date adopted:

Date revised:

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4217 Social Media

Employee use of social media while on District property, during work hours, or while using District-owned devices must not interfere with District educational purposes or work performance and must not be used in any manner that violates this Policy, Policy 4201, or federal or state law.

“Social media” refers to any publicly accessible internet-based service that enables a user to share communications, images, or videos with others or participate in social networking. Social media includes blogs and social networking sites.

While using social media on or off duty, an employee must:

- A. not engage in criminal activity;
- B. make clear that the employee’s views or endorsement of political candidates and political parties are their own, not the District’s, as applicable;
- C. refrain from using a District email address to register on social networks, blogs, or other online tools for personal use;
- D. engage in appropriate communications with students, Parents, and District stakeholders and community members;
- E. maintain student privacy and not disclose confidential student information;
- F. report to the appropriate administrator(s) any behavior or activity which endangers student or staff security, safety, or welfare; and
- G. refrain from engaging in behavior that disrupts or adversely impacts the efficacy of the District’s operations.

Employee use of social media in violation of this Policy detracts from the District’s educational mission, adversely impacts the District, and may result in discipline, including discharge.

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4221 Employee Speech

As role models, employees must exercise sound judgment in their interactions with students, ~~parents/guardians~~Parents, and members of the community and maintain a high degree of professionalism and objectivity. Employees must act within the scope of their respective duties and responsibilities.

A. Curriculum, Instruction, and Controversial Topics

During instruction and discussion of controversial issues, employees must follow these guidelines:

1. the issues discussed must be relevant to the curriculum and be part of a planned educational program;
2. students and ~~parents/guardians~~Parents must have free access to appropriate materials and information for analysis and evaluation of the issues;
3. employees must allow discussion of a variety of viewpoints so long as that discussion does not substantially disrupt the educational environment;
4. the topic and materials used must be within the students' range, knowledge, maturity, and competence;
5. employees must obtain pre-approval from the building principal before instructing students about sensitive or controversial issues; and
6. employees must not advocate partisan causes, sectarian religious views, or self-propaganda of any kind during school or school-related functions. Employees may express a personal opinion as long as students are encouraged to reach independent decisions.

Employees who are unsure of their obligations must confer with their building principal or supervisor.

B. Speech on Matters of Public Concern

The District respects and supports its employees' right as citizens to exercise free speech in a responsible manner.

Free speech rights are not absolute and are subject to restriction when the employee is acting within the course and scope of their employment.

When speaking as a citizen on a matter of public concern, an employee must not make written, verbal, online, or nonverbal statements that cause a substantial disruption to the school environment, violate federal or state law, or otherwise violate these Policies. An employee's right as a citizen to comment upon matters

of public concern must be balanced against the District's interest in promoting the efficiency of the public services it performs through its employees.

Employees do not speak on behalf of the District or a school unless specifically authorized by the Board or Superintendent.

Legal authority: U.S. CONST. amend. I; Const 1963, art I, § 5

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

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Legal authority: U.S. CONST. amend. I; Const 1963, art I, § 5

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4228 *No Expectation of Privacy*

Employees have no expectation of privacy in connection with their use of District property and equipment. The District reserves the right to search District property, equipment, and technology issued or provided for the employee's use during the employee's District employment, including but not limited to the employee's office, desk, files, computer, or locker. Inspections may be conducted at any time at the District's discretion. A search of an employee's personal effects will comply with federal and state constitutional protections, laws, and regulations.

Legal Authority: U.S. Const, amend. IV

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4228 No Expectation of Privacy

Employees have no expectation of privacy in connection with their use of District property and equipment. The District reserves the right to search District property, equipment, and technology issued or provided for the employee's use during the employee's District employment, including but not limited to the employee's office, desk, files, computer, or locker. Inspections may be conducted at any time at the District's discretion. A search of an employee's personal effects will comply with federal and state constitutional protections, laws, and regulations.

Legal Authority: U.S. Const, amend. IV

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4229 Acceptable Use of Generative Artificial Intelligence [Optional] [Note: If the Board elects not to adopt this policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

Employees may use Generative Artificial Intelligence ("Generative AI") in the school setting in compliance with this Policy and applicable law.

A. Definitions

1. "Generative AI" means the class of AI models that emulate the structure and characteristics of input data in order to generate derived synthetic content. This may include images, videos, audio, text, and other digital content.
2. "AI System" means any data system, software, hardware, application, tool, or utility that operates in whole or in part using AI.

B. Acceptable Use

Employee use of Generative AI must be appropriate for the educational environment and in compliance with all applicable laws, including, but not limited to, the Family Educational Rights and Privacy Act, the Individuals with Disabilities Education Act, and the Children's Internet Protection Act. Employees must also comply with applicable Board Policies when using Generative AI, including, but not limited to, policies on District technology and acceptable use, copyright protection, student records, unlawful harassment, discrimination, and employee ethics.

[Optional: Employees must obtain prior approval from the Superintendent or designee before using Generative AI Systems for District-related purposes.]

Employees must thoroughly review AI-generated material to ensure accuracy, relevance, and appropriateness. Employees may not rely solely on Generative AI to deliver instructional or work-related material. Employee use of Generative AI in the classroom must align with the Board-approved curriculum.

C. Training

Employees may receive training on the legal and ethical use of Generative AI and its integration into the curriculum.

D. Violations

Violations of this policy may result in disciplinary action, up to and including discharge.

Legal Authority: 20 USC 1232g; 20 USC 1400 et seq.; 34 CFR 99; 47 CFR 54.520; 88
Fed Reg 75191 (October 30, 2023)

Date adopted:

Date revised:



Series 4000: District Employment

4200 Employee Conduct and Ethics

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Date adopted: August 19, 2024

Date revised:

Series 4000: District Employment

4400 Professional Staff

4401 Definition

A. General

Professional Staff primarily perform work that requires advanced knowledge or work that is intellectual in nature, consistent with the FLSA's definition of "professional." The Professional Staff member's area of expertise is related to learning or comes from prolonged course of study, including teachers and Non-Teaching Professionals, but excluding Administrators/Supervisors (as defined under Policy 4501) and the Superintendent (as defined under Policy 4601).

B. Teachers

Teachers are professional persons who provide or direct instruction to students and must be appropriately qualified and certified for the assigned teaching position, consistent with federal and state law and District Policies. Each teacher shall maintain required qualifications and certification as a condition of that teacher's continued employment.

A classroom teacher employed by the District must: (1) have a valid Michigan teaching certificate or authorization to teach under the Revised School Code ~~Section 1233b~~; and (2) be assigned by the District to deliver direct instruction to students as a teacher of record.

A teacher must promptly notify the Superintendent or designee, in writing, if the teacher's certification or authorization expires, is revoked, or nullified. Failure to provide this written notice, whether willfully or negligently, may result in discipline, including discharge.

C. Non-Teaching Professionals

Non-Teaching Professionals are "other Professional Staff" who are not teachers and who meet the professional exemption under the FLSA, such as counselors (i.e., those counselors who are not certified teachers), social workers, teacher consultants, behavior specialists, speech pathologists (i.e. who are not certified teachers), physical or occupational therapists, nurses, and psychologists. A Non-Teaching Professional is not required by law to hold a teaching certificate or authorization for the assigned duties. Each Non-Teaching Professional must be qualified and certified as required by the Board or federal and state law. Each Non-Teaching Professional must maintain those qualifications and certifications as a condition of that person's continued employment.

A Non-Teaching Professional must promptly notify the Superintendent or designee, in writing, if the person's certification, license, or endorsement expires, is revoked,

or nullified. Failure to provide this written notice, whether willfully or negligently, may result in discipline, including discharge.

Legal authority: 29 USC 201 et seq.; MCL 38.81 et seq.; MCL 380.1231, 380.1233, 380.1233b, 380.1236, 380.1237

Date adopted:

Dated revised:

Series 4000: District Employment

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A Non-Teaching Professional must promptly notify the Superintendent or designee, in writing, if the person's certification, license, or endorsement expires, is revoked,

or nullified. Failure to provide this written notice, whether willfully or negligently, may result in discipline, including discharge.

Legal authority: 29 USC 201 et seq.; MCL 38.81 et seq.; MCL 380.1231, 380.1233, 380.1233b, 380.1236, 380.1237

Date adopted: August 15, 2022

Dated revised: August 19, 2024

~~Series 4000: District Employment~~

~~4400 Professional Staff~~

~~4402 Assignment and Transfer~~

~~The Superintendent or designee has authority to assign or transfer Professional Staff, and to add or remove duties and responsibilities.~~

~~A. Teachers~~

~~The appropriate placement of effective teachers is an essential component in promoting student academic growth, educational outcomes, and quality educational services. The Superintendent or designee may assign, transfer, place, or fill vacant positions at the Superintendent's or designee's discretion.~~

~~Placement includes assignment, transfer, or the filling of a vacant position with current staff or newly hired teachers.~~

~~Placement does not include reduction in force or recall decisions governed by Policy 4405.~~

~~Teacher placement decisions should be based on the following factors:~~

- ~~1. Staffing the curriculum with the most effective, certified, and qualified teachers to instruct the applicable courses and grades.~~
- ~~2. The teacher holding proper certification, approval, or authorization for all aspects of the assignment. The certification, approval, or authorization, as applicable, will be determined by provisions of the Revised School Code, MDE's Teacher Certification Code and Rules for Special Education Programs and Services, and other applicable statutes and regulations.~~
- ~~3. The teacher's qualifications, including:
 - ~~a. compliance with applicable federal or state regulations, including foundations, grants, or categorical funding requirements;~~
 - ~~b. accreditation;~~
 - ~~c. professional training and relevant academic preparation;~~
 - ~~d. prior relevant teaching experience; and~~
 - ~~e. other relevant factors as determined by the Superintendent or designee.~~~~
- ~~4. Additionally, teacher placement may be made based on teacher effectiveness, as determined through the teacher effectiveness criteria established in Revised School Code Section 1248 and Policy 4403.~~

~~B. Non-Teaching Professionals~~

~~If a collective bargaining agreement or individual employment contract governs the Non-Teaching Professional's employment, the Superintendent or designee will adhere to the applicable language on assignment or transfer.~~

~~If no applicable collective bargaining agreement or individual employment contract exists or if an existing collective bargaining agreement or individual employment contract agreement does not address the assignment or transfer of Non-Teaching Professionals, the Superintendent or designee is authorized to assign and transfer Non-Teaching Professionals at the Superintendent's or designee's discretion, in conformance with subsection A of this Policy.~~

~~C. Vacancies may be posted consistent with Policy 4205.~~

~~Legal authority: MCL 380.11a, 380.601a, 380.1248; MCL 423.215(3)(j), 423.215(4)~~

~~Date adopted:~~

~~Dated revised:~~

Series 4000: District Employment

4400 Professional Staff

~~4402-R Placement (Effective July 1, 2024)~~

This Policy must be implemented consistent with Policy 1101.

A. Teacher as Defined by Revised School Code Section 1249 (K-12 certified teachers of record)

The appropriate placement of effective teachers is an essential component in promoting student academic growth, educational outcomes, and quality educational services. The Superintendent or designee may make teacher placement decisions at their discretion consistent with this Policy.

Placement includes, but is not limited to, assignment, transfer, or the filling of a position with current staff or newly hired teachers. For vacant positions see Paragraph C (Vacancy).

Placement does not include reduction in force or recall decisions governed by Policy 4405.

1. Consistent with Revised School Code Section 1248, teacher placement decisions shall be based on the following clear and transparent factors:
 - a. Staffing the curriculum with the most effective, certified, and qualified teachers to instruct the applicable courses, grades, and school schedule.
 - b. Appropriate certification, approval, or authorization for all aspects of the assignment. The certification, approval, or authorization, as applicable, will be determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations.
 - c. Teacher placement decisions must be made based on teacher effectiveness criteria established in Revised School Code Section 1249 and Policy 4403.
 - d. Teacher placement decisions will be guided by the following criteria:
 - i. Retaining the most effective teachers who are certified (or otherwise approved or authorized) and qualified to instruct the courses within the curriculum, academic level(s), and department(s).
 - ii. Teachers must be properly certified, approved, or authorized for all aspects of their assignments. The teacher's certification, authorization, or approval status will be:
 - A) Determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations; and

- B) Based on documentation on file with the Superintendent's office.
 - 1) A teacher must maintain valid certification, approval, or authorization, as applicable, and is responsible for filing a copy of the certificate, approval, or authorization with the Superintendent's office in compliance with Revised School Code Section 1532.
 - 2) If a teacher petitions for nullification of the teaching certificate or any endorsement, the teacher must promptly provide written notice of that petition to the Superintendent's office.
- iii. In addition, teachers must be fully qualified for all aspects of their assignments, as determined by the Board, based on documentation on file with the Superintendent's office, including:
 - A) Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;
 - B) Credentials needed for District, school, or program accreditation;
 - C) District-provided professional development, training, and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment and is integrated into instruction;
 - D) Relevant special training, other than professional development or continuing education as required by state or federal law, and integration of that training into instruction in a meaningful way;
 - E) Disciplinary record, if any;
 - F) Length of service in a grade level(s) or subject area(s);
 - G) Recency of relevant and comparable teaching assignments;
 - H) Previous effectiveness ratings;
 - I) Attendance and punctuality;
 - J) Rapport with colleagues, parents, and students;
 - K) Ability to withstand the strain of teaching;
 - L) Compliance with state and federal law; and
 - M) Other relevant factors as determined by the Superintendent or designee.

- e. Length of service may be considered as a tiebreaker if a teacher placement decision involves 2 or more teachers and all other factors distinguishing those teachers from each other are equal.

B. Placement of Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

If a collective bargaining agreement ~~or individual employment contract~~ governs the employment of Non-Teaching Professionals or teachers not subject to Revised School Code Section 1249, the Superintendent or designee will comply with the applicable language on placement.

If a collective bargaining agreement or individual employment contract does not address the placement of Non-Teaching Professionals or teachers not subject to Revised School Code Section 1249, the Superintendent or designee is authorized to place ~~Non-Teaching Professionals~~ those employees at their discretion.

C. Vacant Positions

1. Vacancies may be posted consistent with Policy 4205. The Superintendent or designee determines when a vacancy exists. Generally, a vacancy is an unassigned, open position or a newly created position which the District intends to permanently fill.
2. Vacancies may be filled by a certified and qualified internal or external candidate consistent with this Policy. The Superintendent or designee has full discretion to assign Professional Staff or contractors to cover employee absences consistent with business necessity and operational needs.

Legal authority: MCL 380.11a, 380.601a, 380.1248, 380.1249

Date adopted:

Dated revised:

Series 4000: District Employment

4400 Professional Staff

4402 Placement

This Policy must be implemented consistent with Policy 1101.

- A. Teacher as Defined by Revised School Code Section 1249 (K-12 certified teachers of record)

The appropriate placement of effective teachers is an essential component in promoting student academic growth, educational outcomes, and quality educational services. The Superintendent or designee may make teacher placement decisions at their discretion consistent with this Policy.

Placement includes, but is not limited to, assignment, transfer, or the filling of a position with current staff or newly hired teachers. For vacant positions see Paragraph C (Vacancy).

Placement does not include reduction in force or recall decisions governed by Policy 4405.

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 - a. Staffing the curriculum with the most effective, certified, and qualified teachers to instruct the applicable courses, grades, and school schedule.
 - b. Appropriate certification, approval, or authorization for all aspects of the assignment. The certification, approval, or authorization, as applicable, will be determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations.
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 - ii. Teachers must be properly certified, approved, or authorized for all aspects of their assignments. The teacher's certification, authorization, or approval status will be:
 - A) Determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations; and

- B) Based on documentation on file with the Superintendent's office.
 - 1) A teacher must maintain valid certification, approval, or authorization, as applicable, and is responsible for filing a copy of the certificate, approval, or authorization with the Superintendent's office in compliance with Revised School Code Section 1532.
 - 2) If a teacher petitions for nullification of the teaching certificate or any endorsement, the teacher must promptly provide written notice of that petition to the Superintendent's office.
- iii. In addition, teachers must be fully qualified for all aspects of their assignments, as determined by the Board, based on documentation on file with the Superintendent's office, including:
 - A) Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;
 - B) Credentials needed for District, school, or program accreditation;
 - C) District-provided professional development, training, and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment and is integrated into instruction;
 - D) Relevant special training, other than professional development or continuing education as required by state or federal law, and integration of that training into instruction in a meaningful way;
 - E) Disciplinary record, if any;
 - F) Length of service in a grade level(s) or subject area(s);
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- e. Length of service may be considered as a tiebreaker if a teacher placement decision involves 2 or more teachers and all other factors distinguishing those teachers from each other are equal.

B. Placement of Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

If a collective bargaining agreement governs the employment of Non-Teaching Professionals or teachers not subject to Revised School Code Section 1249, the Superintendent or designee will comply with the applicable language on placement.

If a collective bargaining agreement or individual employment contract does not address the placement of Non-Teaching Professionals or teachers not subject to Revised School Code Section 1249, the Superintendent or designee is authorized to place those employees at their discretion.

C. Vacant Positions

1. Vacancies may be posted consistent with Policy 4205. The Superintendent or designee determines when a vacancy exists. Generally, a vacancy is an unassigned, open position or a newly created position which the District intends to permanently fill.
2. Vacancies may be filled by a certified and qualified internal or external candidate consistent with this Policy. The Superintendent or designee has full discretion to assign Professional Staff or contractors to cover employee absences consistent with business necessity and operational needs.

Legal authority: MCL 380.11a, 380.601a, 380.1248, 380.1249

Date adopted: August 15, 2022

Dated revised: January 15, 2024 (effective 7/1/24)

Date revised: August 19, 2024

Series 4000: District Employment

4400 Professional Staff

~~4403-R Performance Evaluation (Effective July 1, 2024)~~

Performance evaluations are essential to provide quality educational services and to measure competency. This Policy does not diminish the Board's authority or ability to non-renew a professional staff member's contract at the end of the contract's term, consistent with applicable statutes, collective bargaining agreements, Policies, and individual employment contracts. This Policy must be implemented consistent with Policy 1101.

A. Teachers as Defined by Revised School Code Section 1249 (K-12 certified teachers of record)

Teachers will be evaluated pursuant to a performance evaluation system consistent with Revised School Code Section 1249 and the Teachers' Tenure Act. This performance evaluation system will include, as appropriate, the following:

1. a year-end evaluation process that meets statutory standards;
2. an evaluation tool that incorporates components required by law, including:
 - a. locally agreed-on student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
 - b. the teacher's performance; and
 - c. objective criteria.
3. an individualized development plan (IDP) with performance goals developed by the evaluator in consultation with the teacher and recommended training designed to improve the teacher's effectiveness for:
 - a. all probationary teachers;
 - b. teachers rated minimally effective or ineffective during the 2023-24 school year;
 - c. teachers rated needing support or developing; or
 - d. at the evaluator's discretion when performance deficiencies are noted.
4. classroom observations of at least 15 minutes each which include, at a minimum, a review of the teacher's lesson plan, the state curriculum standard used in the lesson, and pupil engagement, with appropriate written feedback and a post-observation meeting between the teacher and the school administrator conducting the observation to discuss those items;
5. a mid-year progress report, if required by law, which aligns with the teacher's individualized development plan, includes specific performance goals

developed by the evaluator, and any recommended training identified by the evaluator;

6. a year-end performance evaluation effectiveness rating, of effective, developing, or needing support;
7. tenured teachers rated as highly effective or effective on the 3 most recent consecutive year-end evaluations may be evaluated [Choose one: biennially or triennially], but if the teacher is not rated as effective on one of the [Choose one: biennial or triennial] year-end evaluations, the teacher must receive year-end evaluations;
8. a mentor for teachers rated developing or needing support or for teachers in the first year of probation;
9. opportunity for a tenured teacher rated needing support on a year-end evaluation to request a review consistent with Revised School Code Section 1249;
10. a tool approved by MDE, a modified MDE tool, or a local evaluation tool if adopted in compliance with Revised School Code Section 1249 and corresponding regulations;
11. website posting of required information for the evaluation tool;
12. training on the evaluation tool for teachers and evaluators as required by law; and
13. other components that the Superintendent or designee deems relevant, important, or in the District's best interests.

If a tenured teacher is rated ineffective or needing support on 3 consecutive year-end evaluations, the teacher ~~shall~~ must be discharged consistent with due process. The District is not precluded from discharging a teacher at other times as provided by the Teachers' Tenure Act.

If a teacher receives an unevaluated rating, the teacher's rating from the school year immediately before the designation must be used.

B. Non-Teaching Professionals Subject to the Teachers' Tenure Act

The performance evaluation system for a Non-Teaching Professional with a teaching certificate subject to the Teachers' Tenure Act must include multiple observations. An IDP will be developed during the employee's probationary period. Except during the probationary period, which must include annual evaluations, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.

The Superintendent or designee also has discretion to implement an IDP if performance deficiencies are noted, regardless of the employee's effectiveness rating.

To the extent required by law, a tenured Non-Teaching Professional subject to the Teachers' Tenure Act rated as needing support may request a review consistent with Revised School Code 1249.

C. Non-Teaching Professionals and Teachers Not Subject to ~~the Teachers' Tenure Act~~ Revised School Code Section 1249

For Non-Teaching Professionals ~~without a teaching certificate who are~~ and teachers not subject to ~~the Teachers' Tenure Act~~ Revised School Code Section 1249, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee, except annual evaluation will be performed during the employee's probationary period. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.

An IDP may be established at the Superintendent's or designee's discretion.

Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1233b, 380.1248, 380.1249; 380.1249a(2); MCL 423.215

Date adopted:

Date revised:

~~Series 4000: District Employment~~

~~4400 Professional Staff~~

~~4403 Performance Evaluation~~

~~Performance evaluations are essential to provide quality educational services and to measure competency. This Policy does not diminish the Board's authority or ability to non-renew a professional staff member's contract at the end of the contract's term, consistent with applicable statutes, collective bargaining agreements, Policies, and individual employment contracts.~~

~~A. Teachers~~

~~Teachers will be evaluated pursuant to a performance evaluation system under Revised School Code Section 1249 and the Teachers' Tenure Act. This performance evaluation system will include, as appropriate, the following:~~

- ~~1. an annual evaluation process that meets statutory standards;~~
- ~~2. an evaluation tool that incorporates components required by law, including:
 - ~~a. individual performance as a majority factor, including student growth (predominant factor), pedagogical skills (teacher's knowledge of the subject area and ability to impart that knowledge and preparation), classroom management, and relationships with students, parents/guardians, and other teachers;~~
 - ~~b. student growth as required by law;~~
 - ~~c. attendance and discipline;~~
 - ~~d. significant, relevant accomplishments and contributions; and~~
 - ~~e. relevant special training other than required professional development or continuing education.~~~~
- ~~3. an individualized development plan (IDP) for all probationary teachers, for teachers rated minimally effective or ineffective, or at the evaluator's discretion where performance deficiencies are noted;~~
- ~~4. classroom observations with appropriate feedback;~~
- ~~5. a mid-year progress report, if required by law;~~
- ~~6. an annual performance evaluation numerical score ("year end effectiveness score"), unless the person qualifies for a biennial evaluation, correlated to effectiveness ratings of highly effective, effective, minimally effective, or ineffective;~~

- ~~7. a tool approved by MDE, a modified tool (if posting requirements are met), or a local evaluation tool if adopted in compliance with Revised School Code Section 1249 and corresponding regulations;~~
- ~~8. website posting of required information for the evaluation tool;~~
- ~~9. training on the evaluation tool for teachers and evaluators as required by law; and~~
- ~~10. other components that the Superintendent or designee deems relevant, important, or in the District's best interests.~~

~~If a tenured teacher is rated ineffective on 3 consecutive year-end annual evaluations, the teacher shall be discharged consistent with due process. The District is not precluded from discharging a teacher at other times as provided by the Teachers' Tenure Act.~~

~~B. Non-Teaching Professionals Subject to the Teachers' Tenure Act~~

~~The performance evaluation system for a Non-Teaching Professional with a teaching certificate who is subject to the Teachers' Tenure Act must include multiple observations. An IDP will be developed during the employee's probationary period. Except during the probationary period, which must include annual evaluations, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.~~

~~The Superintendent or designee also has discretion to implement an IDP if performance deficiencies are noted, regardless of the employee's effectiveness rating.~~

~~C. Non-Teaching Professionals Not Subject to the Teachers' Tenure Act~~

~~For Non-Teaching Professionals without a teaching certificate who are not subject to the Teachers' Tenure Act, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee, except annual evaluation will be performed during the employee's probationary period. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.~~

~~An IDP may be established at the Superintendent's or designee's discretion.~~

~~If the Non-Teaching Professional's employment is governed by a collective bargaining agreement or individual employment contract, the Superintendent or designee will adhere to the applicable language on evaluation.~~

~~Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1233b, 380.1248, 380.1249; 380.1249a(2); MCL 423.215~~

Date adopted:

Date revised:

Series 4000: District Employment

4400 Professional Staff

4403 Performance Evaluation

Performance evaluations are essential to provide quality educational services and to measure competency. This Policy does not diminish the Board's authority or ability to non-renew a professional staff member's contract at the end of the contract's term, consistent with applicable statutes, collective bargaining agreements, Policies, and individual employment contracts. This Policy must be implemented consistent with Policy 1101.

A. Teachers as Defined by Revised School Code Section 1249 (K-12 certified teachers of record)

Teachers will be evaluated pursuant to a performance evaluation system consistent with Revised School Code Section 1249 and the Teachers' Tenure Act. This performance evaluation system will include, as appropriate, the following:

1. a year-end evaluation process that meets statutory standards;
2. an evaluation tool that incorporates components required by law, including:
 - a. locally agreed-on student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
 - b. the teacher's performance; and
 - c. objective criteria.
3. an individualized development plan (IDP) with performance goals developed by the evaluator in consultation with the teacher and recommended training designed to improve the teacher's effectiveness for:
 - a. all probationary teachers;
 - b. teachers rated minimally effective or ineffective during the 2023-24 school year;
 - c. teachers rated needing support or developing; or
 - d. at the evaluator's discretion when performance deficiencies are noted.
4. classroom observations of at least 15 minutes each which include, at a minimum, a review of the teacher's lesson plan, the state curriculum standard used in the lesson, and pupil engagement, with appropriate written feedback and a post-observation meeting between the teacher and the school administrator conducting the observation to discuss those items;
5. a mid-year progress report, if required by law, which aligns with the teacher's individualized development plan, includes specific performance goals

developed by the evaluator, and any recommended training identified by the evaluator;

6. a year-end performance evaluation effectiveness rating, of effective, developing, or needing support;
7. tenured teachers rated as highly effective or effective on the 3 most recent consecutive year-end evaluations may be evaluated triennially, but if the teacher is not rated as effective on one of the triennial year-end evaluations, the teacher must receive year-end evaluations;
8. a mentor for teachers rated developing or needing support or for teachers in the first year of probation;
9. opportunity for a tenured teacher rated needing support on a year-end evaluation to request a review consistent with Revised School Code Section 1249;
10. a tool approved by MDE, a modified MDE tool, or a local evaluation tool if adopted in compliance with Revised School Code Section 1249 and corresponding regulations;
11. website posting of required information for the evaluation tool;
12. training on the evaluation tool for teachers and evaluators as required by law; and
13. other components that the Superintendent or designee deems relevant, important, or in the District's best interests.

If a tenured teacher is rated ineffective or needing support on 3 consecutive year-end evaluations, the teacher must be discharged consistent with due process. The District is not precluded from discharging a teacher at other times as provided by the Teachers' Tenure Act.

If a teacher receives an unevaluated rating, the teacher's rating from the school year immediately before the designation must be used.

B. Non-Teaching Professionals Subject to the Teachers' Tenure Act

The performance evaluation system for a Non-Teaching Professional with a teaching certificate subject to the Teachers' Tenure Act must include multiple observations. An IDP will be developed during the employee's probationary period. Except during the probationary period, which must include annual evaluations, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.

The Superintendent or designee also has discretion to implement an IDP if performance deficiencies are noted, regardless of the employee's effectiveness rating.

To the extent required by law, a tenured Non-Teaching Professional subject to the Teachers' Tenure Act rated as needing support may request a review consistent with Revised School Code 1249.

C. Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

For Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee, except annual evaluation will be performed during the employee's probationary period. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.

An IDP may be established at the Superintendent's or designee's discretion.

Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1233b, 380.1248, 380.1249; 380.1249a(2); MCL 423.215

Date adopted: August 15, 2022

Date revised: January 15, 2024 (Effective 7/1/24)

Date revised: August 19, 2024

Series 4000: District Employment

4400 Professional Staff

4405-R Reduction in Force and Recall ~~(Effective July 1, 2024)~~

This Policy must be implemented consistent with Policy 1101.

A. Reduction in Force and Recall for ~~Classroom~~ Teachers as Defined by Section 1249 (K-12 certified teachers of record)

When making program and staffing decisions resulting in the elimination of a teaching position or the recall of a teacher to a vacant teaching position, the Board will retain the most effective classroom teachers who are certified and qualified to instruct courses within the applicable curriculum, academic levels, and departments. The Board has the exclusive right to determine the size of the teaching staff based on curricular, fiscal, and other operating conditions. To the extent that the determinations involve Revised School Code Section 1248 requirements, the clear and transparent procedures of this Policy guides the implementation of that statute.

1. General Provisions

- a. The Superintendent is responsible, acting within the approved budget, for establishing the number and nature of teaching assignments to implement the approved curriculum. If the Superintendent determines that insufficient funds are budgeted for the existing teaching staff or that a reduction in teaching staff is necessary due to program, curricular, or other operational considerations, the Superintendent will recommend to the Board the teaching positions to be reduced.
- b. Reduction in force and recall decisions must be made based on teacher effectiveness criteria established in Revised School Code Section 1249 and Policy 4403.
- c. Decisions about the reduction and recall of teachers will be guided by the following criteria:
 - i. Retaining the most effective teachers who are certified (or otherwise approved or authorized) and qualified to instruct the courses within the curriculum, academic level(s), department(s), and school schedule(s). A probationary teacher rated as effective or highly effective on the teacher's most recent annual year-end performance evaluation is not subject to displacement by a tenured teacher solely because the other teacher is tenured under the Teachers' Tenure Act.
 - ii. Teachers must be properly certified, approved, or authorized for all aspects of their assignments. The teacher's certification, authorization, or approval status will be:

- A) Determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations; and
 - B) Based on documentation on file with the Superintendent's office.
 - 1) A teacher must maintain valid certification, approval, or authorization, as applicable, and is responsible for filing a copy of the certificate, approval, or authorization with the Superintendent's office in compliance with Revised School Code Section 1532.
 - 2) If a teacher petitions for nullification of the teaching certificate or any endorsement, the teacher must promptly provide written notice of that petition to the Superintendent's office.
- iii. In addition, teachers must be fully qualified for all aspects of their assignments, as determined by the Board, based on documentation on file with the Superintendent's office, including:
- A) Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;
 - B) Credentials needed for District, school, or program accreditation;
 - C) District-provided professional development, training, and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment and is integrated into instruction;
 - D) Relevant special training, other than professional development or continuing education as required by state or federal law, and integration of that training into instruction in a meaningful way;
 - E) Disciplinary record, if any;
 - F) Length of service in a grade level(s) or subject area(s);
 - G) Recency of relevant and comparable teaching assignments;
 - H) Previous effectiveness ratings;
 - I) Attendance and punctuality;
 - J) Rapport with colleagues, ~~parents~~Parents, and students;
 - K) Ability to withstand the strain of teaching;
 - L) Compliance with state and federal law; and

- M) Other relevant factors as determined by the Superintendent or designee.
- iv. Teachers must provide the District with current information and documentation supporting the teacher's certification and qualifications.
 - A) Reduction and recall decisions will be based on the teacher's certification and qualifications in the District's records at the time of the decision.
 - B) A laid off teacher must maintain current contact information (address, phone, and email address) with the Superintendent's office.
 - C) Failure to maintain current contact information may negatively impact the teacher's recall.
- v. Teacher reductions and recalls are by formal Board action.
- vi. Before the Board authorizes a teacher reduction, the Superintendent or designee will notify, in writing, the affected teacher of an opportunity to respond, either in person or in writing, to the proposed reduction.
- vii. The Superintendent or designee will provide written notice of Board reduction in force or recall decisions to each affected teacher.
- viii. A teacher's length of service with the District or tenure under the Teachers' Tenure Act will not be the sole factor in reduction in force and recall decisions.
- d. Teacher reduction in force decisions will be implemented by the following:
 - i. If 1 or more teaching positions are to be reduced, the Superintendent will first identify the academic level(s) or department(s) affected by the reduction. Among those teachers who are certified, approved, or authorized and qualified to instruct the remaining curriculum within the affected academic level(s) or department(s), selection of a teacher(s) for reduction in force will be based on the factors set forth in this Policy.
 - ii. Teachers within the affected academic level(s) or department(s) who are certified and qualified for the remaining positions will be retained consistent with the factors set forth in this Policy.
 - iii. When a teaching position is identified for reduction and there exists a concurrently vacant teaching position for which the teacher in the position to be reduced is both certified and qualified, and the teacher has received an overall rating of at least effective on that teacher's most recent year-end performance evaluation, that teacher may be assigned to the vacant position consistent with Policy 4402 unless the Superintendent or designee determines that the District's educational interests would not be furthered by that assignment.

iv. If more than 1 teacher whose position has been identified for reduction is certified and qualified for a concurrently vacant teaching assignment, the Superintendent or designee will fill the vacancy consistent with Policy 4402, unless the Superintendent determines that the District's educational interests would not be furthered by that assignment.

v. [Choose Option 1 or 2.]

[Option 1: If the reduction or recall decision involves more than 1 teacher and all other factors distinguishing those teachers from each other are equal, seniority (as established by the most recent seniority list for the bargaining unit to which the teachers belong or, if none exists, the District's records) will determine preference for reduction or recall.]

[Option 2: If the reduction or recall decision involves more than 1 teacher and multiple teachers and all factors distinguishing those teachers from each other are equal, the Board may approve and implement a tiebreaker mechanism using a discrete part(s) of the evaluation system. For example, if the reduction or recall decision involves more than one teacher and all factors distinguishing those teachers from each other are equal, the teacher with the higher year-end effectiveness score reflected in the [insert Board preference] portion of the evaluation will have preference for reduction or recall, as applicable. If this year-end effectiveness score is also tied, seniority (as established by the most recent seniority list for the bargaining unit to which the tenured teachers belong or, if none exists, the District's records) will determine preference for reduction or recall.]

[Optional: At least 30 calendar days' notice of reduction in force will be provided, absent extenuating circumstances.]

2. Teacher Recall Process

- a. A teacher is eligible for recall under this Policy for [] months [recommended: 12] from the date the District implemented the reduction in force.
- b. The Superintendent will first identify the academic level(s) or department(s) where a teaching vacancy exists.
- c. Before or in lieu of initiating the recall of a laid-off teacher, the Superintendent may reassign teachers to fill vacancies in accordance with Policy 4402.
- d. After or in lieu of any reassignment of existing teaching staff, the Superintendent may take either of the following actions to fill a vacancy:
 - i. Recall the laid-off teacher who is certified and qualified for the vacancy, provided the teacher was rated at least effective. If more than 1 laid-off

teacher is certified and qualified for recall to a vacant teaching assignment, the Superintendent or designee will fill the vacancy consistent with Policy 4402; or

- ii. Post the vacancy and consider all applicants if the Superintendent determines that:
 - A) the District's educational interests would not be furthered by recalling an otherwise eligible laid-off teacher who meets the certification and qualification standards for the position, considering the factors in Policy 4402; or
 - B) no teacher on layoff meets the certification and qualification requirements for the position as otherwise stated herein.
- e. The Superintendent or designee will provide written notice of the Board's recall decision to any recalled teachers and will establish the time within which a teacher must accept recall to preserve the teacher's employment rights.
- f. A laid-off teacher who is offered an interview for a vacancy and who fails to appear at that interview forfeits all rights to recall and continued employment.
- g. A laid-off teacher who is recalled and fails to accept recall by the time designated in the recall notice, or who does not report for work by the deadline specified in the recall notice after filing a written acceptance of recall with the Superintendent, will forfeit all rights to recall and continued employment unless the Superintendent, in the Superintendent's sole discretion, has extended the time limit in writing.

If a collective bargaining agreement or individual employment contract governs reduction in force or recall, the Superintendent or designee will adhere to the applicable language.

B. Reduction in Force and Recall of Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

For Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249 who are governed by a collective bargaining agreement, the Superintendent will implement the collective bargaining agreement's standards and procedures that pertain to reduction in force or recall when recommending a reduction in force or recall to the Board.

If no collective bargaining agreement exists, or if an existing agreement does not address reduction in force or recall of Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249, the Superintendent will recommend a reduction in force or recall among ~~Non-Teaching Professionals~~ those

employees using the same standards and procedures as set forth in this Policy for teachers.

C. Unemployment Compensation

A ~~teacher or Non-Teaching~~ Professional Staff employee who is laid off and who is paid unemployment compensation chargeable to the District during the summer immediately following a reduction in force and who is recalled on or before the beginning of the next school year will be paid according to an annual adjusted salary rate such that the employee's unemployment compensation received plus the adjusted annual salary rate will be equal to the annual rate of salary the employee would have earned for the school year had the employee not been laid off.

Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1248, 380.1249, 380.1532; MCL 423.215

Date adopted:

Date revised:

~~Series 4000: District Employment~~

~~4400 Professional Staff~~

~~4405 Reduction in Force and Recall~~

~~A. Teachers~~

~~When making program and staffing decisions, the Board will retain the most effective teachers who are certified and qualified to instruct courses within the applicable curriculum, academic levels, and departments. The Board has the exclusive right to determine the size of the teaching staff based on curricular, fiscal, and other operating conditions. To the extent that the determinations involve Revised School Code Section 1248 requirements, this Policy will guide the implementation of that statute.~~

~~1. General Provisions~~

- ~~a. The Superintendent will be responsible, acting within the approved budget, for establishing the number and nature of teaching assignments to implement the approved curriculum. If the Superintendent determines that insufficient funds are budgeted for the existing teaching staff or that a reduction in teaching staff is necessary due to program or curricular considerations, the Superintendent will recommend to the Board the teaching positions to be reduced.~~
- ~~b. If after a reduction of teachers, the Superintendent determines that the District's remaining programs and curriculum cannot be delivered through the existing teaching staff and that sufficient funds are budgeted to support an increase in the number of teachers, the Superintendent may recommend to the Board that teachers be added.~~
- ~~c. Decisions about the reduction and recall of teachers will be guided by the following criteria:
 - ~~i. Retaining the most effective teachers who are certified (or otherwise approved or authorized) and qualified to instruct the courses within the curriculum, academic level(s), and department(s).~~
 - ~~A) This Policy does not require the retention or recall of a probationary or tenured teacher whose most recent performance evaluation contains an overall rating of ineffective or minimally effective in preference to any probationary or tenured teacher rated either effective or highly effective, as reflected in that teacher's most recent performance evaluation.~~
 - ~~B) A probationary teacher rated as effective or highly effective on the teacher's most recent annual year-end performance evaluation is not~~~~

~~subject to being displaced by a tenured teacher solely because the other teacher is tenured under the Teachers' Tenure Act.~~

- ~~ii. Teachers must be properly certified, approved, or authorized for all aspects of their assignments. The teacher's certification, authorization, or approval status will be:
 - ~~A) Determined by applicable statutes and regulations, including the Revised School Code, Teacher Certification Code, and MDE's Rules for Special Education Programs and Services; and~~
 - ~~B) Based on documentation on file with the Superintendent's office.
 - ~~1) A teacher must maintain current and valid certification, approval, or authorization, as applicable, and will be responsible for filing a copy of the teaching certificate, approval, or authorization with the Superintendent's office in compliance with Revised School Code Section 1532.~~
 - ~~2) If a teacher petitions for nullification of the teaching certificate or any endorsement, the teacher must promptly provide written notice of that petition to the Superintendent's office.~~~~~~
- ~~iii. In addition, teachers must be fully qualified for all aspects of their assignments, as determined by the Board, based upon documentation on file with the Superintendent's office, including:
 - ~~A) Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;~~
 - ~~B) Compliance with applicable accreditation requirements;~~
 - ~~C) Professional training and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment;~~
 - ~~D) Formal or specialized training in the subject area(s) or grade level(s); and~~
 - ~~E) Prior teaching experience relevant to the instructional assignment and anticipated to contribute to the teacher's effectiveness, including:
 - ~~1) Experience in a relevant building or department or at a relevant academic/grade level;~~
 - ~~2) Experience teaching relevant instructional subjects;~~
 - ~~3) Recency of relevant and comparable teaching assignments;~~~~~~

- ~~4) Previous effectiveness ratings;~~
 - ~~5) Disciplinary record, if any~~
 - ~~6) Attendance; and~~
 - ~~7) Other relevant factors as determined by the District.~~
- ~~iv. Teachers must provide the District with current information and documentation supporting the teacher's certification and qualifications.~~
- ~~A) Reduction and recall decisions will be based on the teacher's certification and qualifications in the District's records at the time of the decision.~~
 - ~~B) A laid off teacher must maintain current contact information (address, phone, and email address) with the Superintendent's office.~~
 - ~~C) Failure to maintain current contact information may negatively impact the teacher's recall.~~
- ~~v. Teacher reductions and recalls are by formal Board action.~~
- ~~vi. Before the Board authorizes a teacher reduction, the Superintendent or designee will notify, in writing, the affected teacher of an opportunity to respond, either in person or in writing, to the proposed reduction.~~
- ~~vii. The Superintendent or designee will provide written notice of Board reduction in force or recall decisions to each affected teacher.~~
- ~~viii. A teacher's length of service with the District or tenure under the Teachers' Tenure Act will not be the primary or determining factor in reduction in force and recall decisions.~~
- ~~d. Teacher reduction in force decisions will be implemented by the following:~~
- ~~i. If 1 or more teaching positions are to be reduced, the Superintendent will first identify the academic level(s) or department(s) affected by the reduction. Among those teachers who are certified, approved, or authorized and qualified to instruct the remaining curriculum within the affected academic level(s) or department(s), selection of a teacher(s) for reduction in force will be based on the year-end effectiveness score identified in Policy 4403.~~
 - ~~ii. Teachers within the affected academic level(s) or department(s) who are certified and qualified for the remaining positions and who received the highest year-end effectiveness score will be retained. Teachers within the affected academic level(s) or department(s) with the lowest year-end effectiveness score will be laid off.~~

iii. ~~When a teaching position is identified for reduction and there exists a concurrently vacant teaching position for which the teacher in the position to be reduced is both certified and qualified, and the teacher has received an overall rating of at least effective on that teacher's most recent year-end performance evaluation, that teacher may be assigned to the vacant position unless the Superintendent determines that the District's educational interests would not be furthered by that assignment.~~

iv. ~~If more than 1 teacher whose position has been identified for reduction is certified and qualified for a concurrently vacant teaching assignment, the teacher with the highest year-end effectiveness score, if at least effective, will be given priority for the assignment unless the Superintendent determines that the District's educational interests would not be furthered by that assignment.~~

v. ~~{Choose Option 1 or 2}~~

~~{Option 1: If the reduction or recall decision involves more than 1 teacher and multiple teachers have the same year-end effectiveness score used to determine each teacher's effectiveness rating, a tenured teacher has priority over a probationary teacher and among tenured teachers, Teacher seniority (as established by the most recent seniority list for the bargaining unit to which the tenured teachers belong or, if none exists, the District's records) will determine preference for reduction or recall.}~~

~~{Option 2: If the reduction or recall decision involves more than 1 teacher and multiple teachers have the same year-end effectiveness score, the Board may approve and implement a tiebreaker mechanism using a discrete part(s) of the evaluation system. For example, if the reduction or recall decision involves more than one teacher and multiple teachers have the same year-end effectiveness score used to determine each teacher's effectiveness rating, the teacher with the higher year-end effectiveness score reflected in the [insert Board preference] portion of the evaluation will have preference for reduction or recall, as applicable. If this year-end effectiveness score is also tied, seniority (as established by the most recent seniority list for the bargaining unit to which the tenured teachers belong or, if none exists, the District's records) will determine preference for reduction or recall.}~~

~~{Optional: At least 30 calendar days' notice of reduction in force will be provided, absent extenuating circumstances.}~~

~~2. Teacher Recall Process~~

a. ~~A teacher is eligible for recall under this Policy for [] months [recommended: 12] from the date the District implemented the reduction in force.~~

- ~~b. The Superintendent will first identify the academic level(s) or department(s) where a teaching vacancy exists.~~
 - ~~c. Before or in lieu of initiating the recall of a laid off teacher, the Superintendent may reassign teachers to fill vacancies in accordance with Policy 4402.~~
 - ~~d. After or in lieu of any reassignment of existing teaching staff, the Superintendent may take either of the following actions to fill a vacancy:
 - ~~i. Recall the laid off teacher with the highest overall effectiveness score on the teacher's most recent year end evaluation under the performance evaluation system adopted by the Board and who is certified and qualified for the vacancy, provided the teacher was rated at least effective.~~
 - ~~ii. Post the vacancy and consider all applicants if the Superintendent determines that:
 - ~~A) the District's educational interests would not be furthered by recalling an otherwise eligible laid off teacher who meets the certification and qualification standards for the position and who received the highest overall effectiveness score on that teacher's most recent year end evaluation; or~~
 - ~~B) no teacher on layoff meets the certification and qualification requirements for the position as otherwise stated herein.~~~~~~
- ~~e. The Superintendent or designee will provide written notice of the Board's recall decision to any recalled teachers and will establish the time within which a teacher must accept recall to preserve the teacher's employment rights.~~
- ~~f. A laid off teacher who is offered an interview for a vacancy and who fails to appear at that interview forfeits all rights to recall and continued employment.~~
- ~~g. A laid off teacher who is recalled and fails to accept recall by the time designated in the recall notice, or who does not report for work by the deadline specified in the recall notice after filing a written acceptance of recall with the Superintendent, will forfeit all rights to recall and continued employment unless the Superintendent, in the Superintendent's sole discretion, has extended the time limit in writing.~~

~~B. Reduction in Force and Recall of Non-Teaching Professionals~~

~~For Non-Teaching Professionals governed by a collective bargaining agreement, the Superintendent will implement the collective bargaining agreement's standards~~

~~and procedures that pertain to reduction in force or recall when recommending a reduction in force or recall to the Board.~~

~~If no collective bargaining agreement exists, or if an existing agreement does not address reduction in force or recall of Non-Teaching Professionals, the Superintendent will recommend a reduction in force or recall among Non-Teaching Professionals using the same standards and procedures as set forth in this Policy for teachers.~~

~~C. Unemployment Compensation~~

~~A teacher or Non-Teaching Professional who is laid off and who is paid unemployment compensation chargeable to the District during the summer immediately following a reduction in force and who is recalled on or before the beginning of the next school year will be paid according to an annual adjusted salary rate such that the employee's unemployment compensation received plus the adjusted annual salary rate will be equal to the annual rate of salary the employee would have earned for the school year had the employee not been laid off.~~

~~Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1248, 380.1249, 380.1532; MCL 423.215~~

~~Date adopted:~~

~~Date revised:~~

Series 4000: District Employment

4400 Professional Staff

4405 Reduction in Force and Recall

This Policy must be implemented consistent with Policy 1101.

- A. Reduction in Force and Recall for Teachers as Defined by Section 1249 (K-12 certified teachers of record)

When making program and staffing decisions resulting in the elimination of a teaching position or the recall of a teacher to a vacant teaching position, the Board will retain the most effective classroom teachers who are certified and qualified to instruct courses within the applicable curriculum, academic levels, and departments. The Board has the exclusive right to determine the size of the teaching staff based on curricular, fiscal, and other operating conditions. To the extent that the determinations involve Revised School Code Section 1248 requirements, the clear and transparent procedures of this Policy guides the implementation of that statute.

1. General Provisions

- a. The Superintendent is responsible, acting within the approved budget, for establishing the number and nature of teaching assignments to implement the approved curriculum. If the Superintendent determines that insufficient funds are budgeted for the existing teaching staff or that a reduction in teaching staff is necessary due to program, curricular, or other operational considerations, the Superintendent will recommend to the Board the teaching positions to be reduced.
- b. Reduction in force and recall decisions must be made based on teacher effectiveness criteria established in Revised School Code Section 1249 and Policy 4403.
- c. Decisions about the reduction and recall of teachers will be guided by the following criteria:
 - i. Retaining the most effective teachers who are certified (or otherwise approved or authorized) and qualified to instruct the courses within the curriculum, academic level(s), department(s), and school schedule(s). A probationary teacher rated as effective or highly effective on the teacher's most recent annual year-end performance evaluation is not subject to displacement by a tenured teacher solely because the other teacher is tenured under the Teachers' Tenure Act.
 - ii. Teachers must be properly certified, approved, or authorized for all aspects of their assignments. The teacher's certification, authorization, or approval status will be:

- A) Determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations; and
- B) Based on documentation on file with the Superintendent's office.
 - 1) A teacher must maintain valid certification, approval, or authorization, as applicable, and is responsible for filing a copy of the certificate, approval, or authorization with the Superintendent's office in compliance with Revised School Code Section 1532.
 - 2) If a teacher petitions for nullification of the teaching certificate or any endorsement, the teacher must promptly provide written notice of that petition to the Superintendent's office.
- iii. In addition, teachers must be fully qualified for all aspects of their assignments, as determined by the Board, based on documentation on file with the Superintendent's office, including:
 - A) Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;
 - B) Credentials needed for District, school, or program accreditation;
 - C) District-provided professional development, training, and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment and is integrated into instruction;
 - D) Relevant special training, other than professional development or continuing education as required by state or federal law, and integration of that training into instruction in a meaningful way;
 - E) Disciplinary record, if any;
 - F) Length of service in a grade level(s) or subject area(s);
 - G) Recency of relevant and comparable teaching assignments;
 - H) Previous effectiveness ratings;
 - I) Attendance and punctuality;
 - J) Rapport with colleagues, Parents, and students;
 - K) Ability to withstand the strain of teaching;
 - L) Compliance with state and federal law; and

- M) Other relevant factors as determined by the Superintendent or designee.
- iv. Teachers must provide the District with current information and documentation supporting the teacher's certification and qualifications.
 - A) Reduction and recall decisions will be based on the teacher's certification and qualifications in the District's records at the time of the decision.
 - B) A laid off teacher must maintain current contact information (address, phone, and email address) with the Superintendent's office.
 - C) Failure to maintain current contact information may negatively impact the teacher's recall.
- v. Teacher reductions and recalls are by formal Board action.
- vi. Before the Board authorizes a teacher reduction, the Superintendent or designee will notify, in writing, the affected teacher of an opportunity to respond, either in person or in writing, to the proposed reduction.
- vii. The Superintendent or designee will provide written notice of Board reduction in force or recall decisions to each affected teacher.
- viii. A teacher's length of service with the District or tenure under the Teachers' Tenure Act will not be the sole factor in reduction in force and recall decisions.
- d. Teacher reduction in force decisions will be implemented by the following:
 - i. If 1 or more teaching positions are to be reduced, the Superintendent will first identify the academic level(s) or department(s) affected by the reduction. Among those teachers who are certified, approved, or authorized and qualified to instruct the remaining curriculum within the affected academic level(s) or department(s), selection of a teacher(s) for reduction in force will be based on the factors set forth in this Policy.
 - ii. Teachers within the affected academic level(s) or department(s) who are certified and qualified for the remaining positions will be retained consistent with the factors set forth in this Policy.
 - iii. When a teaching position is identified for reduction and there exists a concurrently vacant teaching position for which the teacher in the position to be reduced is both certified and qualified, and the teacher has received an overall rating of at least effective on that teacher's most recent year-end performance evaluation, that teacher may be assigned to the vacant position consistent with Policy 4402 unless the Superintendent or designee determines that the District's educational interests would not be furthered by that assignment.

- iv. If more than 1 teacher whose position has been identified for reduction is certified and qualified for a concurrently vacant teaching assignment, the Superintendent or designee will fill the vacancy consistent with Policy 4402, unless the Superintendent determines that the District's educational interests would not be furthered by that assignment.
- v. If the reduction or recall decision involves more than 1 teacher and multiple teachers and all factors distinguishing those teachers from each other are equal, the Board may approve and implement a tiebreaker mechanism using a discrete part(s) of the evaluation system. For example, if the reduction or recall decision involves more than one teacher and all factors distinguishing those teachers from each other are equal, the teacher with the higher year-end effectiveness score reflected in the evaluation tool / framework portion of the evaluation will have preference for reduction or recall, as applicable. If this year-end effectiveness score is also tied, seniority (as established by the most recent seniority list for the bargaining unit to which the tenured teachers belong or, if none exists, the District's records) will determine preference for reduction or recall.

At least 30 calendar days' notice of reduction in force will be provided, absent extenuating circumstances.

2. Teacher Recall Process

- a. A teacher is eligible for recall under this Policy for 12 months from the date the District implemented the reduction in force.
- b. The Superintendent will first identify the academic level(s) or department(s) where a teaching vacancy exists.
- c. Before or in lieu of initiating the recall of a laid-off teacher, the Superintendent may reassign teachers to fill vacancies in accordance with Policy 4402.
- d. After or in lieu of any reassignment of existing teaching staff, the Superintendent may take either of the following actions to fill a vacancy:
 - i. Recall the laid-off teacher who is certified and qualified for the vacancy, provided the teacher was rated at least effective. If more than 1 laid-off teacher is certified and qualified for recall to a vacant teaching assignment, the Superintendent or designee will fill the vacancy consistent with Policy 4402; or
 - ii. Post the vacancy and consider all applicants if the Superintendent determines that:
 - A) the District's educational interests would not be furthered by recalling an otherwise eligible laid-off teacher who meets the certification and

qualification standards for the position, considering the factors in Policy 4402; or

- B) no teacher on layoff meets the certification and qualification requirements for the position as otherwise stated herein.
- e. The Superintendent or designee will provide written notice of the Board's recall decision to any recalled teachers and will establish the time within which a teacher must accept recall to preserve the teacher's employment rights.
- f. A laid-off teacher who is offered an interview for a vacancy and who fails to appear at that interview forfeits all rights to recall and continued employment.
- g. A laid-off teacher who is recalled and fails to accept recall by the time designated in the recall notice, or who does not report for work by the deadline specified in the recall notice after filing a written acceptance of recall with the Superintendent, will forfeit all rights to recall and continued employment unless the Superintendent, in the Superintendent's sole discretion, has extended the time limit in writing.

If a collective bargaining agreement or individual employment contract governs reduction in force or recall, the Superintendent or designee will adhere to the applicable language.

B. Reduction in Force and Recall of Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

For Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249 who are governed by a collective bargaining agreement, the Superintendent will implement the collective bargaining agreement's standards and procedures that pertain to reduction in force or recall when recommending a reduction in force or recall to the Board.

If no collective bargaining agreement exists, or if an existing agreement does not address reduction in force or recall of Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249, the Superintendent will recommend a reduction in force or recall among those employees using the same standards and procedures as set forth in this Policy for teachers.

C. Unemployment Compensation

A Professional Staff employee who is laid off and who is paid unemployment compensation chargeable to the District during the summer immediately following a reduction in force and who is recalled on or before the beginning of the next school year will be paid according to an annual adjusted salary rate such that the employee's unemployment compensation received plus the adjusted annual salary

rate will be equal to the annual rate of salary the employee would have earned for the school year had the employee not been laid off.

Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1248, 380.1249, 380.1532; MCL 423.215

Date adopted: August 15, 2022

Date revised: January 15, 2024 (Effective 7/1/24)

Date revised: August 19, 2024

Series 4000: District Employment

4400 Professional Staff

4408 Termination

This Policy must be implemented consistent with Policy 1101.

A. Probationary Teachers

For purposes of this Policy, the "termination" of a probationary teacher occurs when the probationary teacher is discharged during the term of an existing individual employment contract between the probationary teacher and the Board. Discontinuation of a probationary teacher's employment at the expiration of an individual employment contract is not termination for purposes of this Policy and is addressed separately in Policy 4409.

The Board may terminate a probationary teacher for misconduct, inappropriate behavior, performance that is not effective, or for any other lawful reason at any time.

The Superintendent or designee may recommend the termination of a probationary teacher to the Board. The recommendation will include the reason(s) for the proposed termination.

Probationary teachers recommended for termination by the Superintendent or designee will be provided advance notice of the allegations; an opportunity for a hearing in closed or open session before the Board; and the time, date, and location of the Board hearing.

B. Tenured Teachers

The Superintendent or designee may recommend the termination of a tenured teacher by filing tenure charges with the Board. The Board will consider whether to proceed on the tenure charges or modify the charges. A tenured teacher may be terminated for a reason that is not arbitrary or capricious.

The tenured teacher may challenge the Board's decision to discharge or demote the teacher by timely filing an appeal with the State Tenure Commission.

~~C. Non-Teaching Professionals~~

C. Non-Teaching Professionals and Teachers not subject to the Teachers' Tenure Act (preschool, GSRP, or other teachers if they did not serve a probationary period under the Tenure Act)

[Choose Option 1 or 2]

[Option 1: Unless otherwise provided by a collective bargaining agreement or individual employment contract: (1) a Non-Teaching Professional or teacher who

is not subject to the Teachers' Tenure Act is subject to ~~Choose one: 4 or 5~~4 years of probationary service and may be non-renewed or terminated at-will by the Board; and (2) after ~~Choose one: 4 or 5~~4 years, the non-probationary Non-Teaching Professional or teacher may be terminated for any reason that is not arbitrary or capricious, subject to due process.]

[Option 2: Unless otherwise provided by a collective bargaining agreement or individual employment contract, a Non-Teaching Professional or teacher who is not subject to the Teachers' Tenure Act may be terminated by the Board for any reason that is not arbitrary or capricious, subject to due process.]

The Superintendent or designee may recommend the termination of a Non-Teaching Professional or teacher to the Board. The recommendation will include the reason(s) for the proposed termination.

Non-Teaching Professionals or teachers recommended for termination by the Superintendent or designee will be provided advance written notice of the allegations; an opportunity for a hearing in closed or open session before the Board; and the time, date, and location of the Board hearing.

Legal authority: MCL 38.83(2), 38.101, 38.121

Date adopted:

Date revised:

Series 4000: District Employment

4400 Professional Staff

4408 Termination

This Policy must be implemented consistent with Policy 1101.

A. Probationary Teachers

For purposes of this Policy, the “termination” of a probationary teacher occurs when the probationary teacher is discharged during the term of an existing individual employment contract between the probationary teacher and the Board. Discontinuation of a probationary teacher’s employment at the expiration of an individual employment contract is not termination for purposes of this Policy and is addressed separately in Policy 4409.

The Board may terminate a probationary teacher for misconduct, inappropriate behavior, performance that is not effective, or for any other lawful reason at any time.

The Superintendent or designee may recommend the termination of a probationary teacher to the Board. The recommendation will include the reason(s) for the proposed termination.

Probationary teachers recommended for termination by the Superintendent or designee will be provided advance notice of the allegations; an opportunity for a hearing in closed or open session before the Board; and the time, date, and location of the Board hearing.

B. Tenured Teachers

The Superintendent or designee may recommend the termination of a tenured teacher by filing tenure charges with the Board. The Board will consider whether to proceed on the tenure charges or modify the charges. A tenured teacher may be terminated for a reason that is not arbitrary or capricious.

The tenured teacher may challenge the Board’s decision to discharge or demote the teacher by timely filing an appeal with the State Tenure Commission.

C. Non-Teaching Professionals and Teachers not subject to the Teachers’ Tenure Act (preschool, GSRP, or other teachers if they did not serve a probationary period under the Tenure Act)

Unless otherwise provided by a collective bargaining agreement or individual employment contract: (1) a Non-Teaching Professional or teacher who is not subject to the Teachers’ Tenure Act is subject to 4 years of probationary service and may be non-renewed or terminated at-will by the Board; and (2) after 4 years, the non-probationary Non-Teaching Professional or teacher may be terminated for any reason that is not arbitrary or capricious, subject to due process.

The Superintendent or designee may recommend the termination of a Non-Teaching Professional or teacher to the Board. The recommendation will include the reason(s) for the proposed termination.

Non-Teaching Professionals or teachers recommended for termination by the Superintendent or designee will be provided advance written notice of the allegations; an opportunity for a hearing in closed or open session before the Board; and the time, date, and location of the Board hearing.

Legal authority: MCL 38.83(2), 38.101, 38.121

Date adopted: August 15, 2022

Date revised: January 15, 2024 (Effective 7/1/24)

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Series 4000: District Employment

4400 Professional Staff

~~4409-R Non-Renewal (Effective July 1, 2024)~~

For purposes of this Policy, "non-renewal" of a probationary teacher refers to the discontinuation of the employment relationship between the Board and a probationary teacher at the expiration of the probationary year following the process set forth in the Teachers' Tenure Act.

Teachers must serve a probationary period as required by the Teachers' Tenure Act. A probationary teacher's contract may be non-renewed for performance-based reasons or any other lawful reason.

This Policy must be implemented consistent with Policy 1101.

A. Probationary Period

1. A probationary teacher rated developing, or needing support may be subject to non-renewal consistent with the Teachers' Tenure Act. To attain tenure, a probationary teacher must be rated effective (after July 1, 2024) or highly effective (before July 1, 2024) on the teacher's 3 most recent year-end annual performance evaluations and serve at least 4 full school years. A teacher's probationary period may extend ~~beyond 4 years~~, or the probationary teacher may be nonrenewed, if the teacher does not receive 3 consecutive effective ratings during the probationary period.

~~2.~~ For a teacher who previously held tenure in another Michigan public school district, the teacher is subject to a 2-year probationary period, unless the Board acts to reduce the teacher's probationary period. The Board may make such a reduction if it determines that it is in the District's best interest considering factors such as the teacher's employment history; certifications, approvals, or authorizations; experience in subject matter or grade level; professional development, training, and academic preparation; and any other relevant factors as determined by the Board.

~~3.2.~~ [Optional: Unless otherwise provided by a collective bargaining agreement or individual employment contract,

a. Non-Teaching Professionals who are not subject to the Teachers' Tenure Act are subject to ~~Choose one: 4 or 5~~ 4 years of probationary service and may be non-renewed or terminated at-will by the Board; and

b. After ~~Choose one: 4 or 5~~ years, the non-probationary Non-Teaching Professional may be non-renewed or terminated for any reason that is not arbitrary or capricious, subject to due process.]

B. Non-renewal

1. Probationary teacher non-renewal is subject to the non-renewal procedures specified in the Teachers' Tenure Act. This Policy ~~shall~~will be implemented consistent with that statute.
 2. Before non-renewing a probationary teacher, the probationary teacher must receive written notice of the Superintendent's or designee's recommendation for non-renewal and the time, date, and place of the Board meeting at which the Board will consider the recommendation. The recommendation for non-renewal will state the reason(s) for the recommendation and may include supporting documentation.
 3. The probationary teacher must receive written notice of Board action to non-renew the teacher's contract at least 15 calendar days before the end of the school year (June 30) except as provided in subsection 4 below. If the teacher is hired after the beginning of the school year, notice of non-renewal must be received at least 15 calendar days before the teacher's anniversary date of hire.
 4. For a teacher who previously held tenure in another Michigan public school district, the teacher must receive written notice of non-renewal at least 60 calendar days before the completion of the probationary period.
- C. The probationary teacher will be provided an opportunity to address the Board in open or closed session and respond to the Superintendent's or designee's recommendation to non-renew.
- D. The Board must take action in open session on the recommendation to non-renew the probationary teacher.
- E. The probationary teacher must be served with written notice of the Board's action non-renewing the teacher's employment and a copy of the Board action within the timeframe required by the Teachers' Tenure Act. The non-renewal notice will specify that a probationary teacher has the right to appeal the timeliness or legal effect of a notice of non-renewal. The appeal must be filed with the State Tenure Commission within 20 calendar days after the probationary teacher's receipt of the notice of non-renewal. A copy of the Teachers' Tenure Act should also be included with the notice.
- F. Teachers who are not subject to the Teachers' Tenure Act may be non-renewed at the discretion of the Board for any lawful reason subject to an applicable collective bargaining agreement or individual employment contract. [Option: The teacher must have advance notice that the Board is considering nonrenewal and an opportunity to be heard. The teacher will receive written notice of a nonrenewal decision.]

Legal authority: MCL 38.81 et seq., 38.91 et seq.

Date adopted:

Date revised:

~~Series 4000: District Employment~~

~~4400 Professional Staff~~

~~4409 Non-Renewal~~

~~For purposes of this Policy, "non-renewal" of a probationary teacher refers to the discontinuation of the employment relationship between the Board and a probationary teacher at the expiration of the probationary year following the process set forth in the Teachers' Tenure Act.~~

~~Teachers must serve a probationary period as required by the Teachers' Tenure Act. A probationary teacher's contract may be non-renewed for performance-based reasons or any other lawful reason.~~

~~A. Probationary Period~~

- ~~1. A probationary teacher rated minimally effective or ineffective may be subject to non-renewal consistent with the Teachers' Tenure Act. To attain tenure, a probationary teacher who is serving a 5-year probationary period must be rated effective or highly effective on the teacher's 3 most recent year-end annual performance evaluations. Under limited circumstances, a teacher's probationary period may be extended.~~
- ~~2. A probationary teacher may obtain tenure in less than 5 years if the teacher has taught at the District for 4 years and received a highly effective evaluation rating for 3 consecutive years.~~
- ~~3. For a teacher who previously held tenure in another Michigan public school district, the teacher is subject to a 2-year probationary period, unless the Board acts to reduce the teacher's probationary period.~~
- ~~4. [Optional: Unless otherwise provided by a collective bargaining agreement or individual employment contract, (a) Non-Teaching Professionals who are not subject to the Teachers' Tenure Act are subject to 5 years of probationary service and may be non-renewed or terminated at will by the Board, and (b) after 5 years, the non-probationary Non-Teaching Professional may be non-renewed or terminated for any reason that is not arbitrary or capricious, subject to due process.]~~

~~B. Non-renewal~~

- ~~1. Probationary teacher non-renewal is subject to the non-renewal procedures specified in the Teachers' Tenure Act. This Policy shall be implemented consistent with that statute.~~
- ~~2. Before non-renewing a probationary teacher, the probationary teacher must receive written notice of the Superintendent's or designee's recommendation for non-renewal and the time, date, and place of the Board meeting when the Board will consider the recommendation. The recommendation for non-renewal~~

~~will state the reason(s) for the recommendation of non-renewal and may include supporting documentation.~~

- ~~3. The probationary teacher must receive written notice of Board action to non-renew the teacher's contract at least 15 calendar days before the end of the school year (June 30) except as provided in subsection 4 below. If the teacher is hired after the beginning of the school year, notice of non-renewal must be received at least 15 calendar days before the teacher's anniversary date of hire.~~
- ~~4. For a teacher who previously held tenure in another Michigan public school district, the teacher must receive written notice of non-renewal at least 60 calendar days before the completion of the probationary period.~~
- ~~G. The probationary teacher will be provided an opportunity to address the Board in open or closed session and respond to the Superintendent's or designee's recommendation to non-renew.~~
- ~~D. The Board must take action in open session on the recommendation to non-renew the probationary teacher.~~
- ~~E. The probationary teacher must be served with written notice of the Board's action non-renewing the teacher's employment and a copy of the Board action within the timeframe required by the Teachers' Tenure Act. The non-renewal notice will specify that a probationary teacher has the right to appeal the timeliness or legal effect of a notice of non-renewal. The appeal must be filed with the State Tenure Commission within 20 calendar days after the probationary teacher's receipt of the notice of non-renewal. A copy of the Teachers' Tenure Act should also be included with the notice.~~

~~Legal authority: MCL 38.81 et seq., 38.91 et seq.~~

~~Date adopted:~~

~~Date revised:~~

Series 4000: District Employment

4400 Professional Staff

4409 Non-Renewal

For purposes of this Policy, “non-renewal” of a probationary teacher refers to the discontinuation of the employment relationship between the Board and a probationary teacher at the expiration of the probationary year following the process set forth in the Teachers’ Tenure Act.

Teachers must serve a probationary period as required by the Teachers’ Tenure Act. A probationary teacher’s contract may be non-renewed for performance-based reasons or any other lawful reason.

This Policy must be implemented consistent with Policy 1101.

A. Probationary Period

1. A probationary teacher rated developing or needing support may be subject to non-renewal consistent with the Teachers’ Tenure Act. To attain tenure, a probationary teacher must be rated effective (after July 1, 2024) or highly effective (before July 1, 2024) on the teacher’s 3 most recent year-end annual performance evaluations and serve at least 4 full school years. A teacher’s probationary period may extend, or the probationary teacher may be nonrenewed, if the teacher does not receive 3 consecutive effective ratings during the probationary period.

For a teacher who previously held tenure in another Michigan public school district, the teacher is subject to a 2-year probationary period, unless the Board acts to reduce the teacher’s probationary period. The Board may make such a reduction if it determines that it is in the District’s best interest considering factors such as the teacher’s employment history; certifications, approvals, or authorizations; experience in subject matter or grade level; professional development, training, and academic preparation; and any other relevant factors as determined by the Board.

2. Unless otherwise provided by a collective bargaining agreement or individual employment contract:
 - a. Non-Teaching Professionals who are not subject to the Teachers’ Tenure Act are subject to 4 years of probationary service and may be non-renewed or terminated at-will by the Board; and
 - b. After 4 years, the non-probationary Non-Teaching Professional may be non-renewed or terminated for any reason that is not arbitrary or capricious, subject to due process.

B. Non-renewal

1. Probationary teacher non-renewal is subject to the non-renewal procedures specified in the Teachers' Tenure Act. This Policy will be implemented consistent with that statute.
 2. Before non-renewing a probationary teacher, the probationary teacher must receive written notice of the Superintendent's or designee's recommendation for non-renewal and the time, date, and place of the Board meeting at which the Board will consider the recommendation. The recommendation for non-renewal will state the reason(s) for the recommendation and may include supporting documentation.
 3. The probationary teacher must receive written notice of Board action to non-renew the teacher's contract at least 15 calendar days before the end of the school year (June 30) except as provided in subsection 4 below. If the teacher is hired after the beginning of the school year, notice of non-renewal must be received at least 15 calendar days before the teacher's anniversary date of hire.
 4. For a teacher who previously held tenure in another Michigan public school district, the teacher must receive written notice of non-renewal at least 60 calendar days before the completion of the probationary period.
- C. The probationary teacher will be provided an opportunity to address the Board in open or closed session and respond to the Superintendent's or designee's recommendation to non-renew.
- D. The Board must take action in open session on the recommendation to non-renew the probationary teacher.
- E. The probationary teacher must be served with written notice of the Board's action non-renewing the teacher's employment and a copy of the Board action within the timeframe required by the Teachers' Tenure Act. The non-renewal notice will specify that a probationary teacher has the right to appeal the timeliness or legal effect of a notice of non-renewal. The appeal must be filed with the State Tenure Commission within 20 calendar days after the probationary teacher's receipt of the notice of non-renewal. A copy of the Teachers' Tenure Act should also be included with the notice.
- F. Teachers who are not subject to the Teachers' Tenure Act may be non-renewed at the discretion of the Board for any lawful reason subject to an applicable collective bargaining agreement or individual employment contract. The teacher must have advance notice that the Board is considering nonrenewal and an opportunity to be heard. The teacher will receive written notice of a nonrenewal decision.

Legal authority: MCL 38.81 et seq., 38.91 et seq.

Date adopted: August 15, 2022

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Series 4000: District Employment

4500 Administrators/Supervisors

~~4503-R Performance Evaluation (Effective July 1, 2024)~~

Performance evaluations of Administrators are an essential element of providing quality educational services and measuring an employee's competency. This Policy does not alter the Board's authority or ability to terminate an Administrator's employment during the term of an individual employment contract or to non-renew an Administrator's contract at the end of the contract's term. This Policy must be implemented consistent with Policy 1101.

A. Building Level and Central Office Instructional Administrators

The Superintendent or designee will ensure that building level and central office Administrators who are regularly involved in instructional matters are evaluated consistent with a performance evaluation system under Revised School Code Sections 1249 and 1249b. This performance evaluation system will include, if appropriate, the following:

1. an annual evaluation process that meets statutory standards and is based on objective criteria;
2. an annual evaluation by the Superintendent or designee, unless the Administrator qualifies for a biennial evaluation. This paragraph does not preclude more frequent Administrator evaluations as determined necessary by the Superintendent or designee;
3. an individualized improvement plan if the Administrator is rated developing or needing support or if performance deficiencies are noted;
4. student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
5. an evaluation and feedback provided in writing with an overall effectiveness rating of effective, developing, or needing support;
6. dismissal of an Administrator rated ineffective or needing support on 3 consecutive evaluations;
7. opportunity for an Administrator rated needing support to request a review and appeal consistent with Revised School Code 1249b;
8. a mentor for an Administrator for the first 3 years in which the Administrator is in a new administrative position;
9. a midyear progress report each year that the administrator is evaluated that includes specific performance goals for the remainder of the year and any recommended training identified by the evaluator;

10. for a building level administrator's evaluation, the evaluator will visit the school building where the administrator works, review the building level school administrator's school improvement plan, and observe classrooms with the administrator to collect evidence of school improvement plan strategies being implemented and the impact the school improvement plan has on learning;
11. an evaluation tool approved by the MDE, a modified MDE tool, or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;
12. website posting of required information pertaining to the evaluation tool;
13. appropriate training for evaluators; and
14. other components that the Superintendent or designee deems relevant, important, or in the District's best interest.

The Administrator's individual employment contract will include an appeal process concerning the evaluation process and rating received.

B. Non-Instructional Administrators, Supervisors, and Directors

The Superintendent or designee may evaluate Non-Instructional Administrators, Supervisors, and Directors based on the appropriate evaluation instrument as determined by the Board and consistent with any applicable collective bargaining agreement or individual employment contract. An individual improvement plan may be implemented to remediate and enhance employee performance.

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

Date adopted:

Date revised:

~~Series 4000: District Employment~~

~~4500 Administrators/Supervisors~~

~~4503 Performance Evaluation~~

~~Performance evaluations of Administrators are an essential element of providing quality educational services and measuring an employee's competency. This Policy does not alter the Board's authority or ability to terminate an Administrator's employment during the term of an individual employment contract or to non-renew an Administrator's contract at the end of the contract's term.~~

~~A. Building Level and Central Office Instructional Administrators~~

~~The Superintendent or designee will ensure that building level and central office Administrators who are regularly involved in instructional matters are evaluated consistent with a performance evaluation system under Revised School Code Sections 1249 and 1249b. This performance evaluation system will include, if appropriate, the following:~~

- ~~1. a year-end annual evaluation by the Superintendent or designee, unless the Administrator qualifies for a biennial evaluation. This does not preclude more frequent Administrator evaluations as determined necessary by the Superintendent or designee;~~
- ~~2. an individualized improvement plan if the Administrator is rated minimally effective or ineffective or where performance deficiencies are noted;~~
- ~~3. student growth and other assessment required or authorized by law;~~
- ~~4. an overall effectiveness rating of highly effective, effective, minimally effective, or ineffective;~~
- ~~5. dismissal of an Administrator rated ineffective on 3 consecutive year-end evaluations;~~
- ~~6. an evaluation tool approved by the MDE, a modified tool (if posting requirements are met), or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;~~
- ~~7. website posting of required information pertaining to the evaluation tool;~~
- ~~8. appropriate training for evaluators; and~~
- ~~9. other components that the Superintendent or designee deems relevant, important, or in the District's best interest.~~

~~B. Non-Instructional Administrators, Supervisors, and Directors~~

~~The Superintendent or designee may evaluate Non-Instructional Administrators, Supervisors, and Directors based on the appropriate evaluation instrument as~~

~~determined by the Board and consistent with any applicable collective bargaining agreement or individual employment contract. An individual improvement plan may be implemented to remediate and enhance employee performance.~~

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

~~Date adopted:~~

~~Date revised:~~

Series 4000: District Employment

4500 Administrators/Supervisors

4503 Performance Evaluation

Performance evaluations of Administrators are an essential element of providing quality educational services and measuring an employee's competency. This Policy does not alter the Board's authority or ability to terminate an Administrator's employment during the term of an individual employment contract or to non-renew an Administrator's contract at the end of the contract's term. This Policy must be implemented consistent with Policy 1101.

A. Building Level and Central Office Instructional Administrators

The Superintendent or designee will ensure that building level and central office Administrators who are regularly involved in instructional matters are evaluated consistent with a performance evaluation system under Revised School Code Sections 1249 and 1249b. This performance evaluation system will include, if appropriate, the following:

1. an annual evaluation process that meets statutory standards and is based on objective criteria;
2. an annual evaluation by the Superintendent or designee, unless the Administrator qualifies for a biennial evaluation. This paragraph does not preclude more frequent Administrator evaluations as determined necessary by the Superintendent or designee;
3. an individualized improvement plan if the Administrator is rated developing or needing support or if performance deficiencies are noted;
4. student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
5. an evaluation and feedback provided in writing with an overall effectiveness rating of effective, developing, or needing support;
6. dismissal of an Administrator rated ineffective or needing support on 3 consecutive evaluations;
7. opportunity for an Administrator rated needing support to request a review and appeal consistent with Revised School Code 1249b;
8. a mentor for an Administrator for the first 3 years in which the Administrator is in a new administrative position;
9. a midyear progress report each year that the administrator is evaluated that includes specific performance goals for the remainder of the year and any recommended training identified by the evaluator;

10. for a building level administrator's evaluation, the evaluator will visit the school building where the administrator works, review the building level school administrator's school improvement plan, and observe classrooms with the administrator to collect evidence of school improvement plan strategies being implemented and the impact the school improvement plan has on learning;
11. an evaluation tool approved by the MDE, a modified MDE tool, or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;
12. website posting of required information pertaining to the evaluation tool;
13. appropriate training for evaluators; and
14. other components that the Superintendent or designee deems relevant, important, or in the District's best interest.

The Administrator's individual employment contract will include an appeal process concerning the evaluation process and rating received.

B. Non-Instructional Administrators, Supervisors, and Directors

The Superintendent or designee may evaluate Non-Instructional Administrators, Supervisors, and Directors based on the appropriate evaluation instrument as determined by the Board and consistent with any applicable collective bargaining agreement or individual employment contract. An individual improvement plan may be implemented to remediate and enhance employee performance.

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

Date adopted: August 15, 2022

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Series 4000: District Employment

4500 Administrators/Supervisors

4507 Termination

For purposes of this Policy, "termination" refers to a proposed action to discharge or permanently discontinue the employment of an Administrator, Supervisor, or Director during the term of an individual employment contract. Non-renewal at contract expiration is not a termination under this Policy and is addressed in Policy 4508.

Unless otherwise provided by an applicable collective bargaining agreement or individual employment contract, an Administrator, Supervisor, or Director may be terminated for any lawful reason. Off-duty conduct may result in termination if it adversely impacts the District and is not a legally protected activity.

The applicable collective bargaining agreement or individual employment contract will set forth the procedure for terminating an Administrator, Supervisor, or Director. If the applicable collective bargaining agreement or individual employment contract does not set forth a procedure, then the Superintendent or designee will provide written charges in support of the recommendation for discharge and notice of the Board hearing date, time, and location, to the Administrator, Supervisor, or Director in advance of a Board meeting on the charges. The employee may request a hearing in closed session, but the Board's decision on the termination recommendation must be made in open session. If the employee requests a hearing, the employee has the right to bring legal counsel or another representative of the employee's choice (at the employee's expense) to hear and contest the evidence supporting the termination recommendation and to submit evidence in support of the employee's retention.

The Board resolution or written correspondence identifying the reason(s) for the Board's decision on termination will be placed in the employee's personnel file.

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.

Legal authority: MCL 38.71 et seq.; MCL 380.1229(2), 380.1229(3)

Date adopted:

Date revised:

Series 4000: District Employment

4500 Administrators/Supervisors

4507 Termination

For purposes of this Policy, “termination” refers to a proposed action to discharge or permanently discontinue the employment of an Administrator, Supervisor, or Director during the term of an individual employment contract. Non-renewal at contract expiration is not a termination under this Policy and is addressed in Policy 4508.

Unless otherwise provided by an applicable collective bargaining agreement or individual employment contract, an Administrator, Supervisor, or Director may be terminated for any lawful reason. Off-duty conduct may result in termination if it adversely impacts the District and is not a legally protected activity.

The applicable collective bargaining agreement or individual employment contract will set forth the procedure for terminating an Administrator, Supervisor, or Director. If the applicable collective bargaining agreement or individual employment contract does not set forth a procedure, then the Superintendent or designee will provide written charges in support of the recommendation for discharge and notice of the Board hearing date, time, and location, to the Administrator, Supervisor, or Director in advance of a Board meeting on the charges. The employee may request a hearing in closed session, but the Board’s decision on the termination recommendation must be made in open session. If the employee requests a hearing, the employee has the right to bring legal counsel or another representative of the employee’s choice (at the employee’s expense) to hear and contest the evidence supporting the termination recommendation and to submit evidence in support of the employee’s retention.

The Board resolution or written correspondence identifying the reason(s) for the Board’s decision on termination will be placed in the employee’s personnel file.

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.

Legal authority: MCL 38.71 et seq.; MCL 380.1229(2), 380.1229(3)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 4000: District Employment

4600 The Superintendent

4603 Performance Evaluation

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

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

- A. a year-end annual evaluation process that meets statutory standards and is based on objective criteria;
- A.B. an annual evaluation by the Board, unless the Superintendent qualifies for a biennial evaluation, provided that this does not limit the Board's right to conduct more frequent evaluations where deemed appropriate by the Board;
- B.C. an improvement plan if the Superintendent is evaluated as minimally effective developing or ineffective needing support, or otherwise at the Board's discretion;
- C.D. student growth and other considerations assessment data or student learning objectives, as required defined by law Revised School Code Section 1249;
- D.E. an evaluation and feedback provided in writing with an overall effectiveness rating of highly effective, effective, minimally effective, or ineffective developing, or needing support;
- E.F. dismissal of a Superintendent rated ineffective or needing support on 3 consecutive year-end evaluations;
- G. a midyear progress report for each year that the Superintendent is evaluated that includes specific performance goals for the remainder of the year and any recommended training identified by the Board;
- F.H. a tool approved by the MDE, a modified MDE tool (if posting requirements are met), or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;
- I. opportunity for a Superintendent rated needing support to request a review consistent with the procedure for other administrators under Revised School Code 1249b;

G.J. website posting of required information pertaining to the evaluation tool;

H.K. providing appropriate training for Board members; and

H.L. other components that the Board deems relevant, important, or in the District's best interests.

The Superintendent's individual employment contract will include an appeal process concerning the evaluation process and rating received.

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

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

Date adopted:

Date revised:

Series 4000: District Employment

4600 The Superintendent

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- B. an annual evaluation by the Board, unless the Superintendent qualifies for a biennial evaluation, provided that this does not limit the Board's right to conduct more frequent evaluations where deemed appropriate by the Board;
- C. an improvement plan if the Superintendent is evaluated as developing or needing support, or otherwise at the Board's discretion;
- D. student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
- E. an evaluation and feedback provided in writing with an overall effectiveness rating of effective, developing, or needing support;
- F. dismissal of a Superintendent rated ineffective or needing support on 3 consecutive evaluations;
- G. a midyear progress report for each year that the Superintendent is evaluated that includes specific performance goals for the remainder of the year and any recommended training identified by the Board;
- H. a tool approved by the MDE, a modified MDE tool, or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;
- I. opportunity for a Superintendent rated needing support to request a review consistent with the procedure for other administrators under Revised School Code 1249b;
- J. website posting of required information pertaining to the evaluation tool;
- K. providing appropriate training for Board members; and

L. other components that the Board deems relevant, important, or in the District's best interests.

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5101 Student Expression

The District will balance student speech and expression rights with its responsibility to provide a safe, orderly learning environment.

Students may not engage in speech or expressive conduct that would materially and substantially interfere with or disrupt school operations, including school activities and educational programming. An actual disruption is not required before school officials may regulate student speech or impose discipline if they can reasonably forecast a substantial and material disruption or interference with school operations.

Students may be disciplined for speech or expressive conduct that: is materially and substantially disruptive or that school officials can reasonably forecast will create a substantial disruption; is obscene, sexually explicit, indecent, or lewd; promotes the use of or advertises illegal substances; incites violence; contains "fighting words" or constitutes a true threat of violence; [Optional: constitutes hate speech or symbols, including, but not limited to, swastikas or Confederate flags]; involves a student walkout; ~~urges~~incites a violation of law, Board Policy, or rule; or is not constitutionally protected. Administrators will evaluate student speech on a case-by-case basis, including the location, context, and nexus to the school, before imposing discipline.

Student activism is subject to the above standards.

As used in this Policy, "fighting words" are words that tend to provoke a violent response amounting to a breach of the peace.

Legal authority: U.S. CONST. amend. I; Const 1963, art I, § 5; *Tinker v Des Moines Indep Community Sch Dist*, 393 US 503 (1969)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

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Legal authority: U.S. CONST. amend. I; Const 1963, art I, § 5; *Tinker v Des Moines Indep Community Sch Dist*, 393 US 503 (1969)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5102 Lockers

Lockers are District property and may be made available for student use. Lockers are assigned to students on a temporary basis, and District administration may revoke a student's locker assignment at any time. The District retains ownership of lockers notwithstanding student use.

Students have no expectation of privacy in their lockers. The building principal or designee may inspect lockers without any particularized suspicion or reasonable cause and without advance notice. Upon the ~~request of the~~ building principal or ~~designee~~designee's request, law enforcement may ~~assist with searching~~help search lockers.

During a locker search, student privacy rights will be respected for any items that are not illegal or against Board Policy.

The Board directs the Superintendent to include this Policy in the student code of conduct and to distribute it to ~~parents/guardians~~Parents.

Legal authority: MCL 380.1306

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5102 Lockers

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The Board directs the Superintendent to include this Policy in the student code of conduct and to distribute it to Parents.

Legal authority: MCL 380.1306

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5103 Search and Seizure

School officials may search a student and the student's belongings if they have reasonable suspicion that the search will reveal contraband or evidence of a violation of law, Board Policy, or rule. In rare cases, school officials may conduct a search without reasonable suspicion if there is an imminent threat of physical harm or death.

A reasonable suspicion search must be justified at its inception and reasonable in its scope. A search is justified at its inception when school officials have reasonable grounds to suspect that the search will uncover contraband or evidence of a violation of law, Policy, or rule. A search is reasonable in scope when the measures used are reasonably related to the search objectives and are not excessively intrusive in light of the student's age and sex and the nature of the infraction.

School officials are not required to have reasonable suspicion to search lockers or other District property. See Policy 5102.

The District may use detection dogs to search for contraband on District property consistent with Policy 3107.

A breath alcohol test is a search and may be administered upon reasonable suspicion that a student has consumed or is under the influence of alcohol. For voluntary, noncurricular school activities (e.g., school dances), suspicionless breath alcohol tests may be administered for student health and safety purposes if students and their ~~parents/guardians~~ Parents have been provided advance written notice.

Strip searches are prohibited.

The building principal or designee will turn over to law enforcement ~~illegal items and any confiscated~~ dangerous weapons, as defined in Policy 5206, and For all other confiscated contraband and evidence, the building principal or designee may turn the item over to law enforcement or store it in a secure place ~~any other contraband or evidence seized from a search at school~~ until a disciplinary hearing.

This Policy does not apply to any outside entity that may require drug or breath alcohol testing as a condition of participation. See Policy 5105.

Legal authority: MCL 380.1306, 380.1313(2)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

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School officials may search a student and the student's belongings if they have reasonable suspicion that the search will reveal contraband or evidence of a violation of law, Board Policy, or rule. In rare cases, school officials may conduct a search without reasonable suspicion if there is an imminent threat of physical harm or death.

A reasonable suspicion search must be justified at its inception and reasonable in its scope. A search is justified at its inception when school officials have reasonable grounds to suspect that the search will uncover contraband or evidence of a violation of law, Policy, or rule. A search is reasonable in scope when the measures used are reasonably related to the search objectives and are not excessively intrusive in light of the student's age and sex and the nature of the infraction.

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A breath alcohol test is a search and may be administered upon reasonable suspicion that a student has consumed or is under the influence of alcohol. For voluntary, noncurricular school activities (e.g., school dances), suspicionless breath alcohol tests may be administered for student health and safety purposes if students and their Parents have been provided advance written notice.

Strip searches are prohibited.

The building principal or designee will turn over to law enforcement any confiscated dangerous weapons, as defined in Policy 5206. For all other confiscated contraband and evidence, the building principal or designee may turn the item over to law enforcement or store it in a secure place at school until a disciplinary hearing.

This Policy does not apply to any outside entity that may require drug or breath alcohol testing as a condition of participation. See Policy 5105.

Legal authority: MCL 380.1306, 380.1313(2)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5104 Age of Majority

State law recognizes students are adults at age 18 or when otherwise legally emancipated. Except as noted below, all Board Policies, applicable codes of conduct, and any other applicable rules or behavioral expectations apply to all students regardless of age.

Unless inconsistent with a court order, students who are 18 years or older or legally emancipated may:

- A. have the same rights as their ~~parents/guardians~~Parents as they relate to access to or control of their student records;
- B. represent themselves during disciplinary conferences;
- C. request a personal curriculum;
- D. have other rights or privileges as determined by the Superintendent or designee;
- E. [Optional] sign themselves in and out of school;
- F. [Optional] provide reason(s) for their absences and tardies;

Eligible students who wish to assert these rights must notify the building principal in writing. Otherwise, sections ~~B-F~~ above will not apply. The building principal or designee may notify an eligible student's ~~parent/guardian~~Parent that the eligible student has exercised the rights listed under this Policy.

Legal authority: MCL 380.1278b; MCL 722.4, 722.52

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5104 Age of Majority

State law recognizes students are adults at age 18 or when otherwise legally emancipated. Except as noted below, all Board Policies, applicable codes of conduct, and any other applicable rules or behavioral expectations apply to all students regardless of age.

Unless inconsistent with a court order, students who are 18 years or older or legally emancipated may:

- A. have the same rights as their Parents as they relate to access to or control of their student records;
- B. represent themselves during disciplinary conferences;
- C. request a personal curriculum;
- D. have other rights or privileges as determined by the Superintendent or designee;
- E. sign themselves in and out of school;
- F. provide reason(s) for their absences and tardies;

Eligible students who wish to assert these rights must notify the building principal in writing. Otherwise, sections B-F above will not apply. The building principal or designee may notify an eligible student's Parent that the eligible student has exercised the rights listed under this Policy.

Legal authority: MCL 380.1278b; MCL 722.4, 722.52

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5105 *Collaboration with Outside Entities*

The District may, from time to time, collaborate with outside entities to offer programming to students. Nothing in these Board Policies, including, without limitation, protocols for student searches and seizures, student discipline, interrogation of students, and seclusion and restraint, may be interpreted to interfere with any rule, regulation, or policy imposed by an outside entity with which the District cooperates or collaborates, except as otherwise prohibited by law.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5105 Collaboration with Outside Entities

The District may, from time to time, collaborate with outside entities to offer programming to students. Nothing in these Board Policies, including, without limitation, protocols for student searches and seizures, student discipline, interrogation of students, and seclusion and restraint, may be interpreted to interfere with any rule, regulation, or policy imposed by an outside entity with which the District cooperates or collaborates, except as otherwise prohibited by law.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5106 Transgender Students [Optional] [Note: If the Board elects not to adopt this policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number *and* in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

[Optional] The Board recognizes that transgender students, nationally and in Michigan, are targeted with physical violence and experience a hostile school environment more frequently than their peers. ~~Supportive environments~~ A supportive environment that ~~acknowledge~~ acknowledges and ~~affirm~~ affirms a student's gender identity is a protective factor that improves health and educational outcomes.]

The Board supports protecting the rights of all students to self-identify and use the name, pronouns, and facilities that correspond with their gender identity. The Board prohibits unlawful discrimination, bullying, and harassment on the basis of sex, which includes sexual orientation and gender identity. ~~The Board further prohibits unlawful discrimination, bullying, and harassment on the basis of gender, gender identity, gender or expression, or gender-based stereotypes pursuant to Title IX of the Education Amendments of 1972.~~

~~A. Definitions~~

- ~~0. "Gender" means a set of social, physical, psychological and emotional traits, often influenced by societal expectations and a person's sexual and reproductive anatomy that classify an individual as feminine, masculine, androgynous, or other.~~
- ~~0. "Gender Identity" means a person's deeply held internal sense or psychological knowledge of their own gender. A person's gender identity can be the same or different from their sex assigned at birth. Gender identities may include, "male," "female," "androgynous," "transgender," "genderqueer" and many others, or a combination thereof.~~
- ~~0. "Gender Expression" means the multiple ways in which a person represents or expresses gender to themselves and others, often through one's name, pronouns, behavior, clothing, haircut, activities, voice, and other distinctive cultural markers of gender, and which may or may not conform to socially defined behaviors and characteristics typically associated with being masculine or feminine.~~
- ~~0. "Gender Neutral" means not gendered, usually operating outside the male/female binary, and may refer to language (e.g., pronouns), spaces (e.g., bathrooms), or identities.~~
- ~~0. "Transgender" means a person whose gender identity or expression is different from their sex assigned at birth.~~

- 0. ~~“Cisgender” means a person whose gender identity aligns with the sex assigned at birth.~~
- 0. ~~“Gender Nonconforming” includes people whose gender identity or expression does not conform to the stereotypical expectations of the sex they were assigned at birth. People who identify as Gender Nonconforming may or may not also identify as Transgender.~~
- 0. ~~“Gender fluid” means a person who does not identify with a single fixed gender and whose identification and presentation may shift, whether within or outside of the male/female binary.~~
- 0. ~~“Nonbinary” includes people who do not identify with the binary concepts of man/woman or masculine/ feminine. Not all Transgender people identify as Nonbinary. Other genders that may be included under the nonbinary umbrella are Genderqueer, Gender fluid, and Agender.~~
- 0. ~~“Preferred Gender Pronouns” means the pronoun or set of pronouns by which a person would like others to call them when their proper name is not being used. Traditional examples include “she/her/hers” or “he/him/his.” Some people prefer Gender Neutral pronouns such as “they/them/theirs.” Some people prefer no pronouns at all.~~

L.A. Unlawful Discrimination, Harassment, and Bullying

If a District employee receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice that a student has experienced discrimination, harassment, or bullying ~~based on a student’s actual or perceived gender, gender identity, or gender expression~~, in violation of this Policy, the staff member must promptly report the alleged misconduct pursuant to the District’s unlawful discrimination and harassment policies.

If a student receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice there has been an incident of discrimination, harassment, or bullying ~~based on a student’s actual or perceived gender, gender identity, or gender expression~~ in violation of this Policy, the student is encouraged to promptly report such incident pursuant to the District’s unlawful discrimination and harassment policies.

Complaints alleging unlawful discrimination, harassment, or bullying ~~based on a person’s actual or perceived gender, gender identity, or gender expression must be taken seriously and in violation of this Policy must be~~ handled pursuant to the District’s unlawful discrimination and harassment policies.

M.B. Initial Notification

The person best suited to determine a student’s ~~Gender Identity~~ gender identity is the individual student. A student will not be required to present legal or medical documentation of a gender transition when the student notifies the District of ~~his,~~

~~her, or their Gender Identity~~the student's gender identity, preferred name, or Preferred Gender Pronounspreferred gender pronouns.

Once a student or the student's ~~parent/guardian~~Parent notifies the District of the student's ~~Gender Identity~~gender identity, the District will meet with the student and the student's ~~parents~~Parents, as appropriate, to discuss whether the student requires any accommodations or supports at school and how any needed supports will be communicated to staff and students. The District will ensure that all staff engage in reasonable and good faith efforts to address the student by the student's preferred name and ~~Preferred Gender Pronouns~~preferred gender pronouns.

The nature and type of supports the student may need at school may vary depending on the student's age, grade level, abilities, family situation, and other factors. Any determination made about accommodations and supports for the student at school will take into account the student's preferences, the ~~parent~~Parent(s)'s preferences, as appropriate, input from staff, applicable legal standards, and the most recent guidance from the U.S. Department of Education and the Michigan State Board of Education.

[OPTIONAL DEVELOPMENT OF GENDER SUPPORT PLAN] The District will develop a Gender Support Plan to address the student's particular circumstances or needs. ~~At Parent or student request, a~~ Gender Support Plan will be reviewed and ~~may be modified at any time at parent or student request.~~

A Gender Support Plan may, but is not required to, include a Gender Communication Plan, detailing how the District, the ~~parents~~Parents, and the student will communicate a change in ~~one or more aspects of~~the student's ~~commonly assumed gender~~circumstances or needs with appropriate members of the school community. If a Gender Support Plan does not include a Gender Communication Plan, the District will ensure that all staff engage in reasonable and good faith efforts to address the student by ~~their~~the student's preferred name and ~~Preferred Gender Pronouns~~preferred gender pronouns.

A student may not have informed ~~parents~~Parents of the student's ~~Gender Identity~~gender identity. In that situation, disclosure to a student's ~~parents~~Parents should be carefully considered on a case-by-case basis. Administrators should involve the school counselor or social worker and consider the health, safety, and well-being of the student, as well as the school's responsibility to keep ~~parents~~Parents informed, before making any disclosure.

N.C. Student Records

Upon request, if a student's ~~Gender Identity~~gender identity requires changes to student records, the District will make the appropriate changes, regardless of whether the student has "transitioned", sought a legal name change, or taken other legal or medical action. This includes, but is not limited to, updating the District's information systems, email addresses, class rosters, transcripts, and diplomas.

~~[OPTIONAL Optional: The District will comply with reasonable requests to amend a former student's secondary educational records, including diplomas and transcripts, after graduation, to ensure that those requesting records (e.g., college admissions office or potential employers) will only see the name and gender marker corresponding to the student's stated gender identity.]~~

Q.D. Student Privacy

A student's birth name and sex assigned at birth, or the fact that those differ from the student's preferred name and ~~Preferred Gender Pronouns~~ preferred gender pronouns is confidential information that constitutes personally identifiable information under the Family Educational Rights and Privacy Act. The District will ensure that any information relating to a student's ~~Gender Identity or Gender Expression~~ gender identity or gender expression is kept confidential in accordance with applicable state, local, and federal privacy laws.

~~Unless authorized by law, District staff will not disclose information that may reveal a student's birth name or sex assigned at birth, or that those differ from the student's preferred name and Preferred Gender Pronouns to others, including parents and other school staff.~~

Q.E. Restroom and Locker Room Access

~~[Choose Option 1 or 2.]~~

~~[Option 1: Student requests to use facilities like restrooms and locker rooms consistent with a student's Gender Identity gender identity will be addressed by the District on a case-by-case basis consistent with state and federal law and guidance.]~~

~~[Option 2: Upon request, students will have access to the facilities that correspond with their gender identity, but may also choose to use single-user or gender-neutral restrooms.]~~

~~The District will not force or coerce a student to use a sex-segregated facility that does not correspond with the student's Gender Identity gender identity.]~~

Alternative and non-stigmatizing options, like gender-neutral or single-user restrooms will be made available to all students who request them.

~~[Optional: (only include if including reference to Gender Support Plan above.) These determinations may be incorporated into a Gender Support Plan.]~~

R.F. Staff Training

The District will incorporate training on this Policy into the District's training on responding to and investigating unlawful discrimination and harassment. The Superintendent or designee will ensure that District personnel are notified of mandatory training sessions.

Legal authority:- MCL 37.2102, 37.2402; MCL 380.1310b; 20 USC 1232g; 20 USC 1681 et seq.; 20 USC 7151; ~~Policy No. 5207 (Bullying); Policy No. 5202 (Discriminatory Harassment of Students); Policy No. 3118 (Title IX Sexual Harassment)~~34 CFR 106.1 et seq.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5106 Transgender Students

The Board recognizes that transgender students, nationally and in Michigan, are targeted with physical violence and experience a hostile school environment more frequently than their peers. A supportive environment that acknowledges and affirms a student's gender identity is a protective factor that improves health and educational outcomes.

The Board supports protecting the rights of all students to self-identify and use the name, pronouns, and facilities that correspond with their gender identity. The Board prohibits unlawful discrimination, bullying, and harassment on the basis of sex, which includes sexual orientation and gender identity or expression, or gender-based stereotypes.

A. Unlawful Discrimination, Harassment, and Bullying

If a District employee receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice that a student has experienced discrimination, harassment, or bullying in violation of this Policy, the staff member must promptly report the alleged misconduct pursuant to the District's unlawful discrimination and harassment policies.

If a student receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice there has been an incident of discrimination, harassment, or bullying in violation of this Policy, the student is encouraged to promptly report such incident pursuant to the District's unlawful discrimination and harassment policies.

Complaints alleging unlawful discrimination, harassment, or bullying in violation of this Policy must be handled pursuant to the District's unlawful discrimination and harassment policies.

B. Initial Notification

The person best suited to determine a student's gender identity is the individual student. A student will not be required to present legal or medical documentation of a gender transition when the student notifies the District of the student's gender identity, preferred name, or preferred gender pronouns.

Once a student or the student's Parent notifies the District of the student's gender identity, the District will meet with the student and the student's Parents, as appropriate, to discuss whether the student requires any accommodations or supports at school and how any needed supports will be communicated to staff and students. The District will ensure that all staff engage in reasonable and good faith efforts to address the student by the student's preferred name and preferred gender pronouns.

The nature and type of supports the student may need at school may vary depending on the student's age, grade level, abilities, family situation, and other factors. Any determination made about accommodations and supports for the student at school will take into account the student's preferences, the Parent(s)'s preferences, as appropriate, input from staff, applicable legal standards, and the most recent guidance from the U.S. Department of Education and the Michigan State Board of Education.

A student may not have informed Parents of the student's gender identity. In that situation, disclosure to a student's Parents should be carefully considered on a case-by-case basis. Administrators should involve the school counselor or social worker and consider the health, safety, and well-being of the student, as well as the school's responsibility to keep Parents informed, before making any disclosure.

C. Student Records

Upon request, if a student's gender identity requires changes to student records, the District will make the appropriate changes, regardless of whether the student has "transitioned", sought a legal name change, or taken other legal or medical action. This includes, but is not limited to, updating the District's information systems, email addresses, class rosters, transcripts, and diplomas.

D. Student Privacy

A student's birth name and sex assigned at birth, or the fact that those differ from the student's preferred name and preferred gender pronouns is confidential information that constitutes personally identifiable information under the Family Educational Rights and Privacy Act. The District will ensure that any information relating to a student's gender identity or gender expression is kept confidential in accordance with applicable state, local, and federal privacy laws.

E. Restroom and Locker Room Access

Upon request, students will have access to the facilities that correspond with their gender identity, but may also choose to use single-user or gender-neutral restrooms.

The District will not force or coerce a student to use a sex-segregated facility that does not correspond with the student's gender identity.

Alternative and non-stigmatizing options, like gender-neutral or single-user restrooms will be made available to all students who request them.

F. Staff Training

The District will incorporate training on this Policy into the District's training on responding to and investigating unlawful discrimination and harassment. The Superintendent or designee will ensure that District personnel are notified of mandatory training sessions.

Legal authority: MCL 37.2102, 37.2402; MCL 380.1310b; 20 USC 1232g; 20 USC 1681 et seq.; 20 USC 7151; 34 CFR 106.1 et seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5201 Investigations, Arrests, and Other Law Enforcement Contact

The Board desires to maintain a positive working relationship with law enforcement agencies while protecting student rights and educational needs.

“Law enforcement officer” means a county sheriff or deputy sheriff; an officer of a city, village, or township police department; a city, village, or township marshal; a constable; a Michigan State Police officer; a federal law enforcement officer; an investigator of the state Department of Attorney General; a U.S. Immigration and Customs Enforcement (ICE) agent; a Federal Bureau of Investigations (FBI) agent; or any other person who has the legal authority to investigate criminal activity or to effectuate an arrest.

A. Student Records

District personnel may only share personally identifiable information from a student’s education record with law enforcement officers pursuant to Policy 5309 and state and federal law.

B. Reporting to Law Enforcement

A District administrator may contact a law enforcement officer any time the administrator suspects criminal activity; activity that threatens the health or safety of a student; or activity that disrupts or potentially disrupts the school environment.

C. School Related Criminal Activity

School related criminal activity is alleged or suspected criminal activity that occurs on school grounds, at a school-sponsored activity or athletic event, or in a vehicle owned or used by the District.

Law enforcement officers may contact and question students at school about school related criminal activity as provided below.

A law enforcement officer must notify the building principal or designee before questioning a student at school. The building principal or designee must request the law enforcement officer’s identification before allowing the student to be questioned.

The building principal or designee will make reasonable attempts to contact a student’s parent/guardianParent before the student is questioned by law enforcement. If the student is 18 years or older or is emancipated, the building principal will make reasonable attempts to contact the student’s parent/guardianParent, if requested by the student. If a parent/guardianParent cannot be reached after reasonable attempts, the student may be questioned only if the law enforcement officer identifies emergency circumstances requiring immediate questioning. A building principal or designee will be present for the

questioning. The student will be questioned in a private room and out of sight of others as much as practicable.

The law enforcement officer ~~has the responsibility to advise~~ is responsible for advising the student of all applicable rights, including the right against self-incrimination.

If at any time the building principal or designee believes that the law enforcement officer's questioning is being conducted in an inappropriate manner, the building principal or designee will request that the questioning cease.

D. Non-School Related Criminal Activity

Unless specifically authorized by law, a law enforcement officer may not question a student at school about non-school related criminal activity without parent/guardianParent consent or an appropriate warrant or court order.

E. Taking a Student into Custody

A law enforcement officer seeking to take a student into custody must contact the building principal or designee. If practicable, the building principal or designee will request that the law enforcement officer provide a copy of the warrant, written parent/guardianParent consent, court order, or other document authorizing the officer to take the student into custody. If the law enforcement officer takes a student into custody, the building principal or designee will obtain and record the officer's name, badge number and law enforcement agency; the date, time, and reason for the arrest; and the location to which the student is reportedly being taken.

Whenever practicable, a student should be taken into custody in a manner that minimizes observation by others and disruption to the educational environment.

When a law enforcement officer removes a student from school, the building principal or designee will take immediate steps to notify the student's parent/guardianParent about the student's removal and the location to which the student is reportedly being taken, except when a student has been taken into custody as a victim of suspected child abuse or neglect.

F. Optional: Notification to Superintendent or Designee

The building principal or designee will promptly notify the Superintendent any time a law enforcement officer seeks or demands to question a student, take a student into custody, or remove a student from school.

G. Child Abuse and Neglect

This Policy does not govern child abuse and neglect investigations. See Policy 5701.

Nothing in this Policy limits a District employee's authority to question a student about suspected misconduct or investigate suspected misconduct at school.

Legal authority: MCL 380.11a

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5201 Investigations, Arrests, and Other Law Enforcement Contact

The Board desires to maintain a positive working relationship with law enforcement agencies while protecting student rights and educational needs.

“Law enforcement officer” means a county sheriff or deputy sheriff; an officer of a city, village, or township police department; a city, village, or township marshal; a constable; a Michigan State Police officer; a federal law enforcement officer; an investigator of the state Department of Attorney General; a U.S. Immigration and Customs Enforcement (ICE) agent; a Federal Bureau of Investigations (FBI) agent; or any other person who has the legal authority to investigate criminal activity or to effectuate an arrest.

A. Student Records

District personnel may only share personally identifiable information from a student’s education record with law enforcement officers pursuant to Policy 5309 and state and federal law.

B. Reporting to Law Enforcement

A District administrator may contact a law enforcement officer any time the administrator suspects criminal activity; activity that threatens the health or safety of a student; or activity that disrupts or potentially disrupts the school environment.

C. School Related Criminal Activity

School related criminal activity is alleged or suspected criminal activity that occurs on school grounds, at a school-sponsored activity or athletic event, or in a vehicle owned or used by the District.

Law enforcement officers may contact and question students at school about school related criminal activity as provided below.

A law enforcement officer must notify the building principal or designee before questioning a student at school. The building principal or designee must request the law enforcement officer’s identification before allowing the student to be questioned.

The building principal or designee will make reasonable attempts to contact a student’s Parent before the student is questioned by law enforcement. If the student is 18 years or older or is emancipated, the building principal will make reasonable attempts to contact the student’s Parent, if requested by the student. If a Parent cannot be reached after reasonable attempts, the student may be questioned only if the law enforcement officer identifies emergency circumstances requiring immediate questioning. A building principal or designee will be present

for the questioning. The student will be questioned in a private room and out of sight of others as much as practicable.

The law enforcement officer is responsible for advising the student of all applicable rights, including the right against self-incrimination.

If at any time the building principal or designee believes that the law enforcement officer's questioning is being conducted in an inappropriate manner, the building principal or designee will request that the questioning cease.

D. Non-School Related Criminal Activity

Unless specifically authorized by law, a law enforcement officer may not question a student at school about non-school related criminal activity without Parent consent or an appropriate warrant or court order.

E. Taking a Student into Custody

A law enforcement officer seeking to take a student into custody must contact the building principal or designee. If practicable, the building principal or designee will request that the law enforcement officer provide a copy of the warrant, written Parent consent, court order, or other document authorizing the officer to take the student into custody. If the law enforcement officer takes a student into custody, the building principal or designee will obtain and record the officer's name, badge number and law enforcement agency; the date, time, and reason for the arrest; and the location to which the student is reportedly being taken.

Whenever practicable, a student should be taken into custody in a manner that minimizes observation by others and disruption to the educational environment.

When a law enforcement officer removes a student from school, the building principal or designee will take immediate steps to notify the student's Parent about the student's removal and the location to which the student is reportedly being taken, except when a student has been taken into custody as a victim of suspected child abuse or neglect.

F. Intentionally Left Blank

G. Child Abuse and Neglect

This Policy does not govern child abuse and neglect investigations. See Policy 5701.

Nothing in this Policy limits a District employee's authority to question a student about suspected misconduct or investigate suspected misconduct at school.

Legal authority: MCL 380.11a

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5202 *Unlawful Discrimination, Harassment, and Retaliation Against Students*

The District prohibits unlawful discrimination. ~~For purposes of this Policy, "unlawful discrimination"~~"Unlawful Discrimination" includes unlawful harassment and retaliation, unless specifically stated otherwise. The District will investigate all allegations of ~~unlawful discrimination~~Unlawful Discrimination and will take appropriate action, including discipline, against any person who, following an investigation, is determined to have engaged in ~~unlawful discrimination~~Unlawful Discrimination.

~~This Policy applies to student to student conduct and staff to student conduct. See Policy 4102 for District personnel harassment.~~

Complaints alleging Unlawful Discrimination, harassment, and Retaliation against a student will be investigated using the process outlined in Policies 3115-3115H.

The identities of the District's Title IX sexual harassment (staff to staff, staff to student, student to student, or student to staff)Coordinator, Section 504 Coordinator, and Civil Rights Coordinator are governed by~~listed in~~ Policy 31183115B.

~~This Policy applies to all conduct occurring on school property, including in a classroom, elsewhere on school premises, on a school bus or other school related vehicle, at a school sponsored activity or event whether or not it is held on school premises, or conduct with a direct nexus to school.~~

~~The District will comply with all applicable state and federal laws related to unlawful discrimination.~~

C.A. Student Handbooks

The Superintendent or designee will include in student handbooks a statement explaining the District's policy against ~~unlawful discrimination~~Unlawful Discrimination, including unlawful harassment and ~~retaliation~~Retaliation. This statement must include an explanation of types of ~~unlawful discrimination~~Unlawful Discrimination, examples of harassment, reporting requirements, and consequences as described in this Policy.

D. ~~Types of Unlawful Harassment~~

~~"Unlawful harassment" is verbal, written, or physical conduct that denigrates or shows hostility or aversion toward a student because of the student's race, color, religion, sex (including pregnancy, gender identity, or sexual orientation), national origin, disability, or any other legally protected class that has the purpose or effect of:~~

~~0. creating an intimidating, hostile, or offensive environment; or~~

~~0. unreasonably interfering with the student's ability to benefit from the District's educational programs or activities.~~

~~**Race, color, and national origin harassment** is prohibited by Title VI of the Civil Rights Act of 1964 and the Michigan Elliott-Larsen Civil Rights Act. Race, color, and national origin harassment is unwelcome conduct based on a student's actual or perceived race, color, or national origin. Race, color, and national origin harassment can 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, and national origin harassment.~~

~~**Disability harassment** 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 student's actual or perceived disability. Disability harassment can take many forms, including slurs, taunts, stereotypes, or name-calling, as well as disability motivated physical threats, attacks, or other hateful conduct.~~

~~**Sex-based harassment** is prohibited by Title IX of the Education Amendments of 1972 and the Michigan Elliott-Larsen Civil Rights Act. For the definition of sexual harassment under Title IX, see Policy 3118. Sex-based harassment prohibited by this Policy includes harassment based on gender identity or sexual orientation. This Policy also prohibits harassment of a sexual nature that does not rise to the level of Title IX sexual harassment, as defined in Policy 3118.~~

K.B. Reporting Requirements

District personnel must immediately report incidents of alleged ~~unlawful discrimination~~Unlawful Discrimination, including incidents that District personnel witness or about which they receive reports or information, regardless of whether the incidents are verbal, visual, or physical, and whether the incidents also constitute harassment, bullying, or hazing.

District personnel who witness an act of ~~unlawful discrimination~~Unlawful Discrimination must intervene immediately, unless circumstances would make intervention dangerous. A person who is unable to intervene should promptly attempt to find another person who is able to intervene, contact a building administrator, or contact law enforcement, as the situation requires.

Any student who witnesses an act of ~~unlawful discrimination~~Unlawful Discrimination is encouraged to report it to District personnel. No student will be retaliated against based on any report of suspected ~~unlawful discrimination~~Unlawful Discrimination. A student may also anonymously report an incident of ~~unlawful discrimination~~Unlawful Discrimination. The District will investigate anonymous reports to the extent possible pursuant to ~~its investigation procedures described below~~Policies 3115-3115H. Minor students do not need

~~parent/guardian~~ Parent permission to file ~~complaints~~ Complaint or participate in the ~~formal complaint resolution process~~ Grievance Procedure described ~~below in~~ Policies 3115-3115H.

~~L. How to Report Unlawful Discrimination~~ [Note: One person may serve in more than one coordinator role.]

~~If you or someone you know has been the victim of unlawful sex-based discrimination, you may file a report with any District employee or with the Title IX Coordinator:~~

~~[TITLE IX COORDINATOR NAME OR POSITION/TITLE]
[TITLE IX COORDINATOR ADDRESS]
[TITLE IX COORDINATOR PHONE NUMBER]
[TITLE IX COORDINATOR EMAIL]~~

~~Formal Complaints of Title IX Sexual Harassment must be filed with the Title IX Coordinator. For information on the District's Title IX Sexual Harassment Grievance Process, see Policy 3118.~~

~~If you or someone you know has been the victim of disability-based discrimination, you may file a complaint with:~~

~~[SECTION 504 COORDINATOR NAME OR POSITION/TITLE]
[SECTION 504 COORDINATOR ADDRESS]
[SECTION 504 COORDINATOR PHONE NUMBER]
[SECTION 504 COORDINATOR EMAIL]~~

~~If you or someone you know has been the victim of any other type of unlawful discrimination, including unlawful conduct based on race, color, or national origin, you may file a complaint with:~~

~~[CIVIL RIGHTS COORDINATOR NAME OR POSITION/TITLE]
[CIVIL RIGHTS COORDINATOR ADDRESS]
[CIVIL RIGHTS COORDINATOR PHONE NUMBER]
[CIVIL RIGHTS COORDINATOR EMAIL]~~

~~A report of unlawful discrimination may be made verbally or in writing.~~

~~The coordinators identified above will document all unlawful discrimination reports, as well as any incidents they personally observe. The District will retain this documentation in accordance with applicable record retention requirements.~~

~~EE. Complaint Process~~

~~Any person who has been the victim of unlawful discrimination or any person who has witnessed an incident of unlawful discrimination may make a complaint at any time. District personnel who receive a complaint of unlawful discrimination must immediately document the reported incident and notify the appropriate coordinator identified above by the end of the next school day.~~

~~GG. Investigation Timelines~~

~~The District will initiate an investigation within [Choose number 2 through 5] school days after receiving a complaint of unlawful discrimination. In most cases, an investigation will be completed within [Choose number 10 through 20] school days.~~

~~The District will attempt to comply with all law enforcement requests for cooperation. In some circumstances, compliance with law enforcement requests may require the District to briefly suspend its investigation. The District will promptly resume its investigation as soon as it is notified by the law enforcement agency that the law enforcement agency has completed its evidence gathering process. This delay should not exceed 10 school days. If the District's investigation is suspended, interim steps will be taken to provide for the safety of the alleged victim or victims and the school community and to avoid potential retaliation. Those steps may include suspending the alleged perpetrator from work or school until the investigation is complete. If the law enforcement agency does not notify the District within 10 school days that the investigation may resume, the District will notify the law enforcement agency that the District intends to promptly resume its investigation.~~

~~Within 5 school days after completing the investigation, the District will separately notify, in writing, the alleged victim and the alleged perpetrator of the investigation's outcome. Any disciplinary action against the alleged perpetrator will be implemented in accordance with the due process standards contained within Policy 5206.~~

~~An alleged victim of unlawful discrimination may present new evidence at any time.~~

~~An alleged perpetrator's status as a student with a disability will not affect the District's obligation to protect the alleged victim during and after an investigation.~~

~~MM. Investigation Procedures~~

~~The District will use the following procedures when initiating and conducting investigations of unlawful discrimination:~~

- ~~0. Any written or verbal report of unlawful discrimination or harassment, including anonymous written or verbal reports, will be promptly addressed and investigated.~~
- ~~0. The District will assure the alleged victim that:
 - ~~— the complaint will be fully investigated;~~
 - ~~— the alleged victim's identity will be kept confidential during the investigation, to the extent possible;~~
 - ~~— the alleged victim will not be retaliated against by the District; and~~
 - ~~— the District will enforce its non-retaliation policy.~~~~

- ~~0. The District will take preventative measures to ensure that others, including the alleged perpetrator, do not retaliate against the alleged victim during or after the investigation.~~
- ~~0. The District will notify the alleged victim that the victim will not be required to confront the alleged perpetrator during the investigation, that steps will be taken to immediately ensure that the alleged conduct does not continue, and that retaliation is prohibited.~~
- ~~0. The District will interview any witnesses identified by the alleged victim and the alleged perpetrator. All witnesses will be assured that their identities will be kept confidential during the investigation, to the extent both possible and practical, and that retaliation is prohibited.~~
- ~~0. The District will implement individualized interim measures during the investigation to ensure that any unlawful conduct does not continue. Interim measures may include, but are not limited to, temporary schedule changes, no-contact directives, short term suspensions, changes to class schedules or lockers, and student escorts.~~
- ~~0. The District will take action to end unlawful discrimination, including monitoring that the conduct does not reoccur and modifying responses if the unlawful discrimination does reoccur.~~
- ~~0. If the alleged victim is a minor student, the District will notify the student's parent/guardian of the complaint. The parent/guardian will be informed of the investigation's status, as appropriate.~~
- ~~0. Unless otherwise required by law, if an alleged victim has been discriminated against or harassed based on sexual orientation, gender identity, or non-compliance with gender stereotypes, the District will first consult with the student to determine an appropriate method of notifying the student's parent/guardian of the complaint.~~
- ~~0. All documentation, including witness statements, must be kept with the complaint and reports.~~
- ~~0. The District will use the preponderance of the evidence standard as the appropriate standard to substantiate allegations of unlawful discrimination.~~
- ~~0. If the District determines that a school official's impartiality has been compromised during the investigation process, that school official will be removed from the investigation and have no further involvement.~~
- ~~0. If an alleged victim requests complete confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the alleged victim's request. If an alleged victim insists that the victim's name or other identifying information not be disclosed to the alleged perpetrator, the appropriate coordinator or designee~~

~~will notify the alleged victim that the District's ability to investigate and respond to the complaint may be limited.~~

~~FFF. Remedies~~

~~The District will take appropriate and effective measures to promptly remedy effects of unlawful discrimination. Appropriate remedies will be based on the circumstances and may include, but are not limited to:~~

- ~~0. providing an escort to ensure that the victim can safely attend classes and school activities;~~
- ~~0. providing the victim with school based counseling services;~~
- ~~0. providing the victim with academic support services, such as tutoring;~~
- ~~0. rearranging course schedules, to the extent practicable, to minimize contact between the victim and perpetrator;~~
- ~~0. moving the victim's or the perpetrator's locker;~~
- ~~0. issuing a "no contact" directive to the perpetrator; or~~
- ~~0. imposing discipline, up to and including suspension or expulsion, consistent with Policy 5206 and the student code of conduct.~~

~~Whenever possible, the District will strive to ensure that the victim's academic and other school-related schedules remain intact.~~

~~These remedies may also be available to any other student who is or was affected by unlawful discrimination.~~

~~The applicable coordinator should also consider whether broader remedies are required, which may include, but are not limited to:~~

- ~~0. assemblies reminding students and staff of their obligations under this Policy and applicable handbooks;~~
- ~~0. additional staff training;~~
- ~~0. a climate survey; or~~
- ~~0. letters to students, staff, and parents/guardians reminding them of their obligations under this Policy and applicable handbooks.~~

~~If the alleged victim is a student with a disability, the Superintendent or designee will convene an IEP or Section 504 Team meeting to determine if additional or different programs, services, accommodations, or supports are required to ensure that the alleged victim continues to receive a free appropriate public education.~~

~~WWW. Investigation Report~~

~~After the investigation concludes, the appropriate coordinator or designee will create an investigation report. The report must include the following information:~~

- ~~0. the alleged victim's name, a description, or identifying information;~~
- ~~0. the alleged victim's relevant protected class(es);~~
- ~~0. the name, a description, or identifying information about the person making the report, if not the alleged victim;~~
- ~~0. the protected class(es) of the person making the report, if not the alleged victim;~~
- ~~0. the nature of the allegation, a description of the alleged incident(s), and the date and time (if known) of the alleged incident(s);~~
- ~~0. the name(s) and protected classes of all persons alleged to have committed the unlawful discrimination, if known, or a description/identifying information available if the name is not known;~~
- ~~0. the name(s) or description/identifying information and protected classes of all known witnesses to the alleged incident;~~
- ~~0. any written statement of the person making the report, the alleged victim (if different than the reporter), the alleged perpetrator(s), and any known witnesses;~~
- ~~0. the applicable standard of evidence, conclusion, and recommendations; and~~
- ~~0. the response by District personnel, including the date any incident was reported to law enforcement.~~

~~III. Filing a False Report~~

~~Any person who knowingly or maliciously files a false report of unlawful discrimination will be subject to discipline, up to and including expulsion.~~

~~KKKK. Retaliation~~

~~Retaliation against a person who reports unlawful discrimination is prohibited. Any person who retaliates against a person who reports suspected unlawful discrimination will be disciplined in accordance with Policy 5206. This prohibition against retaliation also applies to retaliation against people who participate in or cooperate with an investigation related to a complaint.~~

~~MMMM.C. _____ Office for Civil Rights~~

~~Any person who believes that he or she was the victim of unlawful discrimination Unlawful Discrimination may file a complaint with the Office for Civil Rights (OCR) at any time:~~

U.S. Department of Education

Office for Civil Rights
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
Phone: (216) 522-4970
E-mail: OCR.Cleveland@ed.gov

~~This~~An OCR complaint may be filed before, during, or after filing a ~~complaint~~Complaint with the District. A person may forego filing a ~~complaint~~Complaint with the District and instead file a complaint directly with OCR. The District recommends that a person who has been subjected to ~~unlawful discrimination~~Unlawful Discrimination also file a ~~complaint~~Complaint with the District to ensure that the District is able to take steps to prevent any further ~~harassment~~discrimination and to discipline the alleged perpetrator, if ~~necessary~~appropriate. OCR does not serve as an appellate body for District decisions. An investigation by OCR will occur separately from any District investigation.

~~NNNN.~~ Appeal Process

~~An alleged victim or alleged perpetrator may appeal the written investigation findings and conclusions to the [Choose one: Superintendent / Board President] within 5 business days of receipt. Upon receipt of an appeal, the [Choose one: Superintendent / Board President] or designee will review the investigation report, may contact additional witnesses, may consider all additional evidence, and may re-interview any witnesses. The [Choose one: Superintendent / Board President] will then notify the parties in writing of the decision. The [Choose one: Superintendent / Board President] or designee is not required to give deference to the investigation report and may consider any new, previously unavailable evidence in evaluating the appeal.~~

~~[Note: An appeal may be to the Superintendent instead of the Board President only if the Superintendent is not the applicable coordinator.]~~

~~OOOO.~~ Training

~~The District will provide to District personnel training on responding to and investigating unlawful discrimination. This training is mandatory for all District personnel responsible for implementing and enforcing anti-discrimination and anti-harassment laws and related policies and procedures. The Superintendent or designee will ensure that District personnel are notified of mandatory training sessions.~~

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., 6101 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000f et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.8, ~~106.9;1, et seq.~~1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

Date adopted:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5202 Unlawful Discrimination, Harassment, and Retaliation Against Students

The District prohibits unlawful discrimination. "Unlawful Discrimination" includes unlawful harassment and retaliation, unless specifically stated otherwise. The District will investigate all allegations of Unlawful Discrimination and will take appropriate action, including discipline, against any person who, following an investigation, is determined to have engaged in Unlawful Discrimination.

Complaints alleging Unlawful Discrimination, harassment, and Retaliation against a student will be investigated using the process outlined in Policies 3115-3115H.

The identities of the District's Title IX Coordinator, Section 504 Coordinator, and Civil Rights Coordinator are listed in Policy 3115B.

A. Student Handbooks

The Superintendent or designee will include in student handbooks a statement explaining the District's policy against Unlawful Discrimination, including unlawful harassment and Retaliation. This statement must include an explanation of types of Unlawful Discrimination, examples of harassment, reporting requirements, and consequences as described in this Policy.

B. Reporting Requirements

District personnel must immediately report incidents of alleged Unlawful Discrimination, including incidents that District personnel witness or about which they receive reports or information, regardless of whether the incidents are verbal, visual, or physical, and whether the incidents also constitute harassment, bullying, or hazing.

District personnel who witness an act of Unlawful Discrimination must intervene immediately, unless circumstances would make intervention dangerous. A person who is unable to intervene should promptly attempt to find another person who is able to intervene, contact a building administrator, or contact law enforcement, as the situation requires.

Any student who witnesses an act of Unlawful Discrimination is encouraged to report it to District personnel. No student will be retaliated against based on any report of suspected Unlawful Discrimination. A student may also anonymously report an incident of Unlawful Discrimination. The District will investigate anonymous reports to the extent possible pursuant to Policies 3115-3115H. Minor students do not need Parent permission to file a Complaint or participate in the Grievance Procedure described in Policies 3115-3115H.

C. Office for Civil Rights

Any person who believes that he or she was the victim of Unlawful Discrimination may file a complaint with the Office for Civil Rights (OCR) at any time:

U.S. Department of Education
Office for Civil Rights
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
Phone: (216) 522-4970
E-mail: OCR.Cleveland@ed.gov

An OCR complaint may be filed before, during, or after filing a Complaint with the District. A person may forego filing a Complaint with the District and instead file a complaint directly with OCR. The District recommends that a person who has been subjected to Unlawful Discrimination also file a Complaint with the District to ensure that the District is able to take steps to prevent any further discrimination and to discipline the alleged perpetrator, if appropriate. OCR does not serve as an appellate body for District decisions. An investigation by OCR will occur separately from any District investigation.

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., 6101 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 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5203 Hazing

Hazing is prohibited. Hazing is an intentional or reckless act directed against a student that endangers the student's physical or mental health or safety that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization, activity, team, or social group. This Policy applies regardless of a student's consent, permission, or assumption of risk. Any student who engages in hazing may be subject to discipline.

Hazing includes, but is not limited to:

- physical brutality or punishment (e.g., whipping, beating, striking, branding, or placing a harmful substance on a student's body);
- physical activity that subjects a student to an unreasonable risk of harm or that adversely affects a student's physical or mental health or safety (e.g., sleep deprivation, exposure to the elements, confinement in a small space, or undressing or exposing a student);
- consumption of food, liquid, alcohol, drugs, or other substance that subjects a student to an unreasonable risk of harm or that adversely affects a student's physical or mental health or safety;
- an activity that induces, causes, or requires a student to commit a crime or an act of hazing;
- intentional humiliation or embarrassment of a student;
- detention or seclusion of a student; and
- other activities that subject a student to an unreasonable risk of harm or that adversely affect a student's physical or mental health or safety.

Legal authority: MCL 750.411t

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5203 Hazing

Hazing is prohibited. Hazing is an intentional or reckless act directed against a student that endangers the student's physical or mental health or safety that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization, activity, team, or social group. This Policy applies regardless of a student's consent, permission, or assumption of risk. Any student who engages in hazing may be subject to discipline.

Hazing includes, but is not limited to:

- physical brutality or punishment (e.g., whipping, beating, striking, branding, or placing a harmful substance on a student's body);
- physical activity that subjects a student to an unreasonable risk of harm or that adversely affects a student's physical or mental health or safety (e.g., sleep deprivation, exposure to the elements, confinement in a small space, or undressing or exposing a student);
- consumption of food, liquid, alcohol, drugs, or other substance that subjects a student to an unreasonable risk of harm or that adversely affects a student's physical or mental health or safety;
- an activity that induces, causes, or requires a student to commit a crime or an act of hazing;
- intentional humiliation or embarrassment of a student;
- detention or seclusion of a student; and
- other activities that subject a student to an unreasonable risk of harm or that adversely affect a student's physical or mental health or safety.

Legal authority: MCL 750.411t

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5204 Student Appearance and Dress Code

Student dress, ~~hair style, make up~~, cleanliness, or personal appearance that is a threat to the safety, health, or welfare of students or others; violates any statute or Policy 5101; or substantially disrupts the educational environment or that school officials reasonably forecast will substantially disrupt the educational environment, is grounds for remedial or disciplinary action. The Superintendent or designee will develop and publish specific dress code regulations consistent with the law and this Policy.

Legal authority: MCL 37.2101 et.seq.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

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Legal authority: MCL 37.2101 et.seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206 Student Discipline [Note: This Policy complies with all relevant laws and rules and reflects the most common practices to address student discipline. If this Policy does not reflect your District's practices, Thrun Law Firm will work with you to modify the Policy to incorporate your District's practices consistent with applicable law.]

[Note: The Board must also adopt Policies 5206A, 5206B, 5206C, and 5206E. Board Policy 5206D is optional.]

A. Student Discipline - Generally

The Board is committed to providing students and staff with a safe learning environment free from substantial disruption. Consistent with this commitment, the District may discipline students who engage in misconduct, up to and including suspension or expulsion from school.

The District will take steps to effectively discipline students in a manner that minimizes out-of-school suspensions and expulsions. The District will comply with applicable laws related to student discipline, including the consideration of specific factors and possible use of restorative practices.

B. Applicability

This Policy applies to student conduct that occurs:

1. on District property;
2. at a school-sponsored or school-related event;
3. on a school bus or vehicle;
4. while traveling to or from school, including at a bus stop; and
5. at any other time or place if the conduct has a nexus to the school, substantially disrupts the school environment, or as permitted by law.

C. Student Code of Conduct

The Superintendent or designee will develop, regularly update, and annually publish a student code of conduct in all student handbooks. The student code of conduct must:

1. identify offenses that may result in discipline;
2. identify possible disciplinary consequences for each offense, which may, if appropriate, include suspension or expulsion;

3. be consistent with applicable state and federal laws and Board Policies; and
4. include a copy of Policy 5206E entitled "Suspension from Class, Subject, or Activity by Teacher."

D. Definitions

For purposes of this Policy:

1. "suspend" or "suspension" means a disciplinary removal from school for less than 60 school days;
2. "expel" or "expulsion" means a disciplinary removal from school for 60 or more school days;
3. "restorative practices" means practices that emphasize repairing the harm to the victim and the school community caused by a student's misconduct; and
4. "Mandatory 7 Factors" means the following:
 - a. the student's age;
 - b. the student's disciplinary history;
 - c. whether the student has a disability;
 - d. the seriousness of the behavior;
 - e. whether the behavior posed a safety risk;
 - f. whether restorative practices are a better option; and
 - g. whether lesser interventions would address the behavior.

E. Restorative Practices

Before suspending or expelling a student (except a student who possesses a firearm in a weapon-free school zone), teachers, administrators, and the Board must first determine whether restorative practices would better address the student's misconduct, recognizing the Board's objective of minimizing out-of-school suspensions and expulsions. Likewise, teachers, administrators, and the Board must consider whether restorative practices should be used in addition to the suspension or expulsion. Restorative practices, which may include a victim-offender conference, should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, harassment, and cyberbullying.

All victim-offender conferences must be conducted consistent with state and federal law and Policies. No student who claims to be the victim of unlawful harassment may be compelled to meet with the alleged perpetrator of the harassment as part of a restorative practice.

F. Discretionary Suspension or Expulsion

Under Michigan law, a suspension of 10 or fewer school days is presumed to be reasonable. A suspension of more than 10 school days or an expulsion is, in most circumstances, presumed not to be justified. Before imposing a suspension or an expulsion, administrators or the Board must consider the Mandatory 7 Factors.

1. Building Administrators - 10 or fewer days

The Board delegates to all building administrators the authority to suspend a student for up to 10 school days consistent with the student code of conduct.

A building administrator may also suspend a student for up to 10 school days pending further investigation and possible further disciplinary consequences, including a longer-term suspension or expulsion.

Before exercising this authority, the building administrator must consider the Mandatory 7 Factors.

Additionally, before suspending a student for any length of time, the building administrator must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

2. Superintendent - Less than 60 school days

The Board delegates to the Superintendent the authority to suspend a student for less than 60 school days consistent with the student code of conduct. Before exercising this authority, the Superintendent must consider the Mandatory 7 Factors.

Any time the Superintendent finds that a suspension of more than 10 school days is warranted, the Superintendent must base the rationale on the Mandatory 7 Factors and explain the rationale in writing.

Additionally, before suspending a student for any length of time, the Superintendent must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

3. Board - Suspension or Expulsion

The Board may suspend or expel a student for an offense consistent with the student code of conduct.

Before exercising this authority, the Board must consider the Mandatory 7 Factors.

Any time the Board finds that a suspension of more than 10 school days or expulsion is warranted, the Board must base the rationale on the Mandatory 7 Factors and explain the rationale in writing.

Before exercising this authority, the Board must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

G. Criminal Sexual Conduct – Discretionary Suspension or Expulsion

If a student commits criminal sexual conduct, as defined in Revised School Code Section 1311, against another student enrolled in the District and expulsion is not mandatory under Policy 5206 H.3, the District may suspend or expel the student even if the student has not been criminally charged, subject to consideration of the Mandatory 7 Factors.

Before exercising this authority, the District must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

H. Mandatory Suspension or Expulsion

Building principals and other administrators must refer all incidents that may result in a mandatory suspension or expulsion to the Superintendent or designee for transmission to the Board. As explained below, the Board recognizes that in some circumstances it may choose not to suspend or expel a student. Nothing in this section may be construed as limiting the Board's discretion to suspend or expel a student for any offense that the student code of conduct identifies as possibly resulting in suspension or expulsion.

1. Possession of a Dangerous Weapon

a. Possession of a Firearm

If a student possesses a firearm in a weapon-free school zone, the Board will permanently expel the student unless the student demonstrates, in a clear and convincing manner, at least one of the following:

- the student was not possessing the firearm to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- the student did not knowingly possess the firearm;
- the student did not know or have reason to know that the firearm constituted a "dangerous weapon"; or
- the student possessed the firearm at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

If a student demonstrates one of the above circumstances in a clear and convincing manner and the student has not been previously suspended or expelled from school, the Board will not expel the student unless the Board finds that, based on the circumstances, expulsion is warranted.

b. Possession of a Dangerous Weapon (Other than a Firearm)

If a student possesses a dangerous weapon (other than a firearm) in a weapon-free school zone, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Board is not required to expel a student for possession of a dangerous weapon (other than a firearm) if the student demonstrates, in a clear and convincing manner, at least one of the following:

- the student was not possessing the instrument or object to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- the student did not knowingly possess the weapon;
- the student did not know or have reason to know that the instrument or object constituted a "dangerous weapon"; or
- the student possessed the weapon at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

If a student demonstrates one of the above circumstances in a clear and convincing manner and the student has not been previously suspended or expelled from school, the Board will not expel the student unless the Board finds that, based on the circumstances, expulsion is warranted.

c. Applicable Definitions for Dangerous Weapon Offense

"Weapon-free school zone" means school property and a vehicle used by a school to transport students to or from school property.

"School property" 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, except a building used primarily for adult education or college extension courses.

"Dangerous weapon" means a firearm, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.

"Firearm" means (i) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action

of an explosive; (ii) the frame or receiver of any such weapon; (iii) any firearm muffler or firearm silencer; or (iv) any destructive device. "Firearm" does not include an antique firearm, as defined by 18 USC § 921.

"Destructive device" means (i) any explosive, incendiary, or poison gas (including a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device); (ii) any type of weapon (other than a shotgun or a shotgun shell that the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (iii) any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled.

d. Additional Procedures for Dangerous Weapon Expulsion

The Superintendent or designee must ensure that if a student is expelled for possession of a dangerous weapon, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for possession of a dangerous weapon to the county department of social services or the county community mental health agency and notify the student's parent/guardianParent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion. The Superintendent or designee must also make a referral to local law enforcement and contact the student's parent/guardianParent immediately any time a student is found to have brought a dangerous weapon to school or possessed a dangerous weapon at school, at a school related activity, or in a school vehicle. If a District official confiscates a dangerous weapon, the District official will give the dangerous weapon to law enforcement and will not release the dangerous weapon to any other person, including the legal owner.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for possession of a dangerous weapon may not enroll in the District.

2. Arson

If a student commits arson as defined in Revised School Code Section 1311, in a school building or on school grounds, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for committing arson, the student's permanent record reflects the expulsion. The

Superintendent or designee must refer a student who is expelled for committing arson to the county department of social services or the county community mental health agency and notify the student's ~~parent/guardian~~Parent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for committing arson may not enroll in the District.

3. Criminal Sexual Conduct

If a student commits criminal sexual conduct as defined in Revised School Code Section 1311, in a school building or on school grounds, or pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another student enrolled in the District, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for committing criminal sexual conduct, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for committing criminal sexual conduct to the county department of social services or the county community mental health agency and notify the student's ~~parent/guardian~~Parent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for committing criminal sexual conduct may not enroll in the District.

4. Physical Assault

a. Physical Assault Against Employee, Volunteer, or Contractor

If a student in grade 6 or above commits a physical assault at school against an employee, volunteer, or contractor and the victim reports the physical assault to the Board or to a school administrator or, if the victim is unable to report the assault, another person makes the report on the victim's behalf, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for physically assaulting an employee, volunteer, or contractor, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for physically assaulting an employee, volunteer, or contractor to the county department of social services or the

county community mental health agency and notify the student's ~~parent/guardian~~Parent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311a(5), a student expelled by another district or public school academy for physically assaulting an employee, volunteer, or contractor may not enroll in the District.

b. Physical Assault Against Another Student

If a student in grade 6 or above commits a physical assault at school against another student and the physical assault is reported to the Board or to an administrator, the District will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

A resident student in grade 6 or above who is currently expelled by another district or public school academy for committing a physical assault against another student may request to enroll in the District. The Superintendent or designee will consider the request along with any information the Superintendent or designee determines relevant. The Superintendent or designee may either grant or deny the request. The Superintendent's decision is final.

c. Applicable Definitions for Physical Assault ~~Against Student~~

- i. "Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence.
- ii. "At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

5. Bomb Threat or Similar Threat

If a student in grade 6 or above makes a bomb threat or similar threat directed at a school building, other District property, or at a school-related event, the District will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

A resident student in grade 6 or above who is currently expelled by another district or public school academy for making a bomb threat or similar threat may request to enroll in the District. The Superintendent or designee will consider the request along with any information the Superintendent or designee determines relevant. The Superintendent or designee may either grant or deny the request. The Superintendent's decision is final.

I. Victims of Alleged Sexual Assault

The District will not expel a student or suspend a student for more than 10 days for an action the student took immediately preceding, immediately following, or that could reasonably be tied to an incident in which the student was sexually assaulted or an incident in which the student reports being sexually assaulted, an incident where another person witnesses and reports the student's sexual assault, or an incident for which school officials receive credible information that the student was sexually assaulted. This subsection does not apply if:

- The student is convicted of, pleads guilty or responsible to, or is adjudicated responsible for aggravated assault, assault with intent to commit murder, assault with intent for great bodily harm, assault with intent to maim, attempted murder, homicide, manslaughter; or criminal sexual conduct;
- The student commits an act described in Section H.1 through H.3 of this Policy;
- A Title IX investigation conducted pursuant to Policy 3118 concludes by clear and convincing evidence that the report of sexual assault was false; or
- The Board or the Superintendent determines, after considering the Mandatory 7 factors, that a longer-term suspension or expulsion is warranted.

In determining whether to suspend a student described in this section, the District will consider the recommendations of the District's Title IX Coordinator, as applicable.

I.J. Statewide School Safety Information Policy (SSSIP) & Law Enforcement Reporting

The Superintendent or designee must notify law enforcement when required by the SSSIP and make all other reports and provide all other notifications required by the SSSIP or any state or federal law. Nothing in this Policy limits the ability of a school administrator to contact law enforcement at any other time.

I.K. Educational Programming During Suspension or Expulsion

Except as otherwise required by law or as provided in this Policy, a student who has been suspended or expelled may not be on school property, attend classes or other school functions, or participate in extracurricular activities during the student's suspension or expulsion without written permission from the Superintendent or designee. District personnel may assist students who have been suspended or expelled to explore alternative means, as allowed by law, to earn credit and to complete coursework during the period of the student's suspension or expulsion.

Legal authority: 18 USC 921; 20 USC 1401 et seq., 7151; 29 USC 705, 794-794b; MCL
380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1310e,
380.1311, 380.1311a, 380.1312, 380.1313

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206 Student Discipline

A. Student Discipline - Generally

The Board is committed to providing students and staff with a safe learning environment free from substantial disruption. Consistent with this commitment, the District may discipline students who engage in misconduct, up to and including suspension or expulsion from school.

The District will take steps to effectively discipline students in a manner that minimizes out-of-school suspensions and expulsions. The District will comply with applicable laws related to student discipline, including the consideration of specific factors and possible use of restorative practices.

B. Applicability

This Policy applies to student conduct that occurs:

1. on District property;
2. at a school-sponsored or school-related event;
3. on a school bus or vehicle;
4. while traveling to or from school, including at a bus stop; and
5. at any other time or place if the conduct has a nexus to the school, substantially disrupts the school environment, or as permitted by law.

C. Student Code of Conduct

The Superintendent or designee will develop, regularly update, and annually publish a student code of conduct in all student handbooks. The student code of conduct must:

1. identify offenses that may result in discipline;
2. identify possible disciplinary consequences for each offense, which may, if appropriate, include suspension or expulsion;
3. be consistent with applicable state and federal laws and Board Policies; and
4. include a copy of Policy 5206E entitled "Suspension from Class, Subject, or Activity by Teacher."

D. Definitions

For purposes of this Policy:

1. “suspend” or “suspension” means a disciplinary removal from school for less than 60 school days;
2. “expel” or “expulsion” means a disciplinary removal from school for 60 or more school days;
3. “restorative practices” means practices that emphasize repairing the harm to the victim and the school community caused by a student’s misconduct; and
4. “Mandatory 7 Factors” means the following:
 - a. the student’s age;
 - b. the student’s disciplinary history;
 - c. whether the student has a disability;
 - d. the seriousness of the behavior;
 - e. whether the behavior posed a safety risk;
 - f. whether restorative practices are a better option; and
 - g. whether lesser interventions would address the behavior.

E. Restorative Practices

Before suspending or expelling a student (except a student who possesses a firearm in a weapon-free school zone), teachers, administrators, and the Board must first determine whether restorative practices would better address the student’s misconduct, recognizing the Board’s objective of minimizing out-of-school suspensions and expulsions. Likewise, teachers, administrators, and the Board must consider whether restorative practices should be used in addition to the suspension or expulsion. Restorative practices, which may include a victim-offender conference, should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, harassment, and cyberbullying.

All victim-offender conferences must be conducted consistent with state and federal law and Policies. No student who claims to be the victim of unlawful harassment may be compelled to meet with the alleged perpetrator of the harassment as part of a restorative practice.

F. Discretionary Suspension or Expulsion

Under Michigan law, a suspension of 10 or fewer school days is presumed to be reasonable. A suspension of more than 10 school days or an expulsion is, in most circumstances, presumed not to be justified. Before imposing a suspension or an expulsion, administrators or the Board must consider the Mandatory 7 Factors.

1. Building Administrators - 10 or fewer days

The Board delegates to all building administrators the authority to suspend a student for up to 10 school days consistent with the student code of conduct.

A building administrator may also suspend a student for up to 10 school days pending further investigation and possible further disciplinary consequences, including a longer-term suspension or expulsion.

Before exercising this authority, the building administrator must consider the Mandatory 7 Factors.

Additionally, before suspending a student for any length of time, the building administrator must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

2. Superintendent - Less than 60 school days

The Board delegates to the Superintendent the authority to suspend a student for less than 60 school days consistent with the student code of conduct. Before exercising this authority, the Superintendent must consider the Mandatory 7 Factors.

Any time the Superintendent finds that a suspension of more than 10 school days is warranted, the Superintendent must base the rationale on the Mandatory 7 Factors and explain the rationale in writing.

Additionally, before suspending a student for any length of time, the Superintendent must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

3. Board - Suspension or Expulsion

The Board may suspend or expel a student for an offense consistent with the student code of conduct.

Before exercising this authority, the Board must consider the Mandatory 7 Factors.

Any time the Board finds that a suspension of more than 10 school days or expulsion is warranted, the Board must base the rationale on the Mandatory 7 Factors and explain the rationale in writing.

Before exercising this authority, the Board must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

G. Criminal Sexual Conduct – Discretionary Suspension or Expulsion

If a student commits criminal sexual conduct, as defined in Revised School Code Section 1311, against another student enrolled in the District and expulsion is not mandatory under Policy 5206 H.3, the District may suspend or expel the student even if the student has not been criminally charged, subject to consideration of the Mandatory 7 Factors.

Before exercising this authority, the District must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

H. Mandatory Suspension or Expulsion

Building principals and other administrators must refer all incidents that may result in a mandatory suspension or expulsion to the Superintendent or designee for transmission to the Board. As explained below, the Board recognizes that in some circumstances it may choose not to suspend or expel a student. Nothing in this section may be construed as limiting the Board's discretion to suspend or expel a student for any offense that the student code of conduct identifies as possibly resulting in suspension or expulsion.

1. Possession of a Dangerous Weapon

a. Possession of a Firearm

If a student possesses a firearm in a weapon-free school zone, the Board will permanently expel the student unless the student demonstrates, in a clear and convincing manner, at least one of the following:

- the student was not possessing the firearm to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- the student did not knowingly possess the firearm;
- the student did not know or have reason to know that the firearm constituted a "dangerous weapon"; or
- the student possessed the firearm at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

If a student demonstrates one of the above circumstances in a clear and convincing manner and the student has not been previously suspended or expelled from school, the Board will not expel the student unless the Board finds that, based on the circumstances, expulsion is warranted.

b. Possession of a Dangerous Weapon (Other than a Firearm)

If a student possesses a dangerous weapon (other than a firearm) in a weapon-free school zone, the Board will consider whether to permanently

expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Board is not required to expel a student for possession of a dangerous weapon (other than a firearm) if the student demonstrates, in a clear and convincing manner, at least one of the following:

- the student was not possessing the instrument or object to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- the student did not knowingly possess the weapon;
- the student did not know or have reason to know that the instrument or object constituted a “dangerous weapon”; or
- the student possessed the weapon at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

If a student demonstrates one of the above circumstances in a clear and convincing manner and the student has not been previously suspended or expelled from school, the Board will not expel the student unless the Board finds that, based on the circumstances, expulsion is warranted.

c. Applicable Definitions for Dangerous Weapon Offense

“Weapon-free school zone” means school property and a vehicle used by a school to transport students to or from school property.

“School property” 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, except a building used primarily for adult education or college extension courses.

“Dangerous weapon” means a firearm, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.

“Firearm” means (i) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (ii) the frame or receiver of any such weapon; (iii) any firearm muffler or firearm silencer; or (iv) any destructive device. “Firearm” does not include an antique firearm, as defined by 18 USC § 921.

“Destructive device” means (i) any explosive, incendiary, or poison gas (including a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device); (ii) any type of weapon (other than a shotgun or a shotgun shell that the Attorney General finds is

generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (iii) any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled.

d. **Additional Procedures for Dangerous Weapon Expulsion**

The Superintendent or designee must ensure that if a student is expelled for possession of a dangerous weapon, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for possession of a dangerous weapon to the county department of social services or the county community mental health agency and notify the student's Parent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion. The Superintendent or designee must also make a referral to local law enforcement and contact the student's Parent immediately any time a student is found to have brought a dangerous weapon to school or possessed a dangerous weapon at school, at a school related activity, or in a school vehicle. If a District official confiscates a dangerous weapon, the District official will give the dangerous weapon to law enforcement and will not release the dangerous weapon to any other person, including the legal owner.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for possession of a dangerous weapon may not enroll in the District.

2. **Arson**

If a student commits arson as defined in Revised School Code Section 1311, in a school building or on school grounds, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for committing arson, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for committing arson to the county department of social services or the county community mental health agency and notify the student's Parent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for committing arson may not enroll in the District.

3. Criminal Sexual Conduct

If a student commits criminal sexual conduct as defined in Revised School Code Section 1311, in a school building or on school grounds, or pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another student enrolled in the District, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for committing criminal sexual conduct, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for committing criminal sexual conduct to the county department of social services or the county community mental health agency and notify the student's Parent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for committing criminal sexual conduct may not enroll in the District.

4. Physical Assault

a. Physical Assault Against Employee, Volunteer, or Contractor

If a student in grade 6 or above commits a physical assault at school against an employee, volunteer, or contractor and the victim reports the physical assault to the Board or to a school administrator or, if the victim is unable to report the assault, another person makes the report on the victim's behalf, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for physically assaulting an employee, volunteer, or contractor, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for physically assaulting an employee, volunteer, or contractor to the county department of social services or the county community mental health agency and notify the student's Parent (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311a(5), a student expelled by another district or public school academy for physically assaulting an employee, volunteer, or contractor may not enroll in the District.

b. Physical Assault Against Another Student

If a student in grade 6 or above commits a physical assault at school against another student and the physical assault is reported to the Board or to an administrator, the District will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

A resident student in grade 6 or above who is currently expelled by another district or public school academy for committing a physical assault against another student may request to enroll in the District. The Superintendent or designee will consider the request along with any information the Superintendent or designee determines relevant. The Superintendent or designee may either grant or deny the request. The Superintendent's decision is final.

c. Applicable Definitions for Physical Assault

- i. "Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence.
- ii. "At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

5. Bomb Threat or Similar Threat

If a student in grade 6 or above makes a bomb threat or similar threat directed at a school building, other District property, or at a school-related event, the District will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

A resident student in grade 6 or above who is currently expelled by another district or public school academy for making a bomb threat or similar threat may request to enroll in the District. The Superintendent or designee will consider the request along with any information the Superintendent or designee determines relevant. The Superintendent or designee may either grant or deny the request. The Superintendent's decision is final.

I. Victims of Alleged Sexual Assault

The District will not expel a student or suspend a student for more than 10 days for an action the student took immediately preceding, immediately following, or that could reasonably be tied to an incident in which the student was sexually assaulted or an incident in which the student reports being sexually assaulted, an incident where another person witnesses and reports the student's sexual assault, or an incident for which school officials receive credible information that the student was sexually assaulted. This subsection does not apply if:

- The student is convicted of, pleads guilty or responsible to, or is adjudicated responsible for aggravated assault, assault with intent to commit murder,

assault with intent for great bodily harm, assault with intent to maim, attempted murder, homicide, manslaughter; or criminal sexual conduct;

- The student commits an act described in Section H.1 through H.3 of this Policy;
- A Title IX investigation conducted pursuant to Policy 3118 concludes by clear and convincing evidence that the report of sexual assault was false; or
- The Board or the Superintendent determines, after considering the Mandatory 7 factors, that a longer-term suspension or expulsion is warranted.

In determining whether to suspend a student described in this section, the District will consider the recommendations of the District's Title IX Coordinator, as applicable.

J. Statewide School Safety Information Policy (SSSIP) & Law Enforcement Reporting

The Superintendent or designee must notify law enforcement when required by the SSSIP and make all other reports and provide all other notifications required by the SSSIP or any state or federal law. Nothing in this Policy limits the ability of a school administrator to contact law enforcement at any other time.

K. Educational Programming During Suspension or Expulsion

Except as otherwise required by law or as provided in this Policy, a student who has been suspended or expelled may not be on school property, attend classes or other school functions, or participate in extracurricular activities during the student's suspension or expulsion without written permission from the Superintendent or designee. District personnel may assist students who have been suspended or expelled to explore alternative means, as allowed by law, to earn credit and to complete coursework during the period of the student's suspension or expulsion.

Legal authority: 18 USC 921; 20 USC 1401 et seq., 7151; 29 USC 705, 794-794b; MCL 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1310e, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted: August 15, 2022

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206A Student Discipline - Due Process [Note: This Policy complies with all relevant laws and rules and reflects the most common practices to address student discipline. If this Policy does not reflect your District's practices, Thrun Law Firm will work with you to modify the Policy to incorporate your District's practices consistent with applicable law.]

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

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

A. Building Administrator – 10 or Fewer School Days

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

B. Superintendent or Designee – 59 or Fewer School Days

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

The appeal must be submitted to the Board within 3 calendar days of the decision. The Board will hear the appeal at its next regularly scheduled meeting. The Board's decision is final. The student's suspension will run while the appeal is pending.]

C. Board Suspension or Expulsion

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

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

Date adopted:

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206A Student Discipline - Due Process

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

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

A. Building Administrator – 10 or Fewer School Days

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

B. Superintendent or Designee – 59 or Fewer School Days

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

C. Board Suspension or Expulsion

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

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

Date adopted: August 15, 2022

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206B Student Discipline - Students with Disabilities

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

A. Change of Placement

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

B. Manifestation Determination Review

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

1. Conduct Was a Manifestation

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

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

If the conduct was a manifestation because the District failed to implement the student's IEP or 504 Plan, the District must take immediate steps to remedy the implementation failure.

2. Conduct Was Not a Manifestation

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

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

C. Interim Alternative Educational Setting ("IAES")

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

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

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

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

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

D. Dangerous Students

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

E. Services During Disciplinary Removal or IAES

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

curriculum and to progress toward meeting the goals contained in the student's IEP.

F. Students Not Yet IDEA Eligible

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

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

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

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206B Student Discipline - Students with Disabilities

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

A. Change of Placement

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

B. Manifestation Determination Review

The MDR team, which includes the Parent and relevant members of the student's IEP or Section 504 Team, will determine whether the student's conduct was a manifestation of the student's disability.

1. Conduct Was a Manifestation

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

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

If the conduct was a manifestation because the District failed to implement the student's IEP or 504 Plan, the District must take immediate steps to remedy the implementation failure.

2. Conduct Was Not a Manifestation

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

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

C. Interim Alternative Educational Setting ("IAES")

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

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

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

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

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

D. Dangerous Students

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

E. Services During Disciplinary Removal or IAES

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

curriculum and to progress toward meeting the goals contained in the student's IEP.

F. Students Not Yet IDEA Eligible

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

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

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

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206C Student Discipline - Reinstatement Following Expulsion

The District will consider a petition for reinstatement from an expelled student or the parent/guardianParent consistent with this Policy and Revised School Code Sections 1311 and 1311a.

A. Reinstatement Following Mandatory Permanent Expulsion

The parent/guardianParent of a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a firearm or threatening another person with a dangerous weapon may file a petition for reinstatement 60 school days or later from the date of the expulsion. The Board, in its discretion, may reinstate a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a firearm or threatening another person with a dangerous weapon no sooner than 90 school days after the expulsion date.

The parent/guardianParent of a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a dangerous weapon but not for possessing a firearm or threatening another person with a dangerous weapon, or who was expelled for committing arson or criminal sexual conduct, may file a petition for reinstatement at any time. The Board, in its discretion, may reinstate a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a dangerous weapon (unless the possession was of a firearm or involved threatening another person with a dangerous weapon) or for committing arson or criminal sexual conduct no sooner than 10 school days after the expulsion date.

The parent/guardianParent of a student (or student, if emancipated or at least 18 years old) who was in grade 6 or above at the time of expulsion and who was expelled for (1) possessing a dangerous weapon; (2) committing arson; (3) criminal sexual conduct pursuant to Policy 5206 H.3 (mandatory expulsion) or (4) physically assaulting an employee, volunteer, or contractor, may file a petition for reinstatement 150 school days or later from the date of the expulsion. The Board, in its discretion, may reinstate a student who was in grade 6 or above at the time of expulsion and who was expelled for (1) possessing a dangerous weapon; (2) committing arson; (3) criminal sexual conduct pursuant to Policy 5206 H.3; or (4) physically assaulting an employee, volunteer, or contractor, no sooner than 180 school days after the expulsion date.

The parent/guardianParent (or the student, if emancipated or at least 18 years old) must prepare and submit the reinstatement petition. The Superintendent or designee will provide a reinstatement petition form, upon request, for the parent/guardianParent or student to use. The Board may request that the parent/guardianParent or the student attach additional relevant information to the reinstatement petition.

The Board will appoint a reinstatement committee, consisting of two board members, one administrator, one teacher, and one parent/guardianParent of a current District student to consider a reinstatement petition no more than 10 school days after receiving a reinstatement petition. The Superintendent must prepare and submit information to the reinstatement committee about the circumstances surrounding the student's expulsion and any factors supporting and not supporting reinstatement.

The reinstatement committee must convene not later than 10 school days following its appointment to: (1) review the reinstatement petition and supporting documentation submitted by the parent/guardianParent or the student; (2) review the information submitted by the Superintendent; and (3) submit to the Board a written recommendation whether the Board should unconditionally reinstate the student, conditionally reinstate the student, or deny reinstatement to the student based on consideration of all of the following factors:

1. the extent to which reinstatement would create a risk of harm to other students or District personnel;
2. the extent to which reinstatement would create a risk of District liability or individual liability for the Board or District personnel;
3. the student's age and maturity;
4. the student's school record before the incident that caused the expulsion;
5. the student's attitude concerning the incident that caused the expulsion;
6. the student's behavior since the expulsion and the student's prospects for remediation; and
7. if the petition was filed by a parent/guardianParent, the degree of cooperation that the parent/guardianParent has provided the student and the degree of cooperation the parent/guardianParent can be expected to provide the student if the student is reinstated.

Before making its recommendation, the reinstatement committee may request that the student and the parent/guardianParent appear in person to answer questions. If the committee recommends that the student be conditionally reinstated, the committee must include in its written recommendation to the Board a list of recommended conditions.

At or before its next regularly scheduled meeting following receipt of the reinstatement committee's recommendation, the Board will consider the recommendation and make a final decision to unconditionally reinstate the student, conditionally reinstate the student, or deny reinstatement. The Board may require a student, and if the petition was filed by a parent/guardianParent, the parent/guardianParent, to agree in writing to specific conditions to reinstatement, including, without limitation, a behavior contract, completion of an anger

management program, a "last-chance" agreement, counseling, drug treatment, or a psychological evaluation. The District is not obligated to provide or to pay for any reinstatement condition imposed by the Board. Upon request of the District, ~~parents/guardians~~Parents (or the student, if emancipated or at least 18 years old) will provide verification that the conditions were satisfied. The Board's decision to unconditionally grant, conditionally grant, or deny the reinstatement petition is final.

[Optional: If the Board denies reinstatement, the ~~parent/guardian~~Parent or student may not file another petition for reinstatement until 180 school days after the date of the denial, unless the Board specifies otherwise at the time of denial.]

If the Board establishes different or additional reinstatement terms or procedures at the time of expulsion pursuant to Revised School Code Section 1310d, those terms or procedures will apply in lieu of or in addition to the procedures above.

B. Reinstatement Following Discretionary Permanent Expulsion

Unless otherwise expressly authorized by the Board at the time of a permanent expulsion, a student expelled for reasons other than those resulting in a mandatory permanent expulsion under Policy 5206 may not petition the Board for reinstatement until at least 150 school days after the date of the expulsion, and the student may not be reinstated until at least 180 school days after the date of the permanent expulsion. Upon receipt of a timely reinstatement petition, the Board will ~~hold a hearing review and consider the petition~~ at its next regularly scheduled meeting ~~to~~. The Board will also review and consider the petition and any information submitted by the ~~parent/guardian~~Parent or student and the Superintendent or designee in either support of or opposition to the petition. The Board may unconditionally grant, conditionally grant, or deny the reinstatement petition. The District is not obligated to provide or to pay for any reinstatement condition imposed by the Board. Upon request of the District, ~~parents/guardians~~Parents (or students who are emancipated or at least 18 years old) will provide verification that the conditions were satisfied. The Board's decision to unconditionally grant, conditionally grant, or deny the reinstatement petition is final. If the Board denies reinstatement, the ~~parent/guardian~~Parent or student may not file another petition for reinstatement until at least 180 school days after the date of the denial, unless the Board specifies otherwise at the time of denial.

Legal authority: 18 USC 921; 20 USC 1401 et seq.; 20 USC 7151; 29 USC 705, 794-794b; MCL 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1311, 380.1311a, 380.1312, 380.1313

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206C Student Discipline - Reinstatement Following Expulsion

The District will consider a petition for reinstatement from an expelled student or the Parent consistent with this Policy and Revised School Code Sections 1311 and 1311a.

A. Reinstatement Following Mandatory Permanent Expulsion

The Parent of a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a firearm or threatening another person with a dangerous weapon may file a petition for reinstatement 60 school days or later from the date of the expulsion. The Board, in its discretion, may reinstate a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a firearm or threatening another person with a dangerous weapon no sooner than 90 school days after the expulsion date.

The Parent of a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a dangerous weapon but not for possessing a firearm or threatening another person with a dangerous weapon, or who was expelled for committing arson or criminal sexual conduct, may file a petition for reinstatement at any time. The Board, in its discretion, may reinstate a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a dangerous weapon (unless the possession was of a firearm or involved threatening another person with a dangerous weapon) or for committing arson or criminal sexual conduct no sooner than 10 school days after the expulsion date.

The Parent of a student (or student, if emancipated or at least 18 years old) who was in grade 6 or above at the time of expulsion and who was expelled for (1) possessing a dangerous weapon; (2) committing arson; (3) criminal sexual conduct pursuant to Policy 5206 H.3 (mandatory expulsion) or (4) physically assaulting an employee, volunteer, or contractor, may file a petition for reinstatement 150 school days or later from the date of the expulsion. The Board, in its discretion, may reinstate a student who was in grade 6 or above at the time of expulsion and who was expelled for (1) possessing a dangerous weapon; (2) committing arson; (3) criminal sexual conduct pursuant to Policy 5206 H.3; or (4) physically assaulting an employee, volunteer, or contractor, no sooner than 180 school days after the expulsion date.

The Parent (or the student, if emancipated or at least 18 years old) must prepare and submit the reinstatement petition. The Superintendent or designee will provide a reinstatement petition form, upon request, for the Parent or student to use. The Board may request that the Parent or the student attach additional relevant information to the reinstatement petition.

The Board will appoint a reinstatement committee, consisting of two board members, one administrator, one teacher, and one Parent of a current District student to consider a reinstatement petition no more than 10 school days after receiving a reinstatement petition. The Superintendent must prepare and submit information to the reinstatement committee about the circumstances surrounding the student's expulsion and any factors supporting and not supporting reinstatement.

The reinstatement committee must convene not later than 10 school days following its appointment to: (1) review the reinstatement petition and supporting documentation submitted by the Parent or the student; (2) review the information submitted by the Superintendent; and (3) submit to the Board a written recommendation whether the Board should unconditionally reinstate the student, conditionally reinstate the student, or deny reinstatement to the student based on consideration of all of the following factors:

1. the extent to which reinstatement would create a risk of harm to other students or District personnel;
2. the extent to which reinstatement would create a risk of District liability or individual liability for the Board or District personnel;
3. the student's age and maturity;
4. the student's school record before the incident that caused the expulsion;
5. the student's attitude concerning the incident that caused the expulsion;
6. the student's behavior since the expulsion and the student's prospects for remediation; and
7. if the petition was filed by a Parent, the degree of cooperation that the Parent has provided the student and the degree of cooperation the Parent can be expected to provide the student if the student is reinstated.

Before making its recommendation, the reinstatement committee may request that the student and the Parent appear in person to answer questions. If the committee recommends that the student be conditionally reinstated, the committee must include in its written recommendation to the Board a list of recommended conditions.

At or before its next regularly scheduled meeting following receipt of the reinstatement committee's recommendation, the Board will consider the recommendation and make a final decision to unconditionally reinstate the student, conditionally reinstate the student, or deny reinstatement. The Board may require a student, and if the petition was filed by a Parent, the Parent, to agree in writing to specific conditions to reinstatement, including, without limitation, a behavior contract, completion of an anger management program, a "last-chance" agreement, counseling, drug treatment, or a psychological evaluation. The District

is not obligated to provide or to pay for any reinstatement condition imposed by the Board. Upon request of the District, Parents (or the student, if emancipated or at least 18 years old) will provide verification that the conditions were satisfied. The Board's decision to unconditionally grant, conditionally grant, or deny the reinstatement petition is final.

If the Board denies reinstatement, the Parent or student may not file another petition for reinstatement until 180 school days after the date of the denial, unless the Board specifies otherwise at the time of denial.

If the Board establishes different or additional reinstatement terms or procedures at the time of expulsion pursuant to Revised School Code Section 1310d, those terms or procedures will apply in lieu of or in addition to the procedures above.

B. Reinstatement Following Discretionary Permanent Expulsion

Unless otherwise expressly authorized by the Board at the time of a permanent expulsion, a student expelled for reasons other than those resulting in a mandatory permanent expulsion under Policy 5206 may not petition the Board for reinstatement until at least 150 school days after the date of the expulsion, and the student may not be reinstated until at least 180 school days after the date of the permanent expulsion. Upon receipt of a timely reinstatement petition, the Board will review and consider the petition at its next regularly scheduled meeting. The Board will also review and consider any information submitted by the Parent or student and the Superintendent or designee in either support of or opposition to the petition. The Board may unconditionally grant, conditionally grant, or deny the reinstatement petition. The District is not obligated to provide or to pay for any reinstatement condition imposed by the Board. Upon request of the District, Parents (or students who are emancipated or at least 18 years old) will provide verification that the conditions were satisfied. The Board's decision to unconditionally grant, conditionally grant, or deny the reinstatement petition is final. If the Board denies reinstatement, the Parent or student may not file another petition for reinstatement until at least 180 school days after the date of the denial, unless the Board specifies otherwise at the time of denial.

Legal authority: 18 USC 921; 20 USC 1401 et seq.; 20 USC 7151; 29 USC 705, 794-794b; MCL 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206E Student Discipline - Suspension from Class, Subject, or Activity by Teacher

A teacher may suspend a student from any class, subject, or activity for up to one full school day if the teacher has good reason to believe that the student:

- A. intentionally disrupted the class, subject, or activity;
- B. jeopardized the health or safety of any of the other participants in the class, subject, or activity; or
- C. was insubordinate during the class, subject, or activity.

Any teacher who suspends a student from a class, subject, or activity must immediately report the suspension and its reason to the building principal or designee. If a student is suspended from a class, subject, or activity, but will otherwise remain at school, the building principal or designee must ensure that the student is appropriately supervised during the suspension and, if the student is a student with a disability, that all procedures applicable to students with disabilities are followed.

Any teacher who suspends a student from a class, subject, or activity must, as soon as possible following the suspension, request that the student's parent/guardianParent attend a parent-/guardianParent-teacher conference to discuss the suspension. The building principal or designee must attend the conference if either the teacher or the parent/guardianParent requests the building principal's attendance. The building principal or designee must make reasonable efforts to invite a school counselor, school psychologist, or school social worker to attend the conference.

Legal authority: MCL 380.1309

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206E Student Discipline - Suspension from Class, Subject, or Activity by Teacher

A teacher may suspend a student from any class, subject, or activity for up to one full school day if the teacher has good reason to believe that the student:

- A. intentionally disrupted the class, subject, or activity;
- B. jeopardized the health or safety of any of the other participants in the class, subject, or activity; or
- C. was insubordinate during the class, subject, or activity.

Any teacher who suspends a student from a class, subject, or activity must immediately report the suspension and its reason to the building principal or designee. If a student is suspended from a class, subject, or activity, but will otherwise remain at school, the building principal or designee must ensure that the student is appropriately supervised during the suspension and, if the student is a student with a disability, that all procedures applicable to students with disabilities are followed.

Any teacher who suspends a student from a class, subject, or activity must, as soon as possible following the suspension, request that the student's Parent attend a Parent-teacher conference to discuss the suspension. The building principal or designee must attend the conference if either the teacher or the Parent requests the building principal's attendance. The building principal or designee must make reasonable efforts to invite a school counselor, school psychologist, or school social worker to attend the conference.

Legal authority: MCL 380.1309

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5208 Student Acceptable Use and Internet Safety ~~Policy~~

Student use of District technology is a privilege, not a right, and is governed by Policy 3116 and the applicable acceptable use agreement. As part of its Internet Safety Policy the District must implement the rules and procedures identified in Policy 3116. A student's failure to comply with Policy 3116 and the applicable acceptable use agreement may result in discipline or loss of technology privileges.

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5208 Student Acceptable Use and Internet Safety Policy

Student use of District technology is a privilege, not a right, and is governed by Policy 3116 and the applicable acceptable use agreement. As part of its Internet Safety Policy the District must implement the rules and procedures identified in Policy 3116. A student's failure to comply with Policy 3116 and the applicable acceptable use agreement may result in discipline or loss of technology privileges.

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5209 Student Use of Cell Phone and Electronic Communication Devices

[Choose Option 1 or 2.]

[Option 1 (students permitted to use cell phones at school): Students may use cell phones or other electronic devices while at school, so long as they do so safely, responsibly, and respectfully, and comply with all other school rules while using the devices.]

Students are personally and solely responsible for the security of their cell phones and other electronic devices. The District is not responsible for theft, loss, or damage of any cell phone or other electronic device.

Students may not use cell phones or other electronic devices while they are in locker rooms, restrooms, or any other area in which others may have a reasonable expectation of privacy.

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 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 or negatively affect the school environment.

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

School administrators and teachers may confiscate a student's cell phone or other electronic device if the student's use or possession of a cell phone or electronic 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 cell phone or electronic device.]

[Option 2 (students prohibited from using cell phones during school hours): Students may not use cell phones or other electronic devices during school hours. Cell phones or other electronic devices must be stored in the student's locker during school hours if a student chooses to bring them to school.]

Students are personally and solely responsible for the security of their cell phones and other electronic devices. The District is not responsible for theft, loss, or damage of any cell phone or other electronic device.

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 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 or negatively affect the school environment.

School administrators and teachers may confiscate a student's cell phone or other electronic device if the student's use or possession of a cell phone or electronic 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/guardian~~Parent to discuss the rule violation before returning the cell phone or electronic 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 380.1303(2)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5209 Student Use of Cell Phone and Electronic Communication Devices

Students may use cell phones or other electronic devices while at school, so long as they do so safely, responsibly, and respectfully, and comply with all other school rules while using the devices.

Students are personally and solely responsible for the security of their cell phones and other electronic devices. The District is not responsible for theft, loss, or damage of any cell phone or other electronic device.

Students may not use cell phones or other electronic devices while they are in locker rooms, restrooms, or any other area in which others may have a reasonable expectation of privacy.

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 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 or negatively affect the school environment.

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

School administrators and teachers may confiscate a student's cell phone or other electronic device if the student's use or possession of a cell phone or electronic 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 cell phone or electronic device.

Legal authority: MCL 380.1303(2)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5210 GPS Tracking Device with Audio Surveillance Capabilities [Recommended-Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number *and* in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

A student may possess a GPS tracking device with audio surveillance capabilities at school only if the parent/guardianParent disables the device's audio surveillance capabilities during the school day while the student attends school, subject to the following provisions:

- A. The student's parent/guardianParent must sign an agreement that the device's audio surveillance capabilities will be disabled during the school day, which includes transportation to and from school.
- B. The student's parent/guardianParent must direct the device manufacturer to promptly notify the building principal or designee if the audio surveillance capabilities are enabled during the school day.
- C. Any use of the device's audio surveillance capabilities during the school day is prohibited, except in an emergency involving the student's health, safety, or welfare.

Violation of this Policy will result in consequences, including but not limited to the device being confiscated or prohibited at school. If the device is confiscated, it will be returned to the student's parent/guardianParent after confirmation that the device's audio surveillance capabilities have been disabled and no recordings have been made. A confiscated device will be labeled with the student's name and held in a secure location until returned to the student's parent/guardianParent.

The following definitions apply to this Policy:

- A. "GPS tracking device" means a device other than a cell phone which allows a parent/guardianParent to remotely track the location of a child using the Global Positioning System (GPS) or similar technology that can pinpoint longitude, latitude, ground speed, and course direction of the target.
- B. "Audio surveillance capability" means the ability of a device to remotely listen, overhear, record, amplify, or transmit audio occurring in one location to another device in another location or which has a voice monitoring or two-way call feature.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5210 *GPS Tracking Device with Audio Surveillance Capabilities*

A student may possess a GPS tracking device with audio surveillance capabilities at school only if the Parent disables the device's audio surveillance capabilities during the school day while the student attends school, subject to the following provisions:

- A. The student's Parent must sign an agreement that the device's audio surveillance capabilities will be disabled during the school day, which includes transportation to and from school.
- B. The student's Parent must direct the device manufacturer to promptly notify the building principal or designee if the audio surveillance capabilities are enabled during the school day.
- C. Any use of the device's audio surveillance capabilities during the school day is prohibited, except in an emergency involving the student's health, safety, or welfare.

Violation of this Policy will result in consequences, including but not limited to the device being confiscated or prohibited at school. If the device is confiscated, it will be returned to the student's Parent after confirmation that the device's audio surveillance capabilities have been disabled and no recordings have been made. A confiscated device will be labeled with the student's name and held in a secure location until returned to the student's Parent.

The following definitions apply to this Policy:

- A. "GPS tracking device" means a device other than a cell phone which allows a Parent to remotely track the location of a child using the Global Positioning System (GPS) or similar technology that can pinpoint longitude, latitude, ground speed, and course direction of the target.
- B. "Audio surveillance capability" means the ability of a device to remotely listen, overhear, record, amplify, or transmit audio occurring in one location to another device in another location or which has a voice monitoring or two-way call feature.

Date adopted: August 15, 2022

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Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5212 *Registered Sex Offenders - Students*

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5213 Personal Protection Orders Against Students

If a student obtains a personal protection order against another student in the same building, either student's ~~parent/guardian~~Parent should notify the building principal and provide a copy of the order. The building principal or designee may work with the families to change class schedules, lockers, lunch assignments, or bus assignments of either student. While the District will seek to work collaboratively with both families, the District will not enforce a personal protection order to which the District is not a party.

The existence of a personal protection order does not diminish a student's rights under ~~the Individuals with Disabilities Education Act~~state or federal law.

The existence of a personal protection order alone is not a sufficient basis to exclude a student from school. The District reserves the right, consistent with Policy 5411, to determine the educational placement of a student who is the subject of a personal protection order.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5213 Personal Protection Orders Against Students

If a student obtains a personal protection order against another student in the same building, either student's Parent should notify the building principal and provide a copy of the order. The building principal or designee may work with the families to change class schedules, lockers, lunch assignments, or bus assignments of either student. While the District will seek to work collaboratively with both families, the District will not enforce a personal protection order to which the District is not a party.

The existence of a personal protection order does not diminish a student's rights under state or federal law.

The existence of a personal protection order alone is not a sufficient basis to exclude a student from school. The District reserves the right, consistent with Policy 5411, to determine the educational placement of a student who is the subject of a personal protection order.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5303 Student Enrollment and Withdrawal

A. Student Enrollment

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

The District may pursue all available legal options, including referral to law enforcement, against any person who provides false or misleading enrollment information. A person enrolling a student must provide the following within 30 calendar days after enrollment:

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

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

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

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

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

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

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

B. Student Withdrawal

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

Legal authority: MCL 380.1135, 380.1147

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5303 Student Enrollment and Withdrawal

A. Student Enrollment

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

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

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

B. Student Withdrawal

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

Legal authority: MCL 380.1135, 380.1147

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5304 Nonpublic School Students; Part-Time Attendance

A resident student who attends a nonpublic school or who is home-schooled and who otherwise meets the enrollment requirements, has the right to enroll in nonessential elective courses (including co-curricular activities associated with those courses) that the District provides to public school students in the same grade level or age group.

The District may provide instruction in nonessential elective courses to students at a nonpublic school site, consistent with state law and subject to constitutional constraints, ~~so long as comparable instruction is provided to public school students in the same grade level or age group.~~ The District may also permit nonresident, home-schooled and nonpublic school students to enroll in nonessential elective courses that the District provides to students in the same grade level or age group consistent with state law and subject to constitutional constraints.

A nonpublic, part-time student, regardless of residency and instructional location, is subject to the same course requirements and prerequisites that apply to all other District students.

A nonpublic, part-time student is subject to all District rules and applicable student codes of conduct.

The District is not required to provide transportation to a nonpublic, part-time student.

[Optional: Nonpublic, part-time students may not participate in District-provided athletics or extracurricular activities.]

The Superintendent or designee must ensure that all courses and related optional experiences offered or provided to nonpublic, part-time students satisfy the requirements of state and federal law and applicable provisions of the Michigan Pupil Accounting Manual.

Legal authority: MCL 388.1766b

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5306 Foreign Students

The District does not discriminate against students based on immigration or visa status.

~~The District will not deny enrollment to resident students or otherwise discriminate against students based on immigration or visa status.~~

~~Foreign~~ All students are subject to ~~all laws~~, Board Policies, ~~school~~ rules, laws, behavioral expectations, and applicable student codes of conduct.

Legal authority: 8 USC 1184(m); MCL 380.1401; *Plyler v Doe*, 457 US 202 (1982); OAG, No. 6316, p 151 (September 25, 1985)

Date adopted:

Date revised:



Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5304 Nonpublic School Students; Part-Time Attendance

A resident student who attends a nonpublic school or who is home-schooled and who otherwise meets the enrollment requirements, has the right to enroll in nonessential elective courses (including co-curricular activities associated with those courses) that the District provides to public school students in the same grade level or age group.

The District may provide instruction in nonessential elective courses to students at a nonpublic school site, consistent with state law and subject to constitutional constraints. The District may also permit nonresident, home-schooled and nonpublic school students to enroll in nonessential elective courses that the District provides to students in the same grade level or age group consistent with state law and subject to constitutional constraints.

A nonpublic, part-time student, regardless of residency and instructional location, is subject to the same course requirements and prerequisites that apply to all other District students.

A nonpublic, part-time student is subject to all District rules and applicable student codes of conduct.

The District is not required to provide transportation to a nonpublic, part-time student.

The Superintendent or designee must ensure that all courses and related optional experiences offered or provided to nonpublic, part-time students satisfy the requirements of state and federal law and applicable provisions of the Michigan Pupil Accounting Manual.

Legal authority: MCL 388.1766b

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5307 Homeless Students

A. General Policy

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

B. Homeless Liaison

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

[NAME AND POSITION OF DISTRICT'S HOMELESS LIAISON]
[ADDRESS]
[PHONE NUMBER]
[EMAIL ADDRESS]

The liaison's responsibilities include ensuring that:

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

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

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

C. Definitions

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

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

D. District's Obligation

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

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

E. School Stability

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

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

F. Immediate Enrollment

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

G. Comparable Services

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

H. Transportation

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

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

I. Records

The District will maintain and respond to requests for enrollment records for homeless children or youth consistent with Policy 5309 and state and federal

record laws. Any information about a homeless child's or youth's living situation will be treated as a confidential education record and not directory information.

J. Dispute Resolution

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

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

Legal authority: 42 USC 11431 et seq.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5307 Homeless Students

A. General Policy

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

B. Homeless Liaison

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

CASEY GORDON
2930 KNAPP ST. NE, GRAND RAPIDS MI 49525
616-363-1333
caseygordon@kentisd.org

The liaison's responsibilities include ensuring that:

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

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

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

C. Definitions

1. "Homeless children and youth" means persons who lack a fixed, regular, and adequate nighttime residence and includes children and youth who:
 - a. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or

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

D. District's Obligation

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

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

E. School Stability

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

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

F. Immediate Enrollment

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

G. Comparable Services

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

H. Transportation

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

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

I. Records

The District will maintain and respond to requests for enrollment records for homeless children or youth consistent with Policy 5309 and state and federal

record laws. Any information about a homeless child's or youth's living situation will be treated as a confidential education record and not directory information.

J. Dispute Resolution

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

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

Legal authority: 42 USC 11431 et seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5308 Protection of Pupil Rights

A. Surveys, Analyses, and Evaluations

Parents/guardians may inspect any survey created by a third party before that survey is administered or distributed to their student. All survey inspection requests must be made in writing to the building principal before the survey's scheduled administration date.

The District must obtain written consent from a student's parent/guardianParent before the student is required to participate in a survey, analysis, or evaluation funded, in whole or in part, by the U.S. Department of Education that would reveal sensitive information. For all other surveys, analyses, or evaluations that would reveal sensitive information about a student, the District will provide prior notice to the student's parent/guardianParent and an opportunity for the parent/guardianParent to opt their student out.

Employees may not request or disclose the identity of a student who completes a survey, evaluation, or analysis containing sensitive information.

"Sensitive information" includes:

- political affiliations or beliefs of the student or the student's parent/guardianParent;
- mental or psychological problems of the student or the student's family;
- sexual behavior or attitudes;
- illegal, anti-social, self-incriminating, or demeaning behavior;
- critical appraisals of other persons with whom the student has close family relationships;
- legally recognized privileges or analogous relationships, such as those with lawyers, physicians, and ministers;
- religious practices, affiliations, or beliefs of the student or the student's parent/guardianParent; or
- income (other than that required by law to determine eligibility for participating in a program or for receiving financial assistance under that program).

B. Invasive Physical Examinations

Parents/~~guardians~~ may refuse to allow their students to participate in any non-emergency, invasive physical examination or screening that is: (1) required as a condition of attendance, (2) administered and scheduled by the District, and (3) not necessary to protect the immediate health and safety of a student.

“Invasive physical examination” means:

1. any medical examination that involves the exposure of private body parts; or
2. any act during an examination that includes incision, insertion, or injection into the body that does not include a hearing, vision, or scoliosis screening.

C. Collection of Student Personal Information for Marketing

[Note: We recommend adopting this section as written. Schools, however, are not prohibited from collecting information for marketing purposes. If your school intends to collect information for marketing purposes, additional policy language is necessary. Please contact your Thrun Law Firm attorney for that language.] No employee will administer or distribute to students a survey or other instrument for the purpose of collecting personal information for marketing or selling that information.

“Personal information” means individually identifiable information that includes:

1. student’s and ~~parents’/guardians’~~Parents’ first and last name;
2. home or other physical address;
3. telephone number; or
4. Social Security Number.

This Policy does not apply to the collection, disclosure, or use of personal information for the purpose of providing educational services to students, such as:

1. post-secondary education recruitment;
2. military recruitment;
3. tests and assessments to provide cognitive, evaluative, diagnostic, or achievement information about students; or
4. student recognition programs.

D. Inspection of Instructional Material

Parents/guardians may inspect instructional material consistent with Policy 5401.

E. Notification of Rights and Procedures

The Superintendent or designee will notify ~~parents/guardians~~Parents of:

1. this Policy and its availability upon request;
2. how to opt their child out of participation in activities as provided for in this Policy;
3. the approximate date(s) when a survey, evaluation, or analysis that would reveal sensitive information is scheduled or expected to be scheduled;
4. the approximate date(s) when the District or its agents intend to administer a non-emergency, invasive physical examination or screening required as a condition of attendance (except for hearing, vision, or scoliosis screenings); and
5. how to inspect any survey or other material described in this Policy.

This notification will be given to ~~parents/guardians~~Parents at least annually at the beginning of the school year and within a reasonable period after any substantive change to this Policy.

~~Parents/guardians~~ who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Legal authority: 20 USC 1232h

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5308 Protection of Pupil Rights

A. Surveys, Analyses, and Evaluations

Parents may inspect any survey created by a third party before that survey is administered or distributed to their student. All survey inspection requests must be made in writing to the building principal before the survey's scheduled administration date.

The District must obtain written consent from a student's Parent before the student is required to participate in a survey, analysis, or evaluation funded, in whole or in part, by the U.S. Department of Education that would reveal sensitive information. For all other surveys, analyses, or evaluations that would reveal sensitive information about a student, the District will provide prior notice to the student's Parent and an opportunity for the Parent to opt their student out.

Employees may not request or disclose the identity of a student who completes a survey, evaluation, or analysis containing sensitive information.

"Sensitive information" includes:

- political affiliations or beliefs of the student or the student's Parent;
- mental or psychological problems of the student or the student's family;
- sexual behavior or attitudes;
- illegal, anti-social, self-incriminating, or demeaning behavior;
- critical appraisals of other persons with whom the student has close family relationships;
- legally recognized privileges or analogous relationships, such as those with lawyers, physicians, and ministers;
- religious practices, affiliations, or beliefs of the student or the student's Parent; or
- income (other than that required by law to determine eligibility for participating in a program or for receiving financial assistance under that program).

B. Invasive Physical Examinations

Parents may refuse to allow their students to participate in any non-emergency, invasive physical examination or screening that is: (1) required as a condition of

attendance, (2) administered and scheduled by the District, and (3) not necessary to protect the immediate health and safety of a student.

“Invasive physical examination” means:

1. any medical examination that involves the exposure of private body parts; or
2. any act during an examination that includes incision, insertion, or injection into the body that does not include a hearing, vision, or scoliosis screening.

C. Collection of Student Personal Information for Marketing

No employee will administer or distribute to students a survey or other instrument for the purpose of collecting personal information for marketing or selling that information.

“Personal information” means individually identifiable information that includes:

1. student’s and Parents’ first and last name;
2. home or other physical address;
3. telephone number; or
4. Social Security Number.

This Policy does not apply to the collection, disclosure, or use of personal information for the purpose of providing educational services to students, such as:

1. post-secondary education recruitment;
2. military recruitment;
3. tests and assessments to provide cognitive, evaluative, diagnostic, or achievement information about students; or
4. student recognition programs.

D. Inspection of Instructional Material

Parents/guardians may inspect instructional material consistent with Policy 5401.

E. Notification of Rights and Procedures

The Superintendent or designee will notify Parents of:

1. this Policy and its availability upon request;
2. how to opt their child out of participation in activities as provided for in this Policy;
3. the approximate date(s) when a survey, evaluation, or analysis that would reveal sensitive information is scheduled or expected to be scheduled;

4. the approximate date(s) when the District or its agents intend to administer a non-emergency, invasive physical examination or screening required as a condition of attendance (except for hearing, vision, or scoliosis screenings); and
5. how to inspect any survey or other material described in this Policy.

This notification will be given to Parents at least annually at the beginning of the school year and within a reasonable period after any substantive change to this Policy.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Legal authority: 20 USC 1232h

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5309 Student Records and Directory Information

The District may collect, retain, use, and disclose student education records consistent with state and federal law.

A. Definitions

1. An "education record" is a record directly related to a student that the District or its agents maintain, except that an education record does not include:
 - a. records kept in the maker's sole possession that are used as a personal memory aid and that are not accessible or revealed to any person except a temporary substitute for the maker;
 - b. records maintained by a law enforcement unit of the District, as defined by the Family Educational Rights and Privacy Act (FERPA), if the record was created for a law enforcement purpose;
 - c. records relating to a student who is at least 18 years old that are created or maintained by a psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity that are created or maintained only for the student's treatment (exclusive of remedial educational activities or educational activities that are part of the District's instructional program) and that are disclosed only to persons providing treatment (except that the records may be personally reviewed by a physician or other appropriate professional of the student's choice);
 - d. records created or received by the District after a person is no longer a student in the District and that are not directly related to the person's attendance as a student in the District;
 - e. grades on peer-graded papers or assignments before they are collected or recorded by a teacher; or
 - f. records relating to a person employed by the District that are maintained in the normal course of business, relate only to the person's employment, and are not available for any other purpose. Records relating to a person employed as a result of that person's status as a student are, however, "education records."
2. "Personally identifiable information" means a student's name; the name of a student's ~~parent/guardian~~Parent or family member; the student's address or the address of a family member; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that alone or in combination is linked or linkable to a specific

student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

3. "Directory information" is the information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates the following as directory information [Note: The Board may add or remove items from this list, consistent with state and federal law.]:

- a. student names, addresses, and telephone numbers;
- b. ~~photographs, including~~ photographs and videos depicting a student's participation in school-related activities and classes;
- c. date and place of birth;
- d. major field of study;
- e. grade level;
- f. enrollment status (e.g., full-time or part-time);
- g. dates of attendance (e.g., ~~2013-2017~~2023-2027);
- h. participation in officially recognized activities and sports;
- i. weight and height of athletic team members;
- j. degrees, honors, and awards received; and
- k. the most recent educational agency or institution attended.

The Board further designates District-assigned student email addresses as directory information for the limited purposes of: (1) facilitating the student's participation in and access to online learning platforms and applications; and (2) inclusion in internal school and District email address books.

B. Collection and Retention of Records

School officials may collect and retain information about the District's students that is reasonably necessary for the District to perform its role as a public school district, including, without limitation, student work samples, assessments, evaluations, surveys, health and medical information, immunization records, birth certificates, proof of residence, proof of achievements and awards, behavior records, investigation reports, incident reports, attendance records, all records necessary for the District to satisfy state or federal legal obligations, and any record necessary for the District to prove that a student was accurately counted in membership for state aid and grant purposes.

The Superintendent or designee will ensure that all student records are retained consistent with the Records Retention and Disposal Schedule for Michigan Public Schools and Policy 3502 and that reasonable steps (including, without limitation, physical or technological controls) are taken to protect education records, including those stored electronically, from inadvertent or unauthorized disclosure.

C. Right to Inspect and Review Education Records

Parents/~~guardians~~ may inspect and review their minor child's education records, regardless of custody status, unless a court order specifically provides otherwise.

Parents/~~guardians~~ may also inspect and review the education records of an "eligible student" if the student is considered a dependent under Internal Revenue Code Section 152. An "eligible student" means a student who is at least 18 years old, an emancipated minor, or a student enrolled in a postsecondary institution. Eligible students have the right to inspect and review their own education records.

~~The District will not disclose a student's or parent's/guardian's phone number or address or the parent's/guardian's employment address to another person who is the subject of a court order that prohibits disclosure of the information if the District has received a copy of the order. The District will not disclose a confidential address, phone number, or email address in violation of the Address Confidentiality Program Act if the student or the student's parent/guardian notifies the District that the student or the student's parent/guardian has obtained a participation card issued by the department of attorney general.~~

~~The District will~~ make arrangements for a ~~parent/guardian~~Parent or eligible student to inspect and review the student's education records within a reasonable time from receiving a request and not more than 30 calendar days from the date of the request or, if the student whose records are requested is a child with a disability as defined by the Individuals with Disabilities Education Act, before any Individualized Education Program Team meeting, resolution meeting, or due process hearing.

D. Right to Request Explanation or Interpretation of Student Education Records

A ~~parent/guardian~~Parent or eligible student may request, in writing, an explanation or interpretation of a student's education records. School officials will respond to any reasonable request.

E. Right to Request Amendment of Education Records

A ~~parent/guardian~~Parent or eligible student may request that a student's education record be amended if the ~~parent/guardian~~Parent or eligible student believes the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights. The Superintendent will develop administrative guidelines explaining the process by which a ~~parent/guardian~~Parent or eligible student may request an amendment to the student's records and that the ~~parent/guardian~~Parent or eligible student has the right to a hearing if the District refuses the request.

F. Disclosure of Education Records to School Officials

~~Except as noted in "Disclosure to a For-Profit Business Entity" (section J), a~~ school official may receive and review personally identifiable information from a student's education record only if the school official has a legitimate educational interest in the information. A school official has a "legitimate educational interest" if the record review is necessary for the school official to perform an administrative, supervisory, or instructional task as assigned by the District or to perform a service or benefit for the student or the student's family. For purposes of this Policy, a "school official" is any person employed by the District. The Board further designates the following persons and entities as "school officials":

1. a person or company with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, medical consultant, or online educational service provider or vendor);
2. a contractor, consultant, volunteer, or other party to whom the Board has outsourced a service or function otherwise performed by District employees (e.g., a therapist, a school resource officer, an employee of an intermediate school district, or an authorized information technology specialist);
3. a ~~parent/guardian~~Parent or student serving on an official committee, such as a disciplinary, reinstatement, or grievance committee; and
4. a person, including a volunteer, who is assisting another school official in performing the official's duties.

The above-identified persons and entities must: (a) perform institutional services or functions for which the District would otherwise use its own employees, (b) be under the direct control of the District as to the use and maintenance of education records, and (c) be subject to the requirements of FERPA regulations governing the use and re-disclosure of personally identifiable information from education records.

The Superintendent or designee will adopt procedures, including physical and technological controls, to ensure that only those school officials with a legitimate educational interest may access personally identifiable information from a student's education records.

G. Disclosure of "Directory Information"

Except as otherwise stated in this Policy, school officials may disclose "directory information" without the prior written consent of a ~~parent/guardian~~Parent or eligible student unless the ~~parent/guardian~~Parent or eligible student specifically notifies the District that the ~~parent/guardian~~Parent or eligible student does not consent to the disclosure of the student's directory information for 1 or more of the uses for which the District would commonly disclose the information.

The District will provide ~~parents/guardians~~Parents and eligible students with a Directory Information Opt Out Form, listing all uses for which it commonly discloses student directory information. The form will allow the ~~parent/guardian~~Parent or eligible student to elect not to have the student's directory information disclosed for 1 or more of the listed uses. Upon receipt of a completed Directory Information Opt Out Form, school officials may not release the student's directory information for any of the uses selected on the form.

The Superintendent or designee will provide the Directory Information Opt Out form to all ~~parents/guardians~~Parents or eligible students within the first 30 days of the school year. The form will also be made available at a ~~parent's/guardian's~~Parent's or eligible student's request at any time during the school year. If the ~~parent/guardian~~Parent or eligible student does not return the form, the District may release directory information as permitted by law. The Directory Information Opt Out form will be kept on file for 1 year.

To ensure that directory information is not improperly used, the Superintendent or designee may require that a person requesting directory information execute an affidavit stating that, if disclosed, the directory information will not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

The District will not disclose a student's or Parent's phone number or address or the Parent's employment address to another person who is the subject of a court order that prohibits disclosure of the information if the District has received a copy of the order. The District will not disclose a confidential address, phone number, or email address in violation of the Address Confidentiality Program Act if the student or the student's Parent notifies the District that the student or the student's Parent has obtained a participation card issued by the department of attorney general.

H. Disclosure of Education Records to Another School

School officials may release or disclose personally identifiable information contained in a student's education record without the consent of the ~~parent/guardian~~Parent or eligible student to another school or post-secondary institution in which the student seeks or intends to enroll, is enrolled, or from which the student receives services, if the disclosure is related to the student's enrollment or transfer.

I. Tagged Records and Record Transfers

Upon notification by a law enforcement agency that a student under age 17 is missing, the building principal or designee will tag the student's record in a manner that will alert both District and ISD personnel that the student is considered missing. Within 7 calendar days after receiving notice from a law enforcement agency that a student is no longer considered missing, the building principal or designee will remove the tag from the student's record.

Within 30 calendar days after receiving a request from a school in which a student has enrolled, the building principal or designee will forward the student's education

records to the requesting school unless the student's record has been tagged as described in this Policy. If the record has been tagged, the building principal or designee will not forward the student's education records to the requesting school and will notify law enforcement.

J. Disclosure to a For-Profit Business Entity

School officials will not sell or otherwise provide any personally identifiable information that is part of a student's education records to a for-profit business entity, except as follows:

1. an employee or agent of a business entity acting as a "school official" as defined in this Policy;
2. pursuant to a management agreement between a public school academy and an educational management organization;
3. as necessary for standardized testing; or
4. as necessary to a person who is providing educational or educational support services to the student pursuant to a contract with the school.

K. Disclosure of Education Records in Response to Subpoena/Court Order

To the extent consistent with state law, including the nondisclosure requirements of Revised Judicature Act Section 2165, school officials may release or disclose personally identifiable information contained in a student's education records without the consent of the parent/guardianParent or eligible student upon receipt of a court order or lawfully issued subpoena requiring disclosure of the information. To the extent permitted or required by law, before complying with a court order or subpoena, school officials must notify the parent/guardianParent or eligible student, in writing, that the District intends to comply with the court order or subpoena.

L. Disclosure of Education Records in Other Circumstances

Except as provided in this Policy, the District and its employees and agents are prohibited from disclosing personally identifiable information from a student's education records without the written consent of a parent/guardianParent or eligible student unless the disclosure is otherwise permitted or required by law, including, without limitation, if the disclosure is:

- necessary because of a health or safety emergency;
- to authorized state or federal officials;
- in connection with a student's application for or receipt of financial aid;
- made for purposes of conducting a study for or on behalf of an educational agency or institution;

- to an accrediting organization;
- concerning a registered sex offender; or
- to a representative of a child welfare agency for a foster child.

A school official may not disclose personally identifiable information from a student's education records unless disclosure is consistent with the requirements of state and federal law, including FERPA.

M. Disclosure Logs

The Superintendent or designee will maintain, to the extent required by law, a log of those persons to whom personally identifiable information from a student's education records has been disclosed. The record will identify the student whose information was disclosed, the person or entity who requested or received the information, the information that was disclosed, the date the parent/guardianParent or eligible student provided written consent (if necessary for the disclosure), a legitimate reason for the disclosure, and any other information required by law.

Subject to the limitations below, a parent/guardianParent or eligible student may request, in writing, information related to disclosure of personally identifiable information by the District. This information includes:

- the specific personally identifiable information that was disclosed by the District;
- the name and contact information of each person, agency, or organization to which the District disclosed the student's personally identifiable information; and
- the legitimate reason that the person, agency, or organization had in obtaining the personally identifiable information.

The District is not required to provide information about the disclosure of personally identifiable information if the personally identifiable information is:

1. provided to MDE or CEPI;
2. provided to the eligible student or the student's parent/guardianParent;
3. provided to an intermediate school district providing services pursuant to a written agreement;
4. provided by an intermediate school district to a school district or to a public school academy in which the pupil is enrolled or to a school district or public school academy providing services to the pupil pursuant to a written agreement;

5. provided to a person, agency, or organization with the written consent of the eligible student or the student's parent/guardianParent;
6. provided to a person, agency, or organization in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction;
7. provided as necessary for standardized assessments that measure the student's academic progress and achievement;
8. covered by the District's Directory Information Opt Out Form, unless the parent/guardianParent or eligible student has signed and submitted the Opt Out Form.

N. Video Recordings

A video recording that is directly related to a student may be an "education record" (e.g., when it is maintained to document student conduct or misconduct, unless it is maintained by a law enforcement unit and used solely for a law enforcement purpose). The Superintendent or designee will determine, on a case-by-case basis, upon receipt of a request for the video's disclosure, whether a particular video is an "education record" and whether it contains "personally identifiable information" about a student. If the Superintendent or designee determines that a video recording is an "education record," its ~~release and~~ disclosure and the rights of parents/guardiansParents and eligible students to inspect and review the video recording are governed by this Policy, applicable laws, and relevant state and federal guidance.

O. Disclosure of Records to Law Enforcement

Nothing in this Policy limits a school official's right or duty under state law or pursuant to the Statewide School Safety Information Policy to contact law enforcement to report possible criminal activity. A school official may not, however, disclose personally identifiable information from a student's education records to law enforcement without the prior written consent of a parent/guardianParent or eligible student unless disclosure is otherwise permitted or required by state or federal law (e.g., in response to a health or safety emergency or a court order or subpoena).

If a school official reports possible criminal activity of a student with a disability as defined by the Individuals with Disabilities Education Act, the school official must transmit a copy of the student's special education records and disciplinary records to the authorities to whom the crime is reported in a manner consistent with FERPA (i.e., with prior written consent or a lawful exception to consent). Except for disclosures in response to a health or safety emergency, school officials must seek written consent to transmit the records of a student with a disability immediately after reporting the student's potential criminal activity to authorities.

P. Disclosure of Information to Military Recruiter

The District will provide recruiters of the Armed Forces of the United States with at least the same access to the high school campus and to directory information as is provided to other entities offering educational or employment opportunities to those students, as required by state and federal law. "Armed Forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

The Directory Information Opt Out Form must include the option to opt out of the disclosure of the student's directory information to recruiters of the Armed Forces of the United States. Upon receipt of a written "opt out," school officials may not release the student's directory information to recruiters of the Armed Forces of the United States. The District may charge a fee, not to exceed the actual costs of copying and mailing the requested directory information, to recruiters of the Armed Forces of the United States, to the same extent it charges other organizations.

Q. Annual Notice Requirements

The Superintendent or designee will send an annual notice to ~~parents/guardians~~Parents and eligible students notifying them of the following:

1. the right to inspect and review their student's education records;
2. the right to seek amendment of their student's education records, the process for requesting amendment, and applicable hearing procedures;
3. the identity of designated "school officials" and the definition of "legitimate educational interest";
4. the definition of "directory information" and notice that their student's directory information may be disclosed without consent unless the ~~parent/guardian~~Parent or eligible student opts out of allowing disclosure;
5. the District's practice to disclose a student's education records, including disciplinary records, to another school or post-secondary institution in which the student seeks or intends to enroll or is enrolled;
6. the right to consent to the disclosure of personally identifiable information from a student's education record before its disclosure, unless a nonconsensual disclosure is otherwise authorized by law;
7. the right to opt out of disclosure of directory information to recruiters for Armed Forces of the United States and their service academies;
8. the right to file a complaint with the U.S. Department of Education alleging that the District violated FERPA; and
9. the right to obtain a copy of the Board's policies and administrative regulations about student records.

Legal authority: 20 USC 1401 et seq., 1232g, 7165, 7908; 26 USC 152; 34 CFR Part 99, 300; MCL 15.243(2); MCL 380.1134-1136, 380.1137a, 380.1279g; MCL 600.2165; MCL 722.30; MCL 780.855, 780.871; *Records Retention and Disposal Schedule for Michigan Public Schools*

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5309 Student Records and Directory Information

The District may collect, retain, use, and disclose student education records consistent with state and federal law.

A. Definitions

1. An "education record" is a record directly related to a student that the District or its agents maintain, except that an education record does not include:
 - a. records kept in the maker's sole possession that are used as a personal memory aid and that are not accessible or revealed to any person except a temporary substitute for the maker;
 - b. records maintained by a law enforcement unit of the District, as defined by the Family Educational Rights and Privacy Act (FERPA), if the record was created for a law enforcement purpose;
 - c. records relating to a student who is at least 18 years old that are created or maintained by a psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity that are created or maintained only for the student's treatment (exclusive of remedial educational activities or educational activities that are part of the District's instructional program) and that are disclosed only to persons providing treatment (except that the records may be personally reviewed by a physician or other appropriate professional of the student's choice);
 - d. records created or received by the District after a person is no longer a student in the District and that are not directly related to the person's attendance as a student in the District;
 - e. grades on peer-graded papers or assignments before they are collected or recorded by a teacher; or
 - f. records relating to a person employed by the District that are maintained in the normal course of business, relate only to the person's employment, and are not available for any other purpose. Records relating to a person employed as a result of that person's status as a student are, however, "education records."
2. "Personally identifiable information" means a student's name; the name of a student's Parent or family member; the student's address or the address of a family member; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that alone or in combination is linked or linkable to a specific student

that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

3. "Directory information" is the information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates the following as directory information
 - a. student names, addresses, and telephone numbers;
 - b. photographs and videos depicting a student's participation in school-related activities and classes;
 - c. date and place of birth;
 - d. major field of study;
 - e. grade level;
 - f. enrollment status (e.g., full-time or part-time);
 - g. dates of attendance (e.g., 2023-2027);
 - h. degrees, honors, and awards received; and
 - i. the most recent educational agency or institution attended.

The Board further designates District-assigned student email addresses as directory information for the limited purposes of: (1) facilitating the student's participation in and access to online learning platforms and applications; and (2) inclusion in internal school and District email address books.

B. Collection and Retention of Records

School officials may collect and retain information about the District's students that is reasonably necessary for the District to perform its role as a public school district, including, without limitation, student work samples, assessments, evaluations, surveys, health and medical information, immunization records, birth certificates, proof of residence, proof of achievements and awards, behavior records, investigation reports, incident reports, attendance records, all records necessary for the District to satisfy state or federal legal obligations, and any record necessary for the District to prove that a student was accurately counted in membership for state aid and grant purposes.

The Superintendent or designee will ensure that all student records are retained consistent with the Records Retention and Disposal Schedule for Michigan Public Schools and Policy 3502 and that reasonable steps (including, without limitation,

physical or technological controls) are taken to protect education records, including those stored electronically, from inadvertent or unauthorized disclosure.

C. Right to Inspect and Review Education Records

Parents may inspect and review their minor child's education records, regardless of custody status, unless a court order specifically provides otherwise.

Parents may also inspect and review the education records of an "eligible student" if the student is considered a dependent under Internal Revenue Code Section 152. An "eligible student" means a student who is at least 18 years old, an emancipated minor, or a student enrolled in a postsecondary institution. Eligible students have the right to inspect and review their own education records.

The District will make arrangements for a Parent or eligible student to inspect and review the student's education records within a reasonable time from receiving a request and not more than 30 calendar days from the date of the request or, if the student whose records are requested is a child with a disability as defined by the Individuals with Disabilities Education Act, before any Individualized Education Program Team meeting, resolution meeting, or due process hearing.

D. Right to Request Explanation or Interpretation of Student Education Records

A Parent or eligible student may request, in writing, an explanation or interpretation of a student's education records. School officials will respond to any reasonable request.

E. Right to Request Amendment of Education Records

A Parent or eligible student may request that a student's education record be amended if the Parent or eligible student believes the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights. The Superintendent will develop administrative guidelines explaining the process by which a Parent or eligible student may request an amendment to the student's records and that the Parent or eligible student has the right to a hearing if the District refuses the request.

F. Disclosure of Education Records to School Officials

A school official may receive and review personally identifiable information from a student's education record only if the school official has a legitimate educational interest in the information. A school official has a "legitimate educational interest" if the record review is necessary for the school official to perform an administrative, supervisory, or instructional task as assigned by the District or to perform a service or benefit for the student or the student's family. For purposes of this Policy, a "school official" is any person employed by the District. The Board further designates the following persons and entities as "school officials":

1. a person or company with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, medical consultant, or online educational service provider or vendor);
2. a contractor, consultant, volunteer, or other party to whom the Board has outsourced a service or function otherwise performed by District employees (e.g., a therapist, a school resource officer, an employee of an intermediate school district, or an authorized information technology specialist);
3. a Parent or student serving on an official committee, such as a disciplinary, reinstatement, or grievance committee; and
4. a person, including a volunteer, who is assisting another school official in performing the official's duties.

The above-identified persons and entities must: (a) perform institutional services or functions for which the District would otherwise use its own employees, (b) be under the direct control of the District as to the use and maintenance of education records, and (c) be subject to the requirements of FERPA regulations governing the use and re-disclosure of personally identifiable information from education records.

The Superintendent or designee will adopt procedures, including physical and technological controls, to ensure that only those school officials with a legitimate educational interest may access personally identifiable information from a student's education records.

G. Disclosure of "Directory Information"

Except as otherwise stated in this Policy, school officials may disclose "directory information" without the prior written consent of a Parent or eligible student unless the Parent or eligible student specifically notifies the District that the Parent or eligible student does not consent to the disclosure of the student's directory information for 1 or more of the uses for which the District would commonly disclose the information.

The District will provide Parents and eligible students with a Directory Information Opt Out Form, listing all uses for which it commonly discloses student directory information. The form will allow the Parent or eligible student to elect not to have the student's directory information disclosed for 1 or more of the listed uses. Upon receipt of a completed Directory Information Opt Out Form, school officials may not release the student's directory information for any of the uses selected on the form.

The Superintendent or designee will provide the Directory Information Opt Out form to all Parents or eligible students within the first 30 days of the school year. The form will also be made available at a Parent's or eligible student's request at any time during the school year. If the Parent or eligible student does not return

the form, the District may release directory information as permitted by law. The Directory Information Opt Out form will be kept on file for 1 year.

To ensure that directory information is not improperly used, the Superintendent or designee may require that a person requesting directory information execute an affidavit stating that, if disclosed, the directory information will not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

The District will not disclose a student's or Parent's phone number or address or the Parent's employment address to another person who is the subject of a court order that prohibits disclosure of the information if the District has received a copy of the order. The District will not disclose a confidential address, phone number, or email address in violation of the Address Confidentiality Program Act if the student or the student's Parent notifies the District that the student or the student's Parent has obtained a participation card issued by the department of attorney general.

H. Disclosure of Education Records to Another School

School officials may release or disclose personally identifiable information contained in a student's education record without the consent of the Parent or eligible student to another school or post-secondary institution in which the student seeks or intends to enroll, is enrolled, or from which the student receives services, if the disclosure is related to the student's enrollment or transfer.

I. Tagged Records and Record Transfers

Upon notification by a law enforcement agency that a student under age 17 is missing, the building principal or designee will tag the student's record in a manner that will alert both District and ISD personnel that the student is considered missing. Within 7 calendar days after receiving notice from a law enforcement agency that a student is no longer considered missing, the building principal or designee will remove the tag from the student's record.

Within 30 calendar days after receiving a request from a school in which a student has enrolled, the building principal or designee will forward the student's education records to the requesting school unless the student's record has been tagged as described in this Policy. If the record has been tagged, the building principal or designee will not forward the student's education records to the requesting school and will notify law enforcement.

J. Disclosure to a For-Profit Business Entity

School officials will not sell or otherwise provide any personally identifiable information that is part of a student's education records to a for-profit business entity, except as follows:

1. an employee or agent of a business entity acting as a "school official" as defined in this Policy;

2. pursuant to a management agreement between a public school academy and an educational management organization;
3. as necessary for standardized testing; or
4. as necessary to a person who is providing educational or educational support services to the student pursuant to a contract with the school.

K. Disclosure of Education Records in Response to Subpoena/Court Order

To the extent consistent with state law, including the nondisclosure requirements of Revised Judicature Act Section 2165, school officials may release or disclose personally identifiable information contained in a student's education records without the consent of the Parent or eligible student upon receipt of a court order or lawfully issued subpoena requiring disclosure of the information. To the extent permitted or required by law, before complying with a court order or subpoena, school officials must notify the Parent or eligible student, in writing, that the District intends to comply with the court order or subpoena.

L. Disclosure of Education Records in Other Circumstances

Except as provided in this Policy, the District and its employees and agents are prohibited from disclosing personally identifiable information from a student's education records without the written consent of a Parent or eligible student unless the disclosure is otherwise permitted or required by law, including, without limitation, if the disclosure is:

- necessary because of a health or safety emergency;
- to authorized state or federal officials;
- in connection with a student's application for or receipt of financial aid;
- made for purposes of conducting a study for or on behalf of an educational agency or institution;
- to an accrediting organization;
- concerning a registered sex offender; or
- to a representative of a child welfare agency for a foster child.

A school official may not disclose personally identifiable information from a student's education records unless disclosure is consistent with the requirements of state and federal law, including FERPA.

M. Disclosure Logs

The Superintendent or designee will maintain, to the extent required by law, a log of those persons to whom personally identifiable information from a student's

education records has been disclosed. The record will identify the student whose information was disclosed, the person or entity who requested or received the information, the information that was disclosed, the date the Parent or eligible student provided written consent (if necessary for the disclosure), a legitimate reason for the disclosure, and any other information required by law.

Subject to the limitations below, a Parent or eligible student may request, in writing, information related to disclosure of personally identifiable information by the District. This information includes:

- the specific personally identifiable information that was disclosed by the District;
- the name and contact information of each person, agency, or organization to which the District disclosed the student's personally identifiable information; and
- the legitimate reason that the person, agency, or organization had in obtaining the personally identifiable information.

The District is not required to provide information about the disclosure of personally identifiable information if the personally identifiable information is:

1. provided to MDE or CEPI;
2. provided to the eligible student or the student's Parent;
3. provided to an intermediate school district providing services pursuant to a written agreement;
4. provided by an intermediate school district to a school district or to a public school academy in which the pupil is enrolled or to a school district or public school academy providing services to the pupil pursuant to a written agreement;
5. provided to a person, agency, or organization with the written consent of the eligible student or the student's Parent;
6. provided to a person, agency, or organization in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction;
7. provided as necessary for standardized assessments that measure the student's academic progress and achievement;
8. covered by the District's Directory Information Opt Out Form, unless the Parent or eligible student has signed and submitted the Opt Out Form.

N. Video Recordings

A video recording that is directly related to a student may be an “education record” (e.g., when it is maintained to document student conduct or misconduct, unless it is maintained by a law enforcement unit and used solely for a law enforcement purpose). The Superintendent or designee will determine, on a case-by-case basis, upon receipt of a request for the video’s disclosure, whether a particular video is an “education record” and whether it contains “personally identifiable information” about a student. If the Superintendent or designee determines that a video recording is an “education record,” its disclosure and the rights of Parents and eligible students to inspect and review the video recording are governed by this Policy, applicable laws, and relevant state and federal guidance.

O. Disclosure of Records to Law Enforcement

Nothing in this Policy limits a school official’s right or duty under state law or pursuant to the Statewide School Safety Information Policy to contact law enforcement to report possible criminal activity. A school official may not, however, disclose personally identifiable information from a student’s education records to law enforcement without the prior written consent of a Parent or eligible student unless disclosure is otherwise permitted or required by state or federal law (e.g., in response to a health or safety emergency or a court order or subpoena).

If a school official reports possible criminal activity of a student with a disability as defined by the Individuals with Disabilities Education Act, the school official must transmit a copy of the student’s special education records and disciplinary records to the authorities to whom the crime is reported in a manner consistent with FERPA (i.e., with prior written consent or a lawful exception to consent). Except for disclosures in response to a health or safety emergency, school officials must seek written consent to transmit the records of a student with a disability immediately after reporting the student’s potential criminal activity to authorities.

P. Disclosure of Information to Military Recruiter

The District will provide recruiters of the Armed Forces of the United States with at least the same access to the high school campus and to directory information as is provided to other entities offering educational or employment opportunities to those students, as required by state and federal law. “Armed Forces of the United States” means the armed forces of the United States and their reserve components and the United States Coast Guard.

The Directory Information Opt Out Form must include the option to opt out of the disclosure of the student’s directory information to recruiters of the Armed Forces of the United States. Upon receipt of a written “opt out,” school officials may not release the student’s directory information to recruiters of the Armed Forces of the United States. The District may charge a fee, not to exceed the actual costs of copying and mailing the requested directory information, to recruiters of the Armed Forces of the United States, to the same extent it charges other organizations.

Q. Annual Notice Requirements

The Superintendent or designee will send an annual notice to Parents and eligible students notifying them of the following:

1. the right to inspect and review their student's education records;
2. the right to seek amendment of their student's education records, the process for requesting amendment, and applicable hearing procedures;
3. the identity of designated "school officials" and the definition of "legitimate educational interest";
4. the definition of "directory information" and notice that their student's directory information may be disclosed without consent unless the Parent or eligible student opts out of allowing disclosure;
5. the District's practice to disclose a student's education records, including disciplinary records, to another school or post-secondary institution in which the student seeks or intends to enroll or is enrolled;
6. the right to consent to the disclosure of personally identifiable information from a student's education record before its disclosure, unless a nonconsensual disclosure is otherwise authorized by law;
7. the right to opt out of disclosure of directory information to recruiters for Armed Forces of the United States and their service academies;
8. the right to file a complaint with the U.S. Department of Education alleging that the District violated FERPA; and
9. the right to obtain a copy of the Board's policies and administrative regulations about student records.

Legal authority: 20 USC 1401 et seq., 1232g, 7165, 7908; 26 USC 152; 34 CFR Part 99, 300; MCL 15.243(2); MCL 380.1134-1136, 380.1137a, 380.1279g; MCL 600.2165; MCL 722.30; MCL 780.855, 780.871; *Records Retention and Disposal Schedule for Michigan Public Schools*

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5401 Parent/~~Guardian~~ Involvement in Education

A. Parent/~~Guardian~~ Involvement

The District will take the following steps to encourage ~~parent/guardian~~Parent involvement in their student's education:

1. Parents/~~guardians~~ will be provided the opportunity to review District-approved curriculum, textbooks, and instructional materials, including any material that will be used in connection with a survey, analysis, or evaluation, upon request.
 - a. Requests to review curriculum, textbooks, and instructional materials must be made to the building principal.
 - b. Parents/~~guardians~~ may review textbooks based on availability and may review instructional materials within a time frame determined by the building principal or designee.
2. Parents/~~guardians~~ will be permitted to attend and observe instructional activities in a class or course in which their student is enrolled and present.

Parents/~~guardians~~ must make an appointment with the building principal to observe instructional activities in a class or course in which the student is enrolled and present. The building principal will permit a ~~parent/guardian~~Parent observation unless the building principal determines that the observation would disrupt the class or course. Frequent observations are likely disruptive. Absent unusual circumstances, as determined by the building principal, observations that last more than 30 minutes or occur on consecutive days will not be permitted. Parents/~~guardians~~ who want to observe instructional activities also must adhere to Policy 3105.

Parents/~~guardians~~ are not permitted to observe testing.

3. Parents/~~guardians~~ may inspect and review their student's education records, upon written request, consistent with Policy 5309 and state and federal law.
4. At the beginning of the school year, the District will notify ~~parents/guardians~~Parents of students attending Title I schools of the right to request a copy of this Policy. The District will provide a copy of this Policy to a requesting ~~parent/guardian~~Parent in a timely manner.
5. [Optional: The Superintendent is directed to develop and implement parental involvement contracts with ~~parents/guardians~~Parents. These contracts must be voluntary and must include the following:
 - a. ~~the parent/guardian~~Parent will:

- i. review homework and offer assistance when needed;
 - ii. ensure the student arrives at school each day on time and ready to learn;
 - iii. attend school functions and support the student's school activities; and,
 - iv. make every effort to attend parent-/guardian-teacher conferences.
- b. The student will:
- i. participate in class discussions;
 - ii. complete assignments in an accurate, neat, and timely manner;
 - iii. come to school each day on time;
 - iv. pay attention in class and complete assigned lessons;
 - v. obey applicable rules and codes of conduct; and
 - vi. respect teachers, school administrators, and other students.
- c. The teacher will:
- i. set high standards for quality instruction that promote grade-appropriate academic skills;
 - ii. keep accurate attendance records;
 - iii. teach students how to study;
 - iv. review basic concepts taught in class;
 - v. maintain a welcoming atmosphere; and
 - vi. provide flexible scheduling for parent/guardian/Parent visits and participation.
- d. Ways for the parent/guardian/Parent to explain any obstacles that prevent compliance with the contract.

If a parental involvement contract identifies obstacles to participation, the Superintendent will consider accessing possible resources to help overcome those obstacles.]

B. Assessments and Surveys

1. State assessments

Pursuant to state law, the District will not approve parent/guardian/Parent requests to opt students out of state assessments.

2. National Assessment of Educational Progress

As a condition of receiving federal funds and as required by state law, the District may be selected to participate in the National Assessment of Educational Progress (NAEP). To help ensure that the District has a representative sample of students taking the NAEP, which will allow the District to assess the quality and effectiveness of its programming on a national level, the District strongly encourages all eligible students to participate. Student participation in NAEP is voluntary.

The District will notify ~~parents/guardians~~Parents of students eligible to take the NAEP before the assessment is administered. ~~Parents/guardians~~ wishing to opt their students out of the NAEP assessment must notify the District in writing at least 3 school days before the assessment date to ensure that the District can coordinate supervision and alternative activities for students who have opted out.

3. Surveys

~~Parents/guardians~~ will be notified before their student participates in surveys on certain topics in accordance with Policy 5308.

Legal authority: MCL 380.1137, 380.1280b, 380.1295, 380.1507(3)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5401 Parent Involvement in Education

A. Parent Involvement

The District will take the following steps to encourage Parent involvement in their student's education:

1. Parents will be provided the opportunity to review District-approved curriculum, textbooks, and instructional materials, including any material that will be used in connection with a survey, analysis, or evaluation, upon request.
 - a. Requests to review curriculum, textbooks, and instructional materials must be made to the building principal.
 - b. Parents may review textbooks based on availability and may review instructional materials within a time frame determined by the building principal or designee.
2. Parents will be permitted to attend and observe instructional activities in a class or course in which their student is enrolled and present.

Parents must make an appointment with the building principal to observe instructional activities in a class or course in which the student is enrolled and present. The building principal will permit a Parent observation unless the building principal determines that the observation would disrupt the class or course. Frequent observations are likely disruptive. Absent unusual circumstances, as determined by the building principal, observations that last more than 30 minutes or occur on consecutive days will not be permitted. Parents who want to observe instructional activities also must adhere to Policy 3105.

Parents are not permitted to observe testing.

3. Parents may inspect and review their student's education records, upon written request, consistent with Policy 5309 and state and federal law.
4. At the beginning of the school year, the District will notify Parents of students attending Title I schools of the right to request a copy of this Policy. The District will provide a copy of this Policy to a requesting Parent in a timely manner.

B. Assessments and Surveys

1. State assessments

Pursuant to state law, the District will not approve Parent requests to opt students out of state assessments.

2. National Assessment of Educational Progress

As a condition of receiving federal funds and as required by state law, the District may be selected to participate in the National Assessment of Educational Progress (NAEP). To help ensure that the District has a representative sample of students taking the NAEP, which will allow the District to assess the quality and effectiveness of its programming on a national level, the District strongly encourages all eligible students to participate. Student participation in NAEP is voluntary.

The District will notify Parents of students eligible to take the NAEP before the assessment is administered. Parents wishing to opt their students out of the NAEP assessment must notify the District in writing at least 3 school days before the assessment date to ensure that the District can coordinate supervision and alternative activities for students who have opted out.

3. Surveys

Parents will be notified before their student participates in surveys on certain topics in accordance with Policy 5308.

Legal authority: MCL 380.1137, 380.1280b, 380.1295, 380.1507(3)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5402 Communication with Parents/~~Guardians~~

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

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5402 Communication with Parents

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

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5403 *Rights of Non-Custodial Parents/~~Guardians~~*

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5403 Rights of Non-Custodial Parents

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5404 Free Textbooks, Materials, and Charging of Fees and Fines

The District will provide free instruction in accordance with state law and the State Board of Education's Position Statement on Free Textbooks, Materials, and the Charging of Fees.

A. Textbooks and Materials

The District will not charge a fee for materials necessary to complete required or elective courses. Students and ~~parents/guardians~~Parents may purchase additional supplies at their own expense. The District may charge a reasonable and refundable deposit to cover damage to textbooks and supplies.

B. Fees

The District will not charge students a fee to participate in curricular activities. The District may charge students a fee to participate in extracurricular and noncurricular activities to cover the District's reasonable costs. The District may require students to furnish specialized equipment and clothing required for participation in extracurricular and noncurricular activities or may charge a reasonable fee for the use of District-owned equipment or clothing. The activity's coach or sponsor will provide students with information about the fees charged and the equipment or clothing required.

C. Fines

The District may require students and their ~~parents/guardians~~Parents to reimburse the District for actual costs to repair or replace District property that is lost, damaged, stolen, returned in a different condition, or not returned on time. The District may pursue legal remedies to collect unpaid fines.

D. Optional Insurance

The District may offer the opportunity for students or ~~parents/guardians~~Parents to purchase insurance to protect against damage to District equipment or supplies. The decision to offer insurance rests with the District.

E. Donations

The District may request donations of money, materials, equipment, or clothing from ~~parents/guardians~~Parents and community members to defray the costs of providing certain services and activities to students. Employees are directed to clearly communicate to students, ~~parents/guardians~~Parents, and community members that donations are voluntary.

A teacher may provide a list of suggested materials that students and ~~parents/guardians~~Parents may purchase. Purchasing materials is voluntary and not required for curricular activities.

F. Waivers

Students who qualify for free or reduced-price lunches under U.S. Department of Agriculture child nutrition programs will be provided a fee waiver or the necessary materials or equipment without charge for: (1) participation in extracurricular activities, (2) materials for course projects, and (3) the use of a musical instrument in elective music courses. Actual participation in the free or reduced-price lunch program is not required to qualify for these waivers. The District is not obligated to provide any particular type or quality of equipment or other material to eligible students. A student who wishes to be considered for a fee waiver must submit a completed fee waiver application to the building principal.

Legal authority: MCL 600.2913; State Board of Education's Position Statement on Free Textbooks, Materials, and the Charging of Fees (March 1972)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5404 *Free Textbooks, Materials, and Charging of Fees and Fines*

The District will provide free instruction in accordance with state law and the State Board of Education's Position Statement on Free Textbooks, Materials, and the Charging of Fees.

A. Textbooks and Materials

The District will not charge a fee for materials necessary to complete required or elective courses. Students and Parents may purchase additional supplies at their own expense. The District may charge a reasonable and refundable deposit to cover damage to textbooks and supplies.

B. Fees

The District will not charge students a fee to participate in curricular activities. The District may charge students a fee to participate in extracurricular and noncurricular activities to cover the District's reasonable costs. The District may require students to furnish specialized equipment and clothing required for participation in extracurricular and noncurricular activities or may charge a reasonable fee for the use of District-owned equipment or clothing. The activity's coach or sponsor will provide students with information about the fees charged and the equipment or clothing required.

C. Fines

The District may require students and their Parents to reimburse the District for actual costs to repair or replace District property that is lost, damaged, stolen, returned in a different condition, or not returned on time. The District may pursue legal remedies to collect unpaid fines.

D. Optional Insurance

The District may offer the opportunity for students or Parents to purchase insurance to protect against damage to District equipment or supplies. The decision to offer insurance rests with the District.

E. Donations

The District may request donations of money, materials, equipment, or clothing from Parents and community members to defray the costs of providing certain services and activities to students. Employees are directed to clearly communicate to students, Parents, and community members that donations are voluntary.

A teacher may provide a list of suggested materials that students and Parents may purchase. Purchasing materials is voluntary and not required for curricular activities.

F. Waivers

Students who qualify for free or reduced-price lunches under U.S. Department of Agriculture child nutrition programs will be provided a fee waiver or the necessary materials or equipment without charge for: (1) participation in extracurricular activities, (2) materials for course projects, and (3) the use of a musical instrument in elective music courses. Actual participation in the free or reduced-price lunch program is not required to qualify for these waivers. The District is not obligated to provide any particular type or quality of equipment or other material to eligible students. A student who wishes to be considered for a fee waiver must submit a completed fee waiver application to the building principal.

Legal authority: MCL 600.2913; State Board of Education's Position Statement on Free Textbooks, Materials, and the Charging of Fees (March 1972)

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5406 Title I Funds

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

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

Legal Authority: 20 USC 6301 et seq.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5406 Title I Funds

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

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

Legal Authority: 20 USC 6301 et seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5407 Instructional Program and Curriculum Development

The District will provide students with at least the minimum number of instructional hours and days each school year required by law. The District may deviate from this requirement only as permitted by state law.

The Board, advised by the Superintendent, will adopt a curriculum and procure textbooks and materials to support the curriculum.

The Superintendent or designee is responsible for providing and directing District-wide planning for curriculum, instruction, assessment, and staff development in accordance with Policy 2203. Committees consisting of educational professionals, including administrators, and community members, may be established to design instructional strategies and assessments to implement the curriculum.

A. Parent/~~Guardian~~ Rights

As described in Policy 5401, the District will provide a ~~parent/guardian~~Parent the opportunity to review District-approved curriculum, textbooks, and instructional materials upon request to the building principal. See Policy 5401 for appropriate procedures.

B. ~~[Optional]~~ Complaints about Instructional Materials

If a ~~parent/guardian~~Parent objects to their student's instructional materials, the following procedures will apply:

1. First Level – Objection to Teacher. The ~~parent/guardian~~Parent must submit an objection and explanation in writing to the relevant classroom teacher. The teacher will review the ~~parent's/guardian's~~Parent's objection and either (a) ~~exempt the student from using the material,~~ (b) ~~discontinue using the material for some or all students,~~ or (c) advise the ~~parent/guardian~~Parent of the educational and pedagogical reasons for the material.
2. Second Level - Appeal to Building Principal. If the ~~parent/guardian~~Parent disagrees with the teacher's response, the ~~parent/guardian~~Parent may submit a written appeal to the building principal stating the reasons why the ~~parent/guardian~~Parent objects to the materials. The building principal will confer with the relevant classroom teacher within 5 school days. The building principal will review the written objection and the materials in question to determine whether:
 - a. ~~the stated objection outweighs the educational and pedagogical reasons;~~
 - b. ~~the materials require the student to engage in conduct or practice that violates the student's sincerely held religious belief;~~

- c. the materials lack serious educational, literary, artistic, political, or scientific value for the age range of the students in question; or
- d. the materials are inappropriate or harmful for the age range of the students in question.

The building principal will provide all parties with a written response granting or denying the appeal within 10 school days after conferring with the teacher.

3. [Optional. If selected, choose Option 1 Superintendent Review or Option 2 Committee Review]

Option 1: Third Level - Superintendent Review. If the parent/guardianParent disagrees with the building principal's response, the parent/guardianParent may submit a written appeal to the Superintendent within 5 school days after receiving the building principal's response. The Superintendent will review the parent's/guardian'sParent's written objection, the building principal's written response, the parent's/guardian'sParent's written appeal, the materials being challenged, and any other information the Superintendent deems relevant. The Superintendent will issue a written decision within 30 calendar days of receiving the appeal based on the factors described in Section 2 above. The Superintendent's decision is final.

Option 2: Third Level – Committee Review. If the parent/guardianParent disagrees with the building principal's response, the parent/guardianParent may submit a written appeal to the Superintendent within 5 school days after receiving the building principal's response. The Superintendent will create a committee to review the appeal. The committee will review the parent's/guardian'sParent's written objection, the building principal's written response, the parent's/guardian'sParent's written appeal, the materials being challenged, and any other information the committee deems relevant. The committee will issue a written decision within 30 calendar days of receiving the appeal based on the factors described in Section 2 above. The committee's decision is final.

- C. [Optional, but recommended] Complaints about Library Materials

If a parent/guardianParent objects to materials in the school library, the parent/guardianParent must submit an objection and explanation in writing to the Superintendent identifying:

1. the basis for the objection;
2. any recent known use of the library materials in the school; and
3. any other relevant information.

The Superintendent will review the written objection and the materials in question in their totality to determine whether:

1. the materials lack serious educational, literary, artistic, political, or scientific value for the age range of the students in question; or
2. the materials are inappropriate or harmful for the age range of the students in question.

The Superintendent may, in his or her sole discretion, designate review to another administrator or employee. The Superintendent or designee will endeavor to provide a written response to the ~~parent/guardian~~Parent within 30 calendar days after receiving the objection. The Superintendent or designee's decision is final.

The District will not restrict access to the challenged material during the review process.

Legal Authority: MCL 380.1137, 388.1706

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5407 Instructional Program and Curriculum Development

The District will provide students with at least the minimum number of instructional hours and days each school year required by law. The District may deviate from this requirement only as permitted by state law.

The Board, advised by the Superintendent, will adopt a curriculum and procure textbooks and materials to support the curriculum.

The Superintendent or designee is responsible for providing and directing District-wide planning for curriculum, instruction, assessment, and staff development in accordance with Policy 2203. Committees consisting of educational professionals, including administrators, and community members, may be established to design instructional strategies and assessments to implement the curriculum.

A. Parent Rights

As described in Policy 5401, the District will provide a Parent the opportunity to review District-approved curriculum, textbooks, and instructional materials upon request to the building principal. See Policy 5401 for appropriate procedures.

Legal Authority: MCL 380.1137, 388.1706

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5408 *Intentionally Left Blank*

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/**Guardian** Involvement

5409 Academic Credits

To the extent the District issues credit, the District will grant credit to a student who successfully completes a course. Successful completion means that the student has demonstrated mastery of the state- or District-approved subject area content standards for the course by obtaining a D- or higher grade in the course based, in part, on at least 1 state- or District-approved assessment.

Alternatively, the District will grant equivalent credit for a required Michigan Merit Curriculum course if the student earns a qualifying score, as determined by MDE or by the District, on a state- or District-approved assessment (i.e., "testing out").

The District will grant equivalent credit for a course if the student demonstrates a reasonable level of mastery by achieving a C+ or better on the final examination for the course or, if there is no final examination, by demonstrating subject area content knowledge by obtaining a C+ or better on an alternative assessment, such as a portfolio, performance, paper, project, presentation, or other established means. A student who earns credit in a course by "testing out" will not earn a grade in the course, and the credit will not be considered for determining grade point average or any honors earned based on grade point average.

Once a student earns credit in a course, either by successfully completing the course or by testing out, the student may not earn additional credit for the course or for a lower level course in the same subject.

Legal authority: MCL 380.1278a, 380.1279b

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5409 Academic Credits

To the extent the District issues credit, the District will grant credit to a student who successfully completes a course. Successful completion means that the student has demonstrated mastery of the state- or District-approved subject area content standards for the course by obtaining a D- or higher grade in the course based, in part, on at least 1 state- or District-approved assessment.

Alternatively, the District will grant equivalent credit for a required Michigan Merit Curriculum course if the student earns a qualifying score, as determined by MDE or by the District, on a state- or District-approved assessment (i.e., “testing out”).

The District will grant equivalent credit for a course if the student demonstrates a reasonable level of mastery by achieving a C+ or better on the final examination for the course or, if there is no final examination, by demonstrating subject area content knowledge by obtaining a C+ or better on an alternative assessment, such as a portfolio, performance, paper, project, presentation, or other established means. A student who earns credit in a course by “testing out” will not earn a grade in the course, and the credit will not be considered for determining grade point average or any honors earned based on grade point average.

Once a student earns credit in a course, either by successfully completing the course or by testing out, the student may not earn additional credit for the course or for a lower level course in the same subject.

Legal authority: MCL 380.1278a, 380.1279b

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5410 Commencement/Completion Ceremony [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number *and* in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

The District may conduct a commencement ceremony for eligible students. Participation in the ceremony is a privilege, not a right. The Superintendent or designee may prohibit students from participating in the ceremony as a consequence for misconduct. A student's disqualification from participating in the ceremony does not impact the issuance of a completion certificate to the student, provided that all applicable requirements have been satisfied.

Date adopted:

Date revised:



Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5410 *Commencement/Completion Ceremony*

The District may conduct a commencement ceremony for eligible students. Participation in the ceremony is a privilege, not a right. The Superintendent or designee may prohibit students from participating in the ceremony as a consequence for misconduct. A student's disqualification from participating in the ceremony does not impact the issuance of a completion certificate to the student, provided that all applicable requirements have been satisfied.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5411 Student Promotion, Retention, and Placement

The District has the sole discretion to make promotion, retention, and placement decisions for its students, consistent with state and federal law. The District may consider ~~parent/guardian~~Parent requests that a student be placed in a particular classroom, building, educational program, or grade.

A. Student Promotion and Retention

The building principal will attempt to consult with a student's ~~parent/guardian~~Parent before deciding to retain a student, advance a student to the next grade mid-year, or allow a student to skip a grade level. If the ~~parent/guardian~~Parent disagrees with the building principal's decision about promotion or retention, the Superintendent or designee will make the final decision.

B. Student Placement

The Superintendent or designee will determine a student's classroom and building placement based on District needs, available space, and educational expertise, consistent with state and federal law. The District's placement decision is final. Nothing in this section may be construed to limit or modify rights under state or federal laws applicable to students with disabilities, including the right to have placement decisions made by an IEP or Section 504 Team.

C. Reserved

D. Nontraditional Programs

The District may operate nontraditional programs to meet the needs of all students. Nontraditional programs may include alternative education or virtual settings. The building principal or designee will attempt to consult with a student's ~~parent/guardian~~Parent before finalizing a decision to move a student to a nontraditional program. If the ~~parent/guardian~~Parent disagrees with the building principal's or designee's decision, the Superintendent or designee will make the final decision. Nothing in this section may be construed to limit or modify rights under state or federal laws applicable to students with disabilities, including the right to have placement decisions made by an IEP or Section 504 Team.

E. Reserved

Legal authority: 20 USC 7912; MCL 380.1278a, 380.1278b, 380.1280f

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5411 Student Promotion, Retention, and Placement

The District has the sole discretion to make promotion, retention, and placement decisions for its students, consistent with state and federal law. The District may consider Parent requests that a student be placed in a particular classroom, building, educational program, or grade.

A. Student Promotion and Retention

The building principal will attempt to consult with a student's Parent before deciding to retain a student, advance a student to the next grade mid-year, or allow a student to skip a grade level. If the Parent disagrees with the building principal's decision about promotion or retention, the Superintendent or designee will make the final decision.

B. Student Placement

The Superintendent or designee will determine a student's classroom and building placement based on District needs, available space, and educational expertise, consistent with state and federal law. The District's placement decision is final. Nothing in this section may be construed to limit or modify rights under state or federal laws applicable to students with disabilities, including the right to have placement decisions made by an IEP or Section 504 Team.

C. Reserved

D. Nontraditional Programs

The District may operate nontraditional programs to meet the needs of all students. Nontraditional programs may include alternative education or virtual settings. The building principal or designee will attempt to consult with a student's Parent before finalizing a decision to move a student to a nontraditional program. If the Parent disagrees with the building principal's or designee's decision, the Superintendent or designee will make the final decision. Nothing in this section may be construed to limit or modify rights under state or federal laws applicable to students with disabilities, including the right to have placement decisions made by an IEP or Section 504 Team.

E. Reserved

Legal authority: 20 USC 7912; MCL 380.1278a, 380.1278b, 380.1280f

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5415 *Summer School*

The District may offer a summer school program to provide additional educational opportunities for students who need remedial instruction, credit recovery, or enrichment experiences. Students enrolled in summer school are subject to Board policies, rules, laws, behavioral expectations, and applicable student codes of conduct.

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5415 Summer School

The District may offer a summer school program to provide additional educational opportunities for students who need remedial instruction, credit recovery, or enrichment experiences. Students enrolled in summer school are subject to Board policies, rules, laws, behavioral expectations, and applicable student codes of conduct.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5416 Homebound and Hospitalized Instruction

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

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

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

For students with disabilities under IDEA, the District will ~~consider whether the student's homebound instruction constitutes a change in placement and whether an IEP Team meeting should be convened, as soon as possible, either convene an IEP Team meeting or amend a student's IEP without a meeting and with Parent agreement to consider the appropriate services to be provided in the least restrictive environment.~~

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

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

Date ~~A~~adopted:

Date ~~R~~revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5416 Homebound and Hospitalized Instruction

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

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

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

For students with disabilities under IDEA, the District will, as soon as possible, either convene an IEP Team meeting or amend a student's IEP without a meeting and with Parent agreement to consider the appropriate services to be provided in the least restrictive environment.

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

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

Date adopted: August 15, 2022

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Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5417 Homework [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number *and* in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

Homework is intended to facilitate and support student learning of concepts or skills found in the curriculum. Building principals or designees may adopt building- or grade-specific homework guidelines, which will be communicated to students, ~~parents/guardians~~Parents, and teachers.

Teachers will comply with any building- or grade-specific homework guidelines and should consider a student's age and capabilities and use their professional judgment in determining length, difficulty, and student readiness when assigning homework.

Teachers may consider a student's homework performance in determining a student's grade.

[Optional: Teachers should strive to keep homework assignments to a minimum on Wednesday nights, which is traditionally considered "family night" in the community.]

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5417 Homework

Homework is intended to facilitate and support student learning of concepts or skills found in the curriculum. Building principals or designees may adopt building- or grade-specific homework guidelines, which will be communicated to students, Parents, and teachers.

Teachers will comply with any building- or grade-specific homework guidelines and should consider a student's age and capabilities and use their professional judgment in determining length, difficulty, and student readiness when assigning homework.

Teachers may consider a student's homework performance in determining a student's grade.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/Guardian Involvement

5418 Grades

The Superintendent or designee will develop and implement student grading guidelines to be used by teachers. The objective of grades is to quantify and report each student's academic achievement.

[Optional: The building principal will publish grade-change procedures, if any, for the school building in the student handbook. All procedures must be consistent with Board Policy.]

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5418 Grades

The Superintendent or designee will develop and implement student grading guidelines to be used by teachers. The objective of grades is to quantify and report each student's academic achievement.

The building principal will publish grade-change procedures, if any, for the school building in the student handbook. All procedures must be consistent with Board Policy.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5419 *Reading Assessments, Instruction, Intervention, and Retention*

The District will provide instruction and interventions to promote literacy, with a specific emphasis on students in grades K-3, and will follow the procedures and requirements enumerated in state law.

Legal authority: MCL 380.1280f

Date Adopted:

Date Revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5419 Reading Assessments, Instruction, Intervention, and Retention

The District will provide instruction and interventions to promote literacy, with a specific emphasis on students in grades K-3, and will follow the procedures and requirements enumerated in state law.

Legal authority: MCL 380.1280f

Date Adopted: August 15, 2022

Date Revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5420 Sex Education

[Choose Option 1 or 2.]

[Option 1: Communicable Disease Instruction (mandatory for those districts not electing to provide sex education and reproductive health instruction).]

A. Communicable Disease Instruction

The Superintendent or designee will ensure that students are taught about dangerous communicable diseases. Instruction must include the principal modes by which dangerous communicable diseases, including, but not limited to, human immunodeficiency virus infection and acquired immunodeficiency syndrome, are spread and the best methods for disease restriction and prevention.

Instruction must be provided by qualified instructors as defined by state law. Instruction must stress that abstinence from sex is: (1) a responsible and effective method of preventing sexually transmitted diseases, and (2) a positive lifestyle for unmarried young people.

B. Revision to Materials and Methods of Instruction

Before revising curriculum about dangerous communicable diseases, the Board will hold at least 2 public hearings occurring at least 1 week apart on the proposed revisions.

~~Employee Responsibilities~~

~~Employees must comply with Policy 4209.~~

[Legal authority: MCL 380.1169]

[Option 2: Sex Education and Reproductive Health (for districts electing to provide sex and reproductive health education in addition to mandated communicable disease instruction).]

A. Communicable Disease Instruction

The Superintendent or designee will ensure that students are taught about dangerous communicable diseases. Instruction must include the principal modes by which dangerous communicable diseases, including, but not limited to, human immunodeficiency virus infection and acquired immunodeficiency syndrome, are spread and the best methods for disease restriction and prevention.

Instruction must be provided by qualified instructors as defined by state law. Instruction must stress that abstinence from sex is: (1) a responsible and effective

method of preventing sexually transmitted diseases, and (2) a positive lifestyle for unmarried young people.

B. Revision to Materials and Methods of Instruction

Before revising curriculum about dangerous communicable diseases, the Board will hold at least 2 public hearings occurring at least 1 week apart on the proposed revisions.

C. Sex Education Advisory Board

The Board will create a sex education advisory board to:

1. establish sex education program goals and objectives for student knowledge and skills that are likely to reduce the rates of sex, pregnancy, and sexually transmitted diseases;
2. review materials and methods of instruction used in the District's sex education program;
3. make recommendations to the Board for implementation of a sex education program; and
4. evaluate, measure, and report the attainment of program goals and objectives at least every 2 years.

The sex education advisory board must include the following members: parents/guardians Parents, students, educators, local clergy, and community health professionals. At least half of the members must be parents/guardians Parents who have a student in the District. A majority of those parents/guardians Parents must not be employed by a school district.

The sex education advisory board will have 2 co-chairs appointed by the Board. One co-chair must be a parent/guardian Parent of a student in the District.

The Board may, in its discretion, determine and modify terms of service for sex education advisory board members, the number of members, and the membership selection process.

Co-chairs or their designees will provide members of the sex education advisory board 2 weeks' electronic or written notice of meetings.

D. Sex Education Courses

The Board authorizes age-appropriate, medically-accurate instruction in sex education including, but not limited to, family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of sexually transmitted diseases. The District's sex education curriculum must comply with state law.

Instruction must include principal modes by which dangerous communicable diseases, including, but not limited to, human immunodeficiency virus infection and acquired immunodeficiency syndrome, are spread and the best methods for disease prevention.

Sex education instruction must be provided by qualified instructors as defined by state law. Instruction must stress that abstinence is (1) a responsible and effective method of preventing unplanned pregnancy, out-of-wedlock pregnancy, and sexually transmitted diseases, and (2) a positive lifestyle for unmarried young people.

Sex education is an elective course and is not required for graduation.

E. Reproductive Health Instruction

A reproductive health instruction program must be supervised by a licensed physician, a registered nurse, or other person certified by the State Board of Education as qualified.

No person may dispense or distribute a family planning drug or device on District property.

Clinical abortion is not considered a method of family planning, and abortion must not be taught as a method of reproductive health.

F. Revision to Materials and Methods of Instruction

Before revising sex education materials or methods of instruction, or before revising curriculum about dangerous communicable diseases, the Board will hold at least 2 public hearings occurring at least 1 week apart on the proposed revisions.

G. Parental Notice and Opt-Out

A student may not be enrolled in a class in which family planning or reproductive health is discussed unless the student's **parent/guardianParent** is provided advance notice of the course content, is given a prior opportunity to review the course materials, and is provided advance notice of the right to excuse the student from the class. If a **parent/guardianParent** excuses a student from the class in writing, the student will not be penalized or lose academic credit for not attending the class.

A **parent/guardianParent** may file written notice that the student is excused from all sex education offered by the District. If the District receives written notice, the student may not be enrolled in a sex education class unless authorized by the **parent/guardianParent** in writing.

H. Employee Responsibilities

Employees must comply with Policy 4209.

Legal authority: MCL 380.1169, 380.1506, 380.1507, 380.1507a, 380.1507b]

Date adopted:

Date Revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5420 Sex Education

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The Board will create a sex education advisory board to:

1. establish sex education program goals and objectives for student knowledge and skills that are likely to reduce the rates of sex, pregnancy, and sexually transmitted diseases;
2. review materials and methods of instruction used in the District's sex education program;
3. make recommendations to the Board for implementation of a sex education program; and
4. evaluate, measure, and report the attainment of program goals and objectives at least every 2 years.

The sex education advisory board must include the following members: Parents, students, educators, local clergy, and community health professionals. At least half of the members must be Parents who have a student in the District. A majority of those Parents must not be employed by a school district.

The sex education advisory board will have 2 co-chairs appointed by the Board. One co-chair must be a Parent of a student in the District.

The Board may, in its discretion, determine and modify terms of service for sex education advisory board members, the number of members, and the membership selection process.

Co-chairs or their designees will provide members of the sex education advisory board 2 weeks' electronic or written notice of meetings.

D. Sex Education Courses

The Board authorizes age-appropriate, medically-accurate instruction in sex education including, but not limited to, family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of sexually transmitted diseases. The District's sex education curriculum must comply with state law.

Instruction must include principal modes by which dangerous communicable diseases, including, but not limited to, human immunodeficiency virus infection and acquired immunodeficiency syndrome, are spread and the best methods for disease prevention.

Sex education instruction must be provided by qualified instructors as defined by state law. Instruction must stress that abstinence is (1) a responsible and effective method of preventing unplanned pregnancy, out-of-wedlock pregnancy, and sexually transmitted diseases, and (2) a positive lifestyle for unmarried young people.

Sex education is an elective course and is not required for graduation.

E. Reproductive Health Instruction

A reproductive health instruction program must be supervised by a licensed physician, a registered nurse, or other person certified by the State Board of Education as qualified.

No person may dispense or distribute a family planning drug or device on District property.

Clinical abortion is not considered a method of family planning, and abortion must not be taught as a method of reproductive health.

F. Revision to Materials and Methods of Instruction

Before revising sex education materials or methods of instruction, or before revising curriculum about dangerous communicable diseases, the Board will hold at least 2 public hearings occurring at least 1 week apart on the proposed revisions.

G. Parental Notice and Opt-Out

A student may not be enrolled in a class in which family planning or reproductive health is discussed unless the student's Parent is provided advance notice of the course content, is given a prior opportunity to review the course materials, and is provided advance notice of the right to excuse the student from the class. If a Parent excuses a student from the class in writing, the student will not be penalized or lose academic credit for not attending the class.

A Parent may file written notice that the student is excused from all sex education offered by the District. If the District receives written notice, the student may not be enrolled in a sex education class unless authorized by the Parent in writing.

Legal authority: MCL 380.1169, 380.1506, 380.1507, 380.1507a, 380.1507b

Date adopted: August 15, 2022

Date Revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/~~Guardian~~ Involvement

5421 *Work-Based Learning Experience* [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number *and* in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

The District permits students to participate in approved work-based learning (WBL) experiences. All WBL experiences must comply with applicable law, regulations, and guidance, particularly those applicable to the employment of minors, workplace safety, workers' compensation, nondiscrimination, and unlawful harassment.

A WBL experience will be coordinated by the District through a training agreement with an employer. The employer must provide a training plan, acceptable to the District, which explains how the WBL experience relates to the student's educational objectives. The WBL experience must be supervised by the employer and monitored by a certified teacher employed by the District or an individual working under a valid substitute permit, authorization, or approval issued by MDE. The training agreement and training plan must comply with MDE guidance and be in effect by the applicable pupil count day. A copy of the training agreement and training plan will be kept on file at the District and with the employer.

A WBL experience may be paid or unpaid.

The Superintendent will designate a WBL Coordinator who will determine whether a proposed WBL experience complies with applicable state and federal laws, regulations, and guidance and is consistent with the student's educational objectives.

If the WBL Coordinator denies a student's request for a WBL experience, the student may appeal the decision to the Superintendent or designee, whose decision is final.

If the WBL Coordinator determines during the course of the WBL experience that the experience or worksite no longer complies with the approved training plan, District Policy, or state or federal laws, regulations, or guidance, the WBL Coordinator will, in consultation with the Superintendent or designee, determine whether the WBL experience should continue.

Credit for a WBL experience will be consistent with Policy 5409 and the applicable student handbook.

Legal authority: *Work-Based Learning Manual, Michigan Department of Education*

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5421 Work-Based Learning Experience

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Legal authority: *Work-Based Learning Manual*, Michigan Department of Education

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5503 Bulletin Boards and Other Student Postings

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5503 *Bulletin Boards and Other Student Postings*

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- B. All postings must identify the student or the student organization responsible for posting the notice.
- C. The building principal or designee may remove any approved posted material after a reasonable time, as determined in the building principal's or designee's discretion.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5506 Field Trips

Field trips should generally be conducted during the school day.

A. General Conditions

All field trips must be pre-approved by the building principal or designee. Out-of-state and overnight trips require pre-approval from the Board or its designee. Field trips should be primarily academic in nature and related to the curriculum. The Superintendent or building principal(s) will develop procedures for approval of trips and communicate those procedures to instructional staff.

B. Parent/~~guardian~~ Permission

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

C. Supervision

Teachers must ensure that students are adequately supervised and chaperoned by a responsible adult at all times during field trips. ~~All chaperones must be at least age 21.~~ A chaperone is prohibited from drinking alcoholic beverages or using non-prescribed controlled substances at any time during the field trip. A chaperone must adhere to all District and building volunteer requirements, including Policy 3105.

The District may deny or terminate a chaperone assignment for any reason that is not unlawful.

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

D. Student Conduct

A student's failure to comply with Board Policy, the student code of conduct, and any other applicable rules or behavioral expectations while on a field trip may result in disciplinary action and removal or exclusion from the trip.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

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Each student must submit a completed permission form signed by the student's Parent before being allowed to attend a field trip.

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Teachers must ensure that students are adequately supervised and chaperoned by a responsible adult at all times during field trips. A chaperone is prohibited from drinking alcoholic beverages or using non-prescribed controlled substances at any time during the field trip. A chaperone must adhere to all District and building volunteer requirements, including Policy 3105.

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Date adopted: August 15, 2022

Date revised: August 19, 2024

D. Advisors and Coaches

Each extracurricular activity must have an advisor 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, as determined by the Superintendent or designee.

The Superintendent or designee will assign activity advisors. Advisors serve at the will of the Superintendent, who may remove an activity advisor 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/guardians~~ 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.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5507 Extracurricular Activities

A. General Purpose

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

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

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D. Advisors and Coaches

Each extracurricular activity must have an advisor 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, as determined by the Superintendent or designee.

The Superintendent or designee will assign activity advisors. Advisors serve at the will of the Superintendent, who may remove an activity advisor 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.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5509 Public Appearances of School Groups [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5509 *Public Appearances of School Groups*

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5510 Student-Initiated, Non-Curricular Clubs

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

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

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

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

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

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

Legal authority: 20 USC 4071; 20 USC 7905; MCL 380.1299

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5510 Student-Initiated, Non-Curricular Clubs

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

Students seeking to create a student-initiated, non-curricular club must first obtain approval from the building principal. If the building principal denies approval, the students seeking to create the club may submit a written appeal to the Superintendent or designee within 5 school days after the denial. The Superintendent or designee must make a decision on the appeal within 15 school days after receiving the appeal. The appeal decision is final.

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

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

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

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Legal authority: 20 USC 4071; 20 USC 7905; MCL 380.1299

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5601 *Special Education*

Eligible students with disabilities under the Individuals with Disabilities Education Act (IDEA) are entitled to a free appropriate public education through an individualized education program. The District will follow state and federal law and applicable rules and regulations in identifying, locating, evaluating, and educating students with disabilities.

IDEA-eligible students are protected from discrimination under state and federal law, including Section 504 of the Rehabilitation Act, as outlined in Policy 5603.

Legal authority: 20 USC 1400 et seq.; 34 CFR Part 300; MCL 380.1701 et seq.; MARSE R 340.1701 et seq.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

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IDEA-eligible students are protected from discrimination under state and federal law, including Section 504 of the Rehabilitation Act, as outlined in Policy 5603.

Legal authority: 20 USC 1400 et seq.; 34 CFR Part 300; MCL 380.1701 et seq.; MARSE R 340.1701 et seq.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5602 Independent Educational Evaluation

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

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

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

An IEE will be considered by the District at an IEP Team meeting for the student.

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5602 *Independent Educational Evaluation*

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

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

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

An IEE will be considered by the District at an IEP Team meeting for the student.

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5603 Section 504

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

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

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5603 Section 504

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

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

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5701 ~~Child Abuse and Neglect~~

A. Child Abuse and Neglect

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

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

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

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

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

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

"Mandated reporter" means a physician, dentist, physician's assistant, registered dental hygienist, medical examiner, nurse, person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, social worker, licensed master's social worker, licensed bachelor's social worker, registered social service technician, social service technician, a person employed in a professional capacity in any office of the friend

of the court, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or regulated child care provider who has reasonable cause to suspect child abuse or child neglect.

B. Vulnerable Adults

All school employees must report suspected abuse, neglect, or exploitation of a vulnerable adult consistent with Michigan's Social Welfare Act.

The District will cooperate with an Adult Protective Services (APS) investigation to the extent required by law. The District may share student records with APS only as permitted by Policy 5309 and the Family Educational Rights and Privacy Act.

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

Legal authority: 20 USC 1232g; MCL 722.621 et seq.; MCL 400.11a

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5702 Student Illness and Injury

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

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5702 Student Illness and Injury

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

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5703 Medications

A. General Standards

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

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

B. District-Administered Medication

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

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

C. Student-Administered Medication

1. General Standards

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

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

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

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

2. Asthma Inhalers and Epinephrine Auto-Injectors/Inhalers

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

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

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5703 Medications

A. General Standards

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

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

B. District-Administered Medication

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

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

C. Student-Administered Medication

1. General Standards

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

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

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

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

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5704 Student Insurance

The District is not a guarantor or insurer of student health or safety. Parents/~~guardians~~ are encouraged to secure insurance for their students' healthcare needs, including coverage for injuries that may occur while at school and while participating in athletics and other school activities.

The District, in its sole discretion, may provide information about insurance policies available for purchase by ~~parents/guardians~~ Parents for their students from third-party vendors. Providing that information does not imply District endorsement of any insurance policy, nor is it a guarantee or warranty that coverage will be provided by the vendor in any specific instance.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5704 Student Insurance

The District is not a guarantor or insurer of student health or safety. Parents are encouraged to secure insurance for their students' healthcare needs, including coverage for injuries that may occur while at school and while participating in athletics and other school activities.

The District, in its sole discretion, may provide information about insurance policies available for purchase by Parents for their students from third-party vendors. Providing that information does not imply District endorsement of any insurance policy, nor is it a guarantee or warranty that coverage will be provided by the vendor in any specific instance.

Date adopted: August 15, 2022

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Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5705 *Emergency Anaphylaxis*

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

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

A. Emergency Preparedness

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

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

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

b. any person on school grounds who is believed to be having an anaphylactic reaction.

6. The Superintendent or designee will:

a. ensure that each school building with an instructional and administrative staff of at least 10 has at least 2 employees who have been trained in the appropriate use of an epinephrine auto-injector; and

b. ensure that each school building with an instructional and administrative staff of fewer than 10 has at least 1 employee who has been trained in the appropriate use of an epinephrine auto-injector.

7. For purposes of this Policy, "trained in the appropriate use of an epinephrine auto-injector" means completing training in compliance with the Training Guidelines for Designated Staff on Allergies, Anaphylaxis, and Emergency Responses issued by MDE, conducted under the supervision of, and evaluated by, a licensed registered professional nurse.

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

B. Notice and Reporting

The Superintendent or designee will:

1. promptly notify the ~~parent/guardian~~Parent of a student to whom epinephrine has been administered and document all actual and attempted notices; and

2. at least annually report to MDE, as prescribed by MDE, all epinephrine administration to students at school.

C. Student Possession and Use

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5705 Emergency Anaphylaxis

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

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

A. Emergency Preparedness

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

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

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

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

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

B. Notice and Reporting

The Superintendent or designee will:

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

C. Student Possession and Use

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

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

Date adopted: August 15, 2022

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Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5706 ~~Intentionally Left Blank Opioid Antagonist~~ *[Optional Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]*

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

~~A. Emergency Preparedness~~

- ~~1. The Superintendent or designee will obtain 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 on school grounds 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/guardian of a student to whom an opioid antagonist has been administered and document all actual and attempted notices. The District will encourage the parent/guardian 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.~~

~~Date adopted:~~

~~Date revised:~~

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5706 *Intentionally Left Blank*

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5707 School Wellness Policy

The District is committed to providing a school environment that enhances opportunities for learning and lifelong wellness.

A. Nutrition Promotion and Education Goals

All students will receive nutrition education annually that is aligned with the Michigan Health Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Health Education. Teaching healthy eating behaviors will be part of the curriculum.

The District promotes healthy food and beverage choices for students. The District will implement evidence-based healthy food promotion techniques through:

1. offering school meal programs; and
2. publicizing foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards. The District will collaborate with public and private entities to promote student wellness.

The District will make water available to students throughout the school day.

B. Physical Activity Goals

The District will offer physical education programs that are designed to equip students with the knowledge, skills, and values necessary for lifelong physical activity. Physical education instruction will be aligned with the Michigan Physical Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Physical Education.

Students will have the opportunity to participate regularly in supervised physical activities, either organized or unstructured, intended to maintain physical fitness and an understanding of the benefits of a physically active and healthy lifestyle.

The District strives to provide physical activity breaks for all students, including recess for elementary students and before and after school activities, and encourages students to use active transport (e.g., walking, biking).

The District encourages ~~parents/guardians~~ Parents to support their students' participation in physical activity, to be physically active role models, and to include physical activities in family events.

C. Goals for Other School-Based Activities Designed to Promote Student Wellness

The District may partner with community members or groups to implement this Policy. The District will also:

1. participate in state and federal child nutrition programs as appropriate;
 2. allow other health-related entities to use school facilities for activities such as health clinics, screenings, and wellness events consistent with Policy 3304;
 3. use evidence-based strategies to develop, structure, and support student wellness; and
 4. create environments conducive to healthy eating, physical activity, and conveying consistent health messages.
- D. Standards and Nutrition Guidelines for All Foods and Beverages Sold to Students on the School Campus and During the School Day

The District will ensure that students have access to foods and beverages that comply with applicable laws and guidelines including, but not limited to, the USDA Nutrition Standards for School Meals and the USDA Smart Snacks in School nutrition standards.

The District will offer students a variety of age-appropriate, healthy food and beverage selections including fruits, vegetables, and whole grains aimed at meeting the nutrition needs of students within their calorie requirements to promote student health and reduce childhood obesity.

- E. Standards for All Foods and Beverages Provided, But Not Sold, to Students During the School Day

The District may provide a list of healthy food and beverage alternatives to ~~parents/guardians~~ Parents, teachers, and students for classroom parties, rewards and incentives, or classroom snacks. The District discourages the use of unhealthy food and beverages as a reward or incentive for performance or behavior.

- F. Food and Beverage Marketing

Marketing and advertising is allowed on school grounds or at school activities only for foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards. Food and beverage fundraising and marketing that occurs at events outside of school hours need not comply with the USDA Smart Snacks in School nutrition standards.

In-school fundraising events must comply with Policy 5501 and MDE's Non-Compliant Food Fundraiser Guidance, which permits 2 fundraisers per week, per school building that do not comply with USDA Smart Snacks in School nutrition standards. In-school fundraising events may last up to 1 day and may not be held in the food service area during meal times.

Equipment that currently displays noncompliant marketing materials (e.g., scoreboard with soft drink logo) need not be immediately removed or replaced. As the District reviews and considers new contracts and as durable equipment, like scoreboards, is replaced or updated, any food or beverages marketed and

advertised will meet or exceed the USDA Smart Snacks in School nutrition standards.

G. Wellness Committee

The District will form a Wellness Committee to establish goals for, oversee, and periodically review and update school health policies and programs. The Wellness Committee will also oversee this Policy's implementation.

The Wellness Committee will represent all school buildings and include, to the extent possible, ~~parents/guardians~~Parents, students, food service representatives, physical and health education teachers, school and community health care professionals, and community members. The Board encourages community participation in the Wellness Committee. When possible, membership will also include Supplemental Nutrition Assistance Program education coordinators.

H. Implementation and Oversight

The Superintendent or designee is responsible for ensuring that each school building complies with this Policy.

The Board will review this Policy at least every 3 years to determine compliance, progress, and the extent to which this Policy compares to model school wellness policies. ~~Parents/guardians~~, students, school employees, school health professionals, Board members, and community members may provide input to the District during the Wellness Policy review process.

A copy of this Policy will be maintained in the District's administrative offices and posted on the District's website. The Superintendent or designee will maintain all legally required documentation for implementation of this Policy.

The Superintendent or designee will annually provide notice about this Policy and any updates to the community.

I. School Meal Program

1. Delinquent Meal Charge Debt and Bad Debt

The District is required to make reasonable efforts to collect unpaid meal charges of current students. The building principal or designee will contact households about unpaid meal charges and may establish payment plans and due dates by telephone, e-mail, or other written or oral communication. If these collection efforts are unsuccessful, the District may pursue any other methods to collect delinquent debt of current students as allowed by law. Collection efforts may continue into a new school year.

Unpaid meal charges of inactive students, such as graduated students and students no longer enrolled at the District, that are not collected by the end of the school year will be classified as bad debt. No later than December 31 of the

following school year, non-federal funds will be used to reimburse the school meal program for the amount of bad debt.

2. Elimination of "Lunch Shaming"

The District will strive to eliminate any form of "lunch shaming." "Lunch shaming" is the public identification or stigmatization of students who cannot pay for a school meal. In furtherance of this goal, the District prohibits the following:

- a. requiring a student who cannot pay for a school meal or who has unpaid meal charges to wear a wristband or handstamp;
- b. requiring a student to dispose of a meal after it has been served because the student cannot pay for the meal or has unpaid meal charges;
- c. communicating directly with a student about unpaid meal charges unless the District has attempted but has been unable to contact the student's ~~parent/guardian~~Parent by telephone, e-mail, or other written or oral communication;
- d. requiring a student to perform chores or other labor to pay a student meal debt; and
- e. discussing a student's unpaid meal charges in the presence of other students.

3. Meal Charge Policy

The District's policy on charged meals is: [Choose Option 1 or 2.]

[Option 1.] [If a student has no funds available to pay for a meal, the student will be provided a meal, and the student's account will be charged.]

[Option 2.] [Insert District's practice for charging meals]

Students who qualify for free meals will not be denied a reimbursable meal, even if they have accrued a negative balance from other food purchases.

The District will encourage Parents to complete financial eligibility forms as part of the student enrollment process to determine eligibility for free or reduced-price meals.

The Board directs the Superintendent to include this Policy in the student handbook and to distribute it to Parents.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5707 School Wellness Policy

The District is committed to providing a school environment that enhances opportunities for learning and lifelong wellness.

A. Nutrition Promotion and Education Goals

All students will receive nutrition education annually that is aligned with the Michigan Health Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Health Education. Teaching healthy eating behaviors will be part of the curriculum.

The District promotes healthy food and beverage choices for students. The District will implement evidence-based healthy food promotion techniques through:

1. offering school meal programs; and
2. publicizing foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards. The District will collaborate with public and private entities to promote student wellness.

The District will make water available to students throughout the school day.

B. Physical Activity Goals

The District will offer physical education programs that are designed to equip students with the knowledge, skills, and values necessary for lifelong physical activity. Physical education instruction will be aligned with the Michigan Physical Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Physical Education.

Students will have the opportunity to participate regularly in supervised physical activities, either organized or unstructured, intended to maintain physical fitness and an understanding of the benefits of a physically active and healthy lifestyle.

The District strives to provide physical activity breaks for all students, including recess for elementary students and before and after school activities, and encourages students to use active transport (e.g., walking, biking).

The District encourages Parents to support their students' participation in physical activity, to be physically active role models, and to include physical activities in family events.

C. Goals for Other School-Based Activities Designed to Promote Student Wellness

The District may partner with community members or groups to implement this Policy. The District will also:

1. participate in state and federal child nutrition programs as appropriate;
 2. allow other health-related entities to use school facilities for activities such as health clinics, screenings, and wellness events consistent with Policy 3304;
 3. use evidence-based strategies to develop, structure, and support student wellness; and
 4. create environments conducive to healthy eating, physical activity, and conveying consistent health messages.
- D. Standards and Nutrition Guidelines for All Foods and Beverages Sold to Students on the School Campus and During the School Day

The District will ensure that students have access to foods and beverages that comply with applicable laws and guidelines including, but not limited to, the USDA Nutrition Standards for School Meals and the USDA Smart Snacks in School nutrition standards.

The District will offer students a variety of age-appropriate, healthy food and beverage selections including fruits, vegetables, and whole grains aimed at meeting the nutrition needs of students within their calorie requirements to promote student health and reduce childhood obesity.

- E. Standards for All Foods and Beverages Provided, But Not Sold, to Students During the School Day

The District may provide a list of healthy food and beverage alternatives to Parents, teachers, and students for classroom parties, rewards and incentives, or classroom snacks. The District discourages the use of unhealthy food and beverages as a reward or incentive for performance or behavior.

- F. Food and Beverage Marketing

Marketing and advertising is allowed on school grounds or at school activities only for foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards. Food and beverage fundraising and marketing that occurs at events outside of school hours need not comply with the USDA Smart Snacks in School nutrition standards.

In-school fundraising events must comply with Policy 5501 and MDE's Non-Compliant Food Fundraiser Guidance, which permits 2 fundraisers per week, per school building that do not comply with USDA Smart Snacks in School nutrition standards. In-school fundraising events may last up to 1 day and may not be held in the food service area during meal times.

Equipment that currently displays noncompliant marketing materials (e.g., scoreboard with soft drink logo) need not be immediately removed or replaced. As the District reviews and considers new contracts and as durable equipment, like scoreboards, is replaced or updated, any food or beverages marketed and

advertised will meet or exceed the USDA Smart Snacks in School nutrition standards.

G. Wellness Committee

The District will form a Wellness Committee to establish goals for, oversee, and periodically review and update school health policies and programs. The Wellness Committee will also oversee this Policy's implementation.

The Wellness Committee will represent all school buildings and include, to the extent possible, Parents, students, food service representatives, physical and health education teachers, school and community health care professionals, and community members. The Board encourages community participation in the Wellness Committee. When possible, membership will also include Supplemental Nutrition Assistance Program education coordinators.

H. Implementation and Oversight

The Superintendent or designee is responsible for ensuring that each school building complies with this Policy.

The Board will review this Policy at least every 3 years to determine compliance, progress, and the extent to which this Policy compares to model school wellness policies. Parents, students, school employees, school health professionals, Board members, and community members may provide input to the District during the Wellness Policy review process.

A copy of this Policy will be maintained in the District's administrative offices and posted on the District's website. The Superintendent or designee will maintain all legally required documentation for implementation of this Policy.

The Superintendent or designee will annually provide notice about this Policy and any updates to the community.

I. School Meal Program

1. Delinquent Meal Charge Debt and Bad Debt

The District is required to make reasonable efforts to collect unpaid meal charges of current students. The building principal or designee will contact households about unpaid meal charges and may establish payment plans and due dates by telephone, e-mail, or other written or oral communication. If these collection efforts are unsuccessful, the District may pursue any other methods to collect delinquent debt of current students as allowed by law. Collection efforts may continue into a new school year.

Unpaid meal charges of inactive students, such as graduated students and students no longer enrolled at the District, that are not collected by the end of the school year will be classified as bad debt. No later than December 31 of the

following school year, non-federal funds will be used to reimburse the school meal program for the amount of bad debt.

2. Elimination of “Lunch Shaming”

The District will strive to eliminate any form of “lunch shaming.” “Lunch shaming” is the public identification or stigmatization of students who cannot pay for a school meal. In furtherance of this goal, the District prohibits the following:

- a. requiring a student who cannot pay for a school meal or who has unpaid meal charges to wear a wristband or handstamp;
- b. requiring a student to dispose of a meal after it has been served because the student cannot pay for the meal or has unpaid meal charges;
- c. communicating directly with a student about unpaid meal charges unless the District has attempted but has been unable to contact the student’s Parent by telephone, e-mail, or other written or oral communication;
- d. requiring a student to perform chores or other labor to pay a student meal debt; and
- e. discussing a student’s unpaid meal charges in the presence of other students.

3. Meal Charge Policy

The District's policy on charged meals is:

If a student has no funds available to pay for a meal, the student will be provided a meal, and the student’s account will be charged.

Students who qualify for free meals will not be denied a reimbursable meal, even if they have accrued a negative balance from other food purchases.

The District will encourage Parents to complete financial eligibility forms as part of the student enrollment process to determine eligibility for free or reduced-price meals.

The Board directs the Superintendent to include this Policy in the student handbook and to distribute it to Parents.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5708-AG Do-Not-Resuscitate (DNR) Orders

- A. Upon receipt of a **DNR** (Do-Not-Resuscitate ~~(DNR)~~) order or POST (physician orders for scope of treatment) form for a student, the Superintendent, building administrator, or Superintendent's designee will:
1. Within five school days coordinate a meeting with the student (if appropriate), the student's ~~parent/guardian~~**Parent** and physician(s) (if available), and appropriate school personnel to develop an emergency response plan that includes an individual resuscitation plan and comfort-care measures for the student. If a physician is not available, the District will request and review written input from a physician. If any such plan is not consistent with the student's Section 504 plan or Individualized Education Program (IEP), the Superintendent, building administrator, or Superintendent's designee will ensure that a Section 504 or IEP Team meeting for the student is promptly convened. If the student does not currently have a Section 504 plan or IEP, the Superintendent, building administrator, or Superintendent's designee will consider whether to refer the student for an appropriate evaluation.
 2. Consult with District legal counsel if there are concerns that the DNR order or POST form was not obtained in a manner that complies with Michigan law or if there are concerns that the DNR order or POST form are not in the student's best interests.
 3. Maintain the DNR order, POST form, or individual emergency response plan in a separate, designated file.
 4. Provide actual notice of the DNR order, POST form, or individual emergency response plan to all personnel responsible for providing instructional and noninstructional services for the student.
 5. Ensure that all personnel, including volunteers and contractors, responsible for providing instructional and noninstructional services for the student receive training on the student's emergency response plan, including the individual resuscitation plan and comfort-care measures. The training must include notice to appropriate personnel that the Heimlich maneuver or other similar procedures used to expel an obstruction from an individual's throat does not constitute a resuscitative measure and may be performed even for a student with a DNR order or POST form.
 6. Convene a meeting of the student (if appropriate), the student's ~~parents/guardians~~**Parents** and physician(s), and appropriate school personnel at the beginning of each school year to determine if the DNR order or POST form has been modified or revoked and to review and revise the student's emergency response plan as needed.

7. Contact emergency medical personnel any time a student's medical condition appears to be life threatening, even if the student has an emergency response plan that includes an individual resuscitation plan. If a health professional arrives during the emergency situation, the health professional will determine if the student has one or more vital signs.
 8. Provide emergency medical personnel a copy of any DNR order or POST form of which the Superintendent, building administrator, or Superintendent's designee has actual notice.
 9. Follow any emergency described above by debriefing with the student (if appropriate), the student's parents/guardiansParents and physician(s), and appropriate school personnel to review the emergency response plan and to discuss how the plan may be improved.
 10. Follow any emergency by addressing the emotional needs of other students and personnel who witnessed the emergency.
 11. Summarize all understandings in a letter to the student (if appropriate) and the student's parents/guardiansParents and physician(s).
- B. Pursuant to the Michigan Do-Not-Resuscitate Procedure Act, a parent/guardianParent or student may revoke a DNR order or POST form at any time by providing actual notice to the Superintendent, building administrator, or Superintendent's designee. Upon receipt of such notice, the Superintendent, building administrator, or Superintendent's designee will:
1. Provide actual notice to all personnel responsible for providing instructional and noninstructional services to the student that the DNR order or POST form is no longer applicable and that personnel should follow standard emergency response policies and practices for the student.
 2. Maintain a copy of the written notice in the file created for the student's DNR orders, POST forms, or emergency response plans.
 3. Convene a meeting with the student (if appropriate), the student's parents/guardiansParents and physician(s), and appropriate school personnel to modify the emergency response plan, including the individual resuscitation plan and comfort-care measures. If any such plan is not consistent with the student's Section 504 plan or IEP, the Superintendent, building administrator, or Superintendent's designee will ensure that a Section 504 or IEP Team meeting for the student is promptly convened.
 4. Ensure that emergency medical personnel are made aware that the student's DNR order or POST form has been revoked and that all appropriate life-saving measures should be used if an emergency arises.

If school staff become aware that a student has expressed an intent to revoke a DNR order or POST form, the staff member must immediately report that

information to the building administrator, Superintendent, or Superintendent's designee.

C. As used in this Administrative Guideline, actual notice includes the physical presentation of an order, a revocation of an order, or another written document authorized under the Michigan Do-Not-Resuscitate Procedure Act.

D. The building administrator or Superintendent's designee is responsible for supervising the steps outlined above.

Adoption date:

Revised date:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5708-AG Do-Not-Resuscitate (DNR) Orders

- A. Upon receipt of a DNR (Do-Not-Resuscitate) order or POST (physician orders for scope of treatment) form for a student, the Superintendent, building administrator, or Superintendent's designee will:
1. Within five school days coordinate a meeting with the student (if appropriate), the student's Parent and physician(s) (if available), and appropriate school personnel to develop an emergency response plan that includes an individual resuscitation plan and comfort-care measures for the student. If a physician is not available, the District will request and review written input from a physician. If any such plan is not consistent with the student's Section 504 plan or Individualized Education Program (IEP), the Superintendent, building administrator, or Superintendent's designee will ensure that a Section 504 or IEP Team meeting for the student is promptly convened. If the student does not currently have a Section 504 plan or IEP, the Superintendent, building administrator, or Superintendent's designee will consider whether to refer the student for an appropriate evaluation.
 2. Consult with District legal counsel if there are concerns that the DNR order or POST form was not obtained in a manner that complies with Michigan law or if there are concerns that the DNR order or POST form are not in the student's best interests.
 3. Maintain the DNR order, POST form, or individual emergency response plan in a separate, designated file.
 4. Provide actual notice of the DNR order, POST form, or individual emergency response plan to all personnel responsible for providing instructional and noninstructional services for the student.
 5. Ensure that all personnel, including volunteers and contractors, responsible for providing instructional and noninstructional services for the student receive training on the student's emergency response plan, including the individual resuscitation plan and comfort-care measures. The training must include notice to appropriate personnel that the Heimlich maneuver or other similar procedures used to expel an obstruction from an individual's throat does not constitute a resuscitative measure and may be performed even for a student with a DNR order or POST form.
 6. Convene a meeting of the student (if appropriate), the student's Parents and physician(s), and appropriate school personnel at the beginning of each school year to determine if the DNR order or POST form has been modified or revoked and to review and revise the student's emergency response plan as needed.

7. Contact emergency medical personnel any time a student's medical condition appears to be life threatening, even if the student has an emergency response plan that includes an individual resuscitation plan. If a health professional arrives during the emergency situation, the health professional will determine if the student has one or more vital signs.
 8. Provide emergency medical personnel a copy of any DNR order or POST form of which the Superintendent, building administrator, or Superintendent's designee has actual notice.
 9. Follow any emergency described above by debriefing with the student (if appropriate), the student's Parents and physician(s), and appropriate school personnel to review the emergency response plan and to discuss how the plan may be improved.
 10. Follow any emergency by addressing the emotional needs of other students and personnel who witnessed the emergency.
 11. Summarize all understandings in a letter to the student (if appropriate) and the student's Parents and physician(s).
- B. Pursuant to the Michigan Do-Not-Resuscitate Procedure Act, a Parent or student may revoke a DNR order or POST form at any time by providing actual notice to the Superintendent, building administrator, or Superintendent's designee. Upon receipt of such notice, the Superintendent, building administrator, or Superintendent's designee will:
1. Provide actual notice to all personnel responsible for providing instructional and noninstructional services to the student that the DNR order or POST form is no longer applicable and that personnel should follow standard emergency response policies and practices for the student.
 2. Maintain a copy of the written notice in the file created for the student's DNR orders, POST forms, or emergency response plans.
 3. Convene a meeting with the student (if appropriate), the student's Parents and physician(s), and appropriate school personnel to modify the emergency response plan, including the individual resuscitation plan and comfort-care measures. If any such plan is not consistent with the student's Section 504 plan or IEP, the Superintendent, building administrator, or Superintendent's designee will ensure that a Section 504 or IEP Team meeting for the student is promptly convened.
 4. Ensure that emergency medical personnel are made aware that the student's DNR order or POST form has been revoked and that all appropriate life-saving measures should be used if an emergency arises.

If school staff become aware that a student has expressed an intent to revoke a DNR order or POST form, the staff member must immediately report that

information to the building administrator, Superintendent, or Superintendent's designee.

- C. As used in this Administrative Guideline, actual notice includes the physical presentation of an order, a revocation of an order, or another written document authorized under the Michigan Do-Not-Resuscitate Procedure Act.
- D. The building administrator or Superintendent's designee is responsible for supervising the steps outlined above.

Adoption date: August 15, 2022

Revised date: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5709 Lice, Nits, and Bed Bugs

A. Lice and Nits

[Choose Option 1 or 2]

[Option 1 ~~(consistent with State of Michigan guidance)~~]

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

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

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

[Option 2]

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

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

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

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

B. Bed Bugs

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

[Choose Option 1 or 2]

[Option 1 ~~(consistent with State of Michigan guidance)~~]

No student will be excluded from school because of bed bugs unless efforts to remedy an infestation have been unsuccessful.

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

[Option 2]

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5709 Lice, Nits, and Bed Bugs

A. Lice and Nits

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

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

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

B. Bed Bugs

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

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

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5710 Student Suicide Prevention

[Choose Option 1 or 2.]

[Option 1. Basic Policy]

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

The District will convene a crisis response team to investigate and develop an intervention plan for the student, if necessary.

A member of the crisis response team will immediately notify the student's parent/guardian/Parent if the student threatens or attempts suicide.

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

[Mandatory if your District issues student identification cards for students in grades 6-12: The District will print the number of a national, state, or local suicide prevention hotline that can be accessed at any time on student identification cards for students in grades 6-12.]

[Optional, but encouraged by state law: 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.]

[Optional: The District will provide age-appropriate instruction and professional development about suicide prevention, consistent with Policy 2203 and state law.]

[Option 2. More Detailed Process]

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 establishes 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. 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 District's Suicide Prevention Coordinator should be the same person as its Threat Assessment Coordinator as designated in Policy 5714. The Suicide Prevention Coordinator is:

[Name/Position]

[Email]

[Phone Number]

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.

[Optional: The Suicide Prevention Coordinator or designee will determine whether to refer the student for a suicide risk assessment.]

The Suicide Prevention Coordinator or designee will provide the Parent with school and community-based resources on suicide prevention.

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 or designee will contact the student's emergency contact(s).

District personnel who suspect that the student may have a disability under Section 504 of the Rehabilitation Act or the Individuals with Disabilities Education 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 is evaluated by a mental health professional.

E. Student Identification Cards

Mandatory if your District issues student identification cards for students in grades 6-12: The District will print the number of a national, state, or local suicide prevention hotline that can be accessed at any time on student identification cards for students in grades 6-12.

[Optional, but encouraged by state law]

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:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5710 Student Suicide Prevention

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

The District will convene a crisis response team to investigate and develop an intervention plan for the student, if necessary.

A member of the crisis response team will immediately notify the student's Parent if the student threatens or attempts suicide.

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

The District will print the number of a national, state, or local suicide prevention hotline that can be accessed at any time on student identification cards for students in grades 6-12.

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.

The District will provide age-appropriate instruction and professional development about suicide prevention, consistent with Policy 2203 and state law.

Legal authority: MCL 380.1171, 380.1893

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5711 **Toilet Training** [Optional] [Note: If the Board elects not to adopt this Policy, delete the body of the policy and replace the title with "Intentionally Left Blank" after the policy number and in the Table of Contents to ensure accurate numbering of subsequent policies in the Policy Manual.]

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

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

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

~~The~~ For a student with repeated toileting accidents, the building principal or designee should consider whether ~~repeated toileting accidents are related to a disability to refer the student for a Section 504 or IDEA evaluation.~~

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5711 Toilet Training

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

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

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

For a student with repeated toileting accidents, the building principal or designee should consider whether to refer the student for a Section 504 or IDEA evaluation.

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5713 Immunizations and Communicable Diseases

A. Enrollment, Immunization Certification, and Exemptions

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

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

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

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

B. Emergency Exclusion Due to Outbreak

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

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

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

C. District Reporting Requirements

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

D. Homeless Children and Youth

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

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5713 Immunizations and Communicable Diseases

A. Enrollment, Immunization Certification, and Exemptions

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

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

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

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 - b. a student's Parent, or a person acting *in loco parentis*, certifies to the building principal or designee that the child cannot be immunized as required because of religious convictions or other objection to immunization. Only waiver forms authorized, executed, and certified as required by applicable law and administrative rules will be accepted.
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Mich Admin Code R 325.176

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5715 Student Oral Health Assessment

For a student entering the District for the first time in kindergarten or grade 1, at the time of registration or not later than the first day of school, a Parent must provide the building principal or designee with:

- a Kindergarten Oral Health Assessment Form (MDHHS-6067) certifying that the student has received a dental oral assessment within 6 months before the date of registration;
- a written statement that the Parent will ensure that the student receives a dental oral assessment administered through the Kindergarten Oral Health Assessment (KOHA) Program; or
- a written statement that the requirement violates the Parent's personal religious beliefs.

The District will not exclude the student from attendance for failure to provide the required information.

The building principal or designee will maintain dental report records and provide an annual summary to the Michigan Department of Health and Human Services no later than November 1 of each year.

[Optional: The District will provide the KOHA Form and information about the KOHA Program in its registration packets.]

Legal Authority: MCL 333.9316; MCL 333.9311

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5715 Student Oral Health Assessment

For a student entering the District for the first time in kindergarten or grade 1, at the time of registration or not later than the first day of school, a Parent must provide the building principal or designee with:

- a Kindergarten Oral Health Assessment Form (MDHHS-6067) certifying that the student has received a dental oral assessment within 6 months before the date of registration;
- a written statement that the Parent will ensure that the student receives a dental oral assessment administered through the Kindergarten Oral Health Assessment (KOHA) Program; or
- a written statement that the requirement violates the Parent's personal religious beliefs.

The District will not exclude the student from attendance for failure to provide the required information.

The building principal or designee will maintain dental report records and provide an annual summary to the Michigan Department of Health and Human Services no later than November 1 of each year.

Legal Authority: MCL 333.9316; MCL 333.9311

Date adopted: August 19, 2024

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5804 Work Permits

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

Legal authority: MCL 409.104

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5804 Work Permits

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

Legal authority: MCL 409.104

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5805 Student Audio and Video Recording

This Policy governs student audio and video recordings.

For purposes of this Policy, “recording” or “recordings” includes still photographs, video, audio, and other similar data captured in any medium.

A. Prohibited Recordings by Students

Unless otherwise authorized by this Policy, law, or a District employee, students may not make recordings on school property; when on a vehicle owned, leased, or contracted by the District; or at a school-sponsored activity or athletic event.

B. Permitted Recordings by Students

A student may make recordings of instructional activities if recording is necessary to accommodate the student’s disability pursuant to the student’s Individualized Education Program or Section 504 Plan. Students may also make recordings of instructional activities if expressly permitted by the building principal or classroom teacher.

Recordings of instructional activities permitted under this Policy may only be used by students for personal academic purposes and may not be shared or disseminated without written consent from the building principal or designee.

A student may record school-sponsored activities and athletic events as a spectator if the recording is made in a manner permitted by the District for the public. For example, students may record athletic events for their personal use in a manner similar to ~~parents/guardians~~ Parents or other spectators, but students remain subject to the District’s acceptable use and student discipline policies.

Except as otherwise permitted by this Policy, students may not make recordings of non-instructional activities without the permission of the building principal or supervising adult.

Any student recording must comply with applicable state and federal laws, codes of conduct, and Board Policy.

No recordings may be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy.

C. District Recordings

Nothing in this Policy limits the District’s ability to make recordings as otherwise permitted by state and federal law or Board Policy.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5805 Student Audio and Video Recording

This Policy governs student audio and video recordings.

For purposes of this Policy, “recording” or “recordings” includes still photographs, video, audio, and other similar data captured in any medium.

A. Prohibited Recordings by Students

Unless otherwise authorized by this Policy, law, or a District employee, students may not make recordings on school property; when on a vehicle owned, leased, or contracted by the District; or at a school-sponsored activity or athletic event.

B. Permitted Recordings by Students

A student may make recordings of instructional activities if recording is necessary to accommodate the student’s disability pursuant to the student’s Individualized Education Program or Section 504 Plan. Students may also make recordings of instructional activities if expressly permitted by the building principal or classroom teacher.

Recordings of instructional activities permitted under this Policy may only be used by students for personal academic purposes and may not be shared or disseminated without written consent from the building principal or designee.

A student may record school-sponsored activities and athletic events as a spectator if the recording is made in a manner permitted by the District for the public. For example, students may record athletic events for their personal use in a manner similar to Parents or other spectators, but students remain subject to the District’s acceptable use and student discipline policies.

Except as otherwise permitted by this Policy, students may not make recordings of non-instructional activities without the permission of the building principal or supervising adult.

Any student recording must comply with applicable state and federal laws, codes of conduct, and Board Policy.

No recordings may be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy.

C. District Recordings

Nothing in this Policy limits the District’s ability to make recordings as otherwise permitted by state and federal law or Board Policy.

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5806 Recording of District Meetings

A. Audio Recording of IEP Team and Section 504 Meetings [Choose Option 1 or 2]

[Option 1: Parents/~~guardians~~ of students with disabilities are permitted to audio record IEP Team and Section 504 meetings if the ~~parent/guardian~~Parent provides notice to the District before the date of the scheduled meeting.]

[Option 2: Parents/~~guardians~~ of students with disabilities are not permitted to record IEP Team and Section 504 meetings unless recording is necessary for the ~~parent/guardian~~Parent to understand the IEP or Section 504 process.]

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

B. Audio Recording of Other Meetings

Parents/~~guardians~~ may not record any other meeting ~~absent the~~without prior written approval of the Superintendent or designee. If a ~~parent/guardian~~Parent is permitted to audio record a meeting, the ~~parent/guardian~~Parent must use their own recording device ~~and the~~. The District may also ~~may elect to~~ record the meeting.

C. Secret Recording of Meetings and Other Activities

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

D. Video Recording of Meetings

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

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5806 *Recording of District Meetings*

A. Audio Recording of IEP Team and Section 504 Meetings

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

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

B. Audio Recording of Other Meetings

Parents may not record any other meeting without prior written approval of the Superintendent or designee. If a Parent is permitted to audio record a meeting, the Parent must use their own recording device. The District may also record the meeting.

C. Secret Recording of Meetings and Other Activities

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

D. Video Recording of Meetings

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

Date adopted: August 15, 2022

Date revised: August 19, 2024

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5807 ~~Flag Display and Pledge of Allegiance~~

~~The District will display the United States of America flag on a flag staff in a conspicuous location at each school. The District will also display the United States of America flag in each classroom or other instructional site where students recite the Pledge of Allegiance.~~

~~Each building principal or designee is responsible for the care and display of the flags.~~

The building principal or designee will provide students with an opportunity to recite the Pledge of Allegiance each school day. Student participation in the Pledge of Allegiance is voluntary. Students may not be disciplined or penalized for not reciting the Pledge of Allegiance. The building principal or designee will ensure students are not bullied for not reciting the Pledge of Allegiance.

Legal authority: MCL 380.1347, 380.1347a

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5807 Pledge of Allegiance

The building principal or designee will provide students with an opportunity to recite the Pledge of Allegiance each school day. Student participation in the Pledge of Allegiance is voluntary. Students may not be disciplined or penalized for not reciting the Pledge of Allegiance. The building principal or designee will ensure students are not bullied for not reciting the Pledge of Allegiance.

Legal authority: MCL 380.1347, 380.1347a

Date adopted: August 15, 2022

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