



Hemlock Public School District

ADMINISTRATIVE REGULATIONS



Miller Johnson School Policy Services

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INTRODUCTION

The School District will strive to consistently follow the administrative regulations contained in this manual. However, at times, the District may determine that precise adherence to these administrative regulations is not necessary to further the District's primary goal of educating students or, in rare situations, may be inconsistent with that overall mission. Thus, and unless prohibited by law, the District may, at its sole discretion, temporarily deviate from these administrative regulations without first providing notice to parents, students, or the School District community.

The 2000 series of Board Policies requires or permits the Superintendent¹ to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 28, 2020 and posted them on the District's website. All School District personnel and students are required to follow these administrative regulations.

The Superintendent designates the School District's Administrative Council to review the 2000 series of Board Policies and these regulations at least annually. The Administrative Council is also expected to recommend to the Superintendent legally compliant revisions and additions to the 2000 series of Board Policies and these administrative regulations.

2001-AR

Admission and Enrollment

Resident Students

Age of Enrollment. Michigan's [Revised School Code](#) specifies the dates by which a child must reach school age in order to be eligible to enroll in kindergarten or first grade.

Early Enrollment. A parent² may apply for early enrollment to the Superintendent.

Documentation. A parent who seeks to enroll a child in the School District will prove the child's age, typically with a certified copy of a birth certificate. If the parent cannot produce a certified copy of a birth certificate, the parent must explain the reason to the enrollment official and prove the child's age to the reasonable satisfaction of the enrollment official. A parent enrolling a student who has attended school in another school or school district must provide the enrollment official with a release for the student's education record on a form created by the School District or otherwise acceptable to the enrollment official.

Residency. Residency is defined in Michigan's [Revised School Code](#). Proof of residency will be established as follows:

For Homeowners: A deed or land contract and a current bill establishing the parent lives within the School District's geographic boundaries; or, a property transfer affidavit establishing the parent will live within the School District's geographic boundaries within 30 days of the beginning of the student attendance year in question; or,

For Renters: A fully executed lease and current bill confirming the parent lives within the School District's geographic boundaries (which lease includes names of all children enrolled or enrolling in the School District).

Nonresident Students

Schools of Choice (Inter-District). The School District may permit inter-District schools of choice students. Parents who wish their children to attend one of the District's schools should complete an application for the Superintendent's consideration and approval during the school of choice time periods. Instructions for completing and submitting the application can be found [here](#).

¹ "Superintendent," as used in these regulations, includes the Superintendent's designee, unless otherwise indicated.

² The term "parent," as used in these regulations, includes a guardian or an adult student.

Tuition Students. The School District does not accept tuition students at this time.

Children of School District Employees. The School District accepts for enrollment the children of School District employees on the same basis and subject to the same rights and obligations as other students.

Foreign Exchange Students

Generally. The School District will accept international/foreign exchange students, subject to the Superintendent's reasonable discretion. A student wishing to enroll in the School District as an international exchange student must meet the following requirements: the completion of an application to the School District's High School Principal between March 1 and June 30 of the preceding school year; the provision of evidence of approval by the United States Department of State, including an F-1 or J-1 student visa; affiliation with a program on the Council on Standards for International Education and Travel (CSIET) Advisory List on International Education Travel and Exchange Programs; the provision of the name, address, and telephone number of the program's local representative and most recent brochure; the provision of the names, addresses, and telephone numbers of at least two suitable host families, unless the School District is aware of suitable host families; proof he/she will be at least 16 years old by the date of first attendance in the School District; provision of suitable proof of health and accident insurance; proof of the ability to communicate and learn in English, as evidenced by a secondary level English proficiency test on which he/she earned a high intermediate or advanced level score.

Acceptance and Placement. High School Principals, in conjunction with the Superintendent, will review procedures and protocols for international exchange students.

Homeless Students The Superintendent appoints the School District's high school principal to serve as the School District's Homeless Liaison in accordance with the [McKinney-Vento Act](#). The Liaison's duties include, but are not limited to:

1. Establishing practices designed to facilitate the school enrollment of homeless students;
2. Assisting with the enrollment of homeless students and providing assistance with obtaining academic and medical records;
3. Informing parents or unaccompanied homeless students of the educational and related opportunities available to them;
4. Assisting with school placement decisions based on the best interest of the student and desires of the parent or unaccompanied student;
5. Ensuring that referrals are made for health care, dental, mental health, and other appropriate services;
6. Monitoring each enrollment to assure that homeless students are not isolated or stigmatized because of their homeless status;
7. Handling enrollment disputes and ensuring that disputes over the placement of homeless students are resolved in a timely manner;
8. Arranging transportation and informing the parent or unaccompanied homeless students of the transportation services the School District must make available; and,
9. Disseminating public notice of the educational rights of homeless students in places within the community where they are likely to be seen by homeless students, their families and advocates for the homeless.

The Liaison will inform all School District personnel and persons or agencies known to work with homeless families of his or her identity and contact information.

Shared Time Instructions Shared time instruction will be provided according to Michigan law and the Michigan Department of Education's Pupil Accounting Manual.

2002-AR Learning and Achievement

Assessments

Generally. The Superintendent will inform the Board and District administrators and teachers of the National, Statewide and Districtwide assessments the District will administer. District personnel are expected to administer assessments consistent with protocols and students are expected to participate in assessment. Assessments and alternative assessments will be administered to disabled students consistent with their IEPs or Section 504 Plans.

Discretionary Assessments and Assessments Required by Law. These regulations do not prohibit School District personnel from administering or considering other assessments, including other assessments permitted or required by law.

Progress Reports and Grades

Generally. Progress reports and grades are intended to encourage student achievement and citizenship and accurately and consistently report student achievement in the School District's curriculum. Teachers are expected to follow Board policies and administrative procedures concerning progress reports and grades. Building administrators are expected to orient new teachers to the Board's policies and administrative procedures concerning progress reports and grades and, upon request, assist teacher compliance.

Establishing Expectations. Building administrators and teachers are expected to establish academic and behavioral expectations for students and parents at the beginning of the school year or course. Middle school and high school teachers are strongly encouraged to communicate academic and behavioral expectations to students in writing, including a syllabus. The School District expects its teachers will refrain from using grading or similar systems that fails a disproportionately large number of students when compared to other District teachers.

Reports, Grades, and Academic Recognition. The School District's building principals are responsible for creating and, from time-to-time, updating or revising forms for periodic progress reports and grades for elementary, middle school, and high school students. Teachers are responsible for completing all necessary forms for periodic progress reports and grades in an objective, consistent and timely manner. Teachers are also responsible for notifying students and parents when a student's work is likely to result in a failing grade. Academic reports and grades should be based on students' academic work rather than behavior. Behavior should be reflected in citizenship reports or marks. Building administrators are expected to facilitate these teacher responsibilities consistent with Board policies and these administrative regulations.

Attendance. The School District expects students will be in class every school day for the entire school day or class period. Teachers are required to take daily attendance for every class they teach. The District will report student attendance on every progress report.

Students will be marked as tardy if they are not in their classrooms ready to learn at the beginning of the school day or class period. Tardiness may result in student discipline as set forth in the School District's Student Code of Conduct.

Accommodations and Modifications. Accommodations permit a student to access School District facilities and services, including educational services such as the District's curriculum. Modifications change the District's curriculum at a student's grade level. Teachers may not consider accommodations when giving academic progress reports or awarding grades. Teachers may note modifications on individual academic progress reports and grade reports. The School District does not note modifications on student transcripts.

Grade Appeals. Teachers are responsible for awarding grades consistent with Board policies and administrative regulations. A student or a parent who wishes to appeal a grade awarded by a teacher may do so by notifying the building administrator in writing no later than fifteen (15) calendar days after the grade is issued. The building administrator will promptly schedule a meeting with the parent and/or student and teacher to discuss the appeal. If the teacher does not concur with the appeal, the building administrator will issue a final decision resolving the grade appeal.

Academic Recognition. Building principals will take all reasonable opportunities to encourage scholarship by recognizing students who excel in their studies. Building principals at the middle school and high school levels will set and communicate honor roll standards and publish honor rolls within the school and to the media. For a graduating senior to be eligible for end of the year recognition s/he must have completed the last three semesters as a Hemlock High School student. Recognition for students earning the highest total scores by using the Power Formula³ will be members of that class list of "Honor Students" that will include: 1) Valedictorian, 2) Salutatorian, and 3) Top 10 or 10% of students in class. If there are extenuating circumstances, the administration (principal or designee) has the right to make exceptions and/or allowances.

Placement

Generally. The Superintendent designates to building administrators the responsibility for placing students in schools, grades, and courses. Building administrators should exercise good judgment with respect to placement decisions and consider the following factors, among others:

1. The student's academic achievement and ability as reflected in scores on standardized tests;
2. The student's academic performance in School District classes or while enrolled in another school district;
3. The student's chronological age;
4. The student's social maturity; and
5. In accordance with Board policy and [MCL 380.1280f](#) (the Third Grade Reading Law statute).

In the event of disagreement, the student and his or her parents should be consulted before a final placement decision.

Promotion and Retention Subject to the previous administrative regulation, students typically advance to the next grade after the end of the school year. The building administrator will use the following process if a student's teacher or parent recommends retention:

1. Teachers should identify students who are not meeting grade level objectives in one or more subjects and notify the building administrator and the students' parents by the end of the first semester of each school year. When such notification occurs:

³ SAT power formula calculation: $(\text{GPA} \times 250) + (\text{SAT score} / 1.6) = \underline{\hspace{2cm}}$

- (a) The teacher, building administrator, and parents should meet to review the student's academic record, current test scores, work samples, and anticipated progress; and,
 - (b) Follow-up meetings may be scheduled between the teacher, building administrator, and parents.
2. The building administrator is responsible for making a final decision on retention, after consulting the teacher and the parents, and considering the following factors, among others:
 - (a) The student's academic achievement in all subject areas, especially attainment of grade level objectives, as determined by the School District's curriculum, assessments, progress reports, tests, assignments, and work samples;
 - (b) The student's chronological age;
 - (c) The student's attendance; and,
 - (d) The student's social and emotional maturity.

Graduation Requirements

Generally. All School District students who meet the School District's graduation requirements will be issued a diploma. Participation in School District graduation ceremonies is a privilege rather than a right.

Building principals may recommend eligible students for graduation and a diploma when the student has met the requirements established by these regulations. A student is eligible for recommendation for graduation when he/she:

- Has completed four years of high school, unless a request for early graduation has been granted
- Has earned 25 (2019-20 school year) or 26 (2020-21 school year) total high school credits, including all required by the Michigan Merit Curriculum (MMC) courses and credits (which may include middle school courses aligned with MMC, but not for purposes of calculating GPA); and,
- Has completed all scheduled assessments, unless otherwise waived.

The MMC eligibility requirement may be fulfilled through a Personal Curriculum (PC) created according to Michigan law and approved by the Superintendent. The Superintendent will not approve PC deviations from School District graduation eligibility requirements based on a student's personal preference for one or more subjects over others.

Alternative Education. Michigan Merit Curriculum will serve as the basis for completion, with programs detailed under the direction and guidance of the high school principal.

Early Graduation. A student who is otherwise eligible for graduation and a diploma may make a request for early graduation to his/her counselor and building principal. The building principal may recommend a student's early graduation upon the student's counselor's certification the student has or will meet all School District graduation requirements. Parental permission is required for students who are not 18 when the application is filed. If the Superintendent grants an application for early graduation, the student will receive a letter of confirmation but will not be awarded his/her diploma until the next graduation ceremony.

Full-Time Status A student is considered to be full-time if s/he is enrolled as provided in MOISD's student handbook.

Board-Approved Courses The School District will adopt a list of Board-approved courses offered for credit or grade promotion. The list will include traditional course offerings and courses offered through other means, such as experiential learning courses, online courses, courses offered in share time programs, etc. In addition, the list will include the extended learning opportunities associated with each course and a description of such opportunities.

The School District will maintain a document describing the content of each approved course as well as documentation related to course approval, including the list of Board-approved courses.

2003-AR Education Records

Creation and Retention The School District maintains records according to the Michigan Department of Education's Record Retention Manual.

Cumulative File (CA-60) Building administrators will create and maintain a cumulative file (CA-60) for each student who attends school in the School District. The cumulative file may be created and maintained digitally. The building administrator will determine the contents of the CA-60 including, at a minimum:

1. The student's classes and credits;
2. The student's attendance record;
3. The student's standardized test results, with the exception of standardized tests taken to determine whether the student is eligible for special education and related services;
4. The student's immunization status; and
5. An eligible student's most recent IEP or Section 504 Plan.

Special Services File The School District's Special Education Supervisor will publish legally compliant guidelines requiring School District personnel to create and maintain special education files for students who are eligible for special education and related services or accommodations under the [Individuals with Disabilities in Education Act](#) and [Michigan special education law, Section 504 of the Rehabilitation Act of 1973](#), or the [Americans with Disabilities Act of 1990](#). The special education file may be created and maintained digitally. The guidelines are available at this link: [Saginaw ISD Special Education](#).

Directory Information and Access to Student Education Records

Family Educational Rights and Privacy Act ([FERPA](#)). This administrative regulation has been developed to comply with FERPA and does not, itself, confer enforceable rights to any person.

Access to Education Records.

Parental Access. The natural parents of minor and dependent students may inspect their children's education record, unless that right has been terminated by a court order.

Adult Students. Adult students may inspect their education record.

Board Members and School District Personnel. Board members and School District personnel may access a student's education record if they have a "legitimate educational interest" in doing so, within the meaning of FERPA.

Other Persons. Other persons may inspect student education records to the extent permitted by FERPA.

Time and Place of Inspection. Generally, a person authorized to access a student's education record, other than School District personnel, must make an appointment to review education records at the student's school with the building administrator, or designee, who will remain present during the inspection. An authorized person will be permitted to copy selected education records upon request and fees may be charged as permitted by law.

Access Log. The building administrator will include an access log in each student's CA-60 and Special Services file that will identify each person who accessed the education record, the date and time the education record was accessed, and the reason the education record was accessed.

Directory Information. Board Policy 2003 defines directory information that may be disclosed by School District Board members and personnel. The Superintendent designates each building principal to annually notify parents and adult students of their right to "opt-out" of the disclosure of directory information, the steps that must be taken to exercise that right, and to timely notify the building administrator when a parent or adult student has exercised that right.

Amendment of Education Records Parents and adult students may request the amendment of education records that are inaccurate, misleading, or in violation of the student's rights of privacy or other rights. The following procedure will be used in cases when parents or adult students request the amendment of education records:

1. The parent will request the amendment in writing, including: identifying the education record(s) in question and, the reason(s) the education record should be amended;
2. The building administrator, after conferring with his or her direct supervisor, may agree to amend the education record and do so;
3. The building administrator, after conferring with his or her direct supervisor, may decline to amend the education record and, if so, notify the parent or adult student of the reason(s) and the parent's right to a hearing.
4. If a hearing is requested, the building administrator will immediately notify his or her direct supervisor and the Superintendent, who will arrange for a hearing consistent with FERPA requirements.

Other Agencies or Institutions As permitted by FERPA, the School District may forward education records, including disciplinary records, without student or parental consent, to other agencies or institutions in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer and upon receipt of a request for a student's school or education records.

2004-AR Extracurricular Activities

School District Clubs and Other Activities On or before September 30 of each school year, each building administrator will forward to the Superintendent a complete list of the School District clubs and other activities offered in the building. Building administrators may not add new District clubs or activities that cost the District money without the approval of the Superintendent. The building administrator will also promptly notify the Superintendent of any changes during the school year.

Fundraising

Overview. Fundraising generally falls into two categories: fundraising by individual schools or student activity groups and fundraising by parent organizations (PTO, Booster Club, etc.). This administrative procedure governs fundraising by individual schools or student activity groups. Questions concerning

fundraising by parent organizations should be directed to the School District's Superintendent and/or designee.

This administrative regulation does not apply to "fiduciary activities" as the phrase is defined under GASB 84.

General Guidelines. Requests to conduct fundraising must be submitted to the building administrator for approval. The building administrator will seek approval from the Superintendent for fundraisers. Fundraisers requiring the use of School District facilities must be approved by the building administrator. The distribution and posting of fundraiser flyers must also be approved by the building administrator.

Contracts Building administrators may not enter into contracts, including contracts related to fundraisers, without the prior approval of the Superintendent.

Accounting Procedures and Cash Management Funds collected from fundraisers must be secured by the staff member in charge of the fundraiser at the end of every day and turned over to the building administrator at the end of the day or as soon thereafter as possible. The building administrator will verify the amount collected every day, notify the staff member in charge and the Superintendent of the amount collected every day, and deposit the amount collected every day in a bank account or a safe at the end of the day or as soon thereafter as possible.

Purchases may not be made from cash received through a fundraiser. Instead, purchases must be made using a School District purchase order, check, or credit card. If this is not possible, the School District will reimburse for purchases approved by the building administrator and the Superintendent.

The building administrator is responsible for maintaining all fundraising and related records for five years after the fundraiser is completed and such records are subject to internal audit and external audit by the District's independent auditing firm.

2005-AR Communication

Memorials Generally, tributes, ceremonies, and memorials (collectively, memorials) recognizing an adult or student are not held or permitted on School District premises. A person who wishes to organize a memorial on School District premises must seek the permission of the building administrator, who will consult with the Superintendent before granting permission.

A student who dies during the school year may be acknowledged in his or her school yearbook that year in a manner within the discretion of the building administrator, unless the yearbook has already gone to print. The student's parents or friends may seek the permission of the building administrator to acknowledge the student in subsequent years.

A student who dies during the school year may also be acknowledged in the next edition of any official school newsletter or student publication. Any article concerning the student must be written with the assistance of the school's trauma team, if any, and approved by the building administrator and the student's parents. Such articles should be similar in content and length. The building administrator may also permit the dedication of a single program, playbill, book, or specific event related to the student's interests or activities no later than one calendar year of the student's death.

2006-AR Behavior

Student Code of Conduct The Superintendent has developed and promulgated the School District's Student Codes of Conduct consistent with Board Policy 2006. Current Student Codes of Conduct are posted on the School District's website at the following links: [Hemlock High School](#), [Hemlock Middle](#)

[Schools](#), [K.C. Ling Elementary School](#), and [Hemlock Elementary School](#). Building administrators and teachers are responsible for enforcing the Student Code of Conduct in their buildings and classrooms.

Positive Behavior Supports and Alternatives to Corporal Punishment Each building administrator will notify the Superintendent, or designee, of the positive behavior supports or positive behavior support plan available or implement in his/her building. Positive behavior supports and support plans are one of the School District's alternatives to corporal punishment. The School District's Student Code of Conduct is another alternative to corporal punishment.

Athletic Code of Conduct The Superintendent has developed and promulgated the School District's Athletic Codes of Conduct. The current Athletic Codes of Conduct are posted on the School District's website at the following links: [Hemlock High School](#) and [Hemlock Middle School](#). Building administrators, teachers, club sponsors, and coaches are responsible for enforcing the Athletic Code of conduct in their buildings and programs.

SNAP Suspensions If a student engages in conduct which unquestionably interferes with the education of him/herself or other students, or a teacher has good reason to believe a student has engaged in conduct which poses a clear and present danger to him/herself or other students, the teacher may suspend the student from a class, subject, or activity for one full school day.

2007-AR Health and Safety

Medication

Administration of Medication by School District Personnel. School District personnel will not administer medication to students except according to this regulation.

The parent must submit a request to administer prescription or non-prescription medication to the building administrator on a form approved by the Superintendent and signed by both the parent and the student's physician. The request must include at least the following information: the name of the student, the name of medication, the dosage, the time and frequency of administration during the school day, a physician's signature, and, other special instructions, if any. Upon approval by the building administrator, School District personnel will administer medication to students subject to the following conditions:

1. Medication must be submitted in its original container, whenever possible. If medication is not in its original container, the parent must label the container with the following information: the name of the student, the name of medication, the dosage, the time and frequency of administration during the school day, and other special instructions, if any.
2. Medication must be brought to and returned from the school by the parent for elementary students;
3. The parent must ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
4. The parent must ensure that the school is informed in writing of any changes in medication instructions; and,
5. In the event a student refuses medication, the parent will be notified immediately.

Storage and Monitoring. The building administrator is responsible for properly storing and monitoring medications administered by School District personnel. Medications will be secured by lock and access to medication storage keys will be limited to the building principal and designated school staff. Following administration, the medication container will be properly sealed and returned to storage.

Administration of Medication by Students. Students are prohibited from sharing or administering medication with or to each other, except in cases of a life-threatening emergency. For prescription and non-prescription medications, the parent must provide the building administrator with written approval of the student's physician.

Seclusion and Restraint Michigan law prohibits seclusion and restraint, except emergency seclusion and emergency physical restraint. The Superintendent designates the School District's Special Education Supervisor to train staff consistent with Michigan law.

Wellness The Superintendent establishes the School District's Wellness Committee. The Superintendent delegates to the Food Service Director the duty of appointing and coordinating the duties of the Wellness Committee and maintaining a regular meeting schedule. The Food Service Director and Wellness Committee will comply with all applicable legal requirements including, but not limited to: proposing and, upon the Superintendent's approval: implementing School District nutrition and physical activity standards; integrating the School District's nutrition and physical activity standards into the School District's curriculum consistent with the Michigan Physical Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Physical Education; assuring that School District staff professional development addresses nutrition and physical activity issues; and, assuring School District students receive nutrition education and engage in vigorous physical activity. The School District will promote nutrition standards by ensuring all foods and beverages sold, marketed, or provided to students meet the USDA Nutrition Standards for School Meals and USDA Smart Snack in School nutrition standards.

The School District Wellness Committee will also develop and deliver a regular report to the Superintendent, including: monthly School District menus and meal counts; a la carte, vending, and competitive foods sold on School District premises; and, physical activity and program opportunities for School District students. At least once every three years, the Food Service Director will report to the School District's Superintendent: the extent to which this regulation compares to model school wellness policies; the extent to which the School District's schools are in compliance with this regulation; and, the School District's progress in attaining the goals established by the Wellness Committee. The School District will make the report and any updates to this policy available to the public. The School District will provide information on how the public can participate on the Wellness Committee and assist with the development and implementation of this policy.

Epinephrine Auto-Injectors (Epi-Pens)

Student Possession and Use. Students may possess and, if necessary, use epi-pens on School District premises and at school-related activities, programs and events if the following three conditions are met:

1. The student has permission to use the epi-pen from his or her physician and, if the student is a minor, from his or her parent(s);
2. The building administrator has received a copy of the necessary written permissions; and,
3. The school has on file a written emergency care plan (or IEP or 504 Plan that includes a written emergency care plan, however designated) prepared or approved by a licensed physician in collaboration with the student and the student's parent(s) that is updated as necessary to account for any change in the student's circumstances.

The building administrator will notify each teacher of each student in his or her classroom who is permitted to possess and use an epi-pen pursuant to this regulation.

District Acquisition and Maintenance. The School District will acquire and deliver at least two otherwise unassigned functioning epi-pens to each school building. The building administrator is responsible for maintaining the epi-pens at his or her building, making them readily accessible to

designated staff members, and notifying the Superintendent if the building administrator believes the necessary number of epi-pens is not available or functional.

Training and Designation. The School District is responsible for training a sufficient number of staff members in each school to properly administer epi-pens, as follows: at least one staff member if the instructional and administrative staff is less than 10; and, at least two staff members if the instructional and administrative staff is more than 10. The building administrator is responsible for designating the necessary number of staff members to administer epi-pen injections on school grounds. The building administrator is also responsible for informing other school personnel which staff members have been designated to administer epi-pen injections on school grounds and for notifying the Superintendent if there are an insufficient number of trained or designated staff members in the building.

Administration of Epi-Pen Injectors. Designated staff members who have been trained in accordance with these procedures are required to administer an epi-pen injection to any person on school grounds who is believed to be suffering an anaphylactic reaction. An anaphylactic reaction is a severe, potentially life-threatening allergic reaction that may occur within seconds or minutes of exposure to an allergen. Common allergens that cause anaphylactic reactions in school include, but are not limited to, peanuts and tree nuts and venom from bee stings. All administrators and teachers are required to notify a designated staff member in the event he or she believes an individual on school grounds is suffering an anaphylactic reaction.

Reporting. The building administrator is required to notify the parent of any student who receives an epi-pen injection at school. Notification is to be made to the Superintendent and/or his designee, at the same time. The Superintendent designates building principals to annually report to the Michigan Department of Education the number of epi-pen injections provided to students at school each year; the number of epi-pen injections to such students who were not previously known to have allergies; and, the number of students who were administered epi-pens from the School District's stock of epi-pens.

Cardiac Emergency Response Plan

Introduction. This regulation was adopted to comply with [2014 PA 12](#). Sudden cardiac arrest is the sudden, unexpected loss of heart function, breathing and consciousness. Sudden cardiac arrest is a medical emergency. If not treated immediately, it causes sudden cardiac death. Sudden cardiac arrest symptoms are immediate and drastic and may include sudden collapse, no pulse, no breathing, or loss of consciousness. Sometimes sudden cardiac arrest is preceded by fatigue, weakness, palpitations, or vomiting. Other times, sudden cardiac arrest occurs without warning. Reference: [Mayo Clinic Website](#).

Equipment. The District will purchase and maintain a sufficient number of automated external defibrillators (AEDs) so that an AED is available on school grounds within three minutes of a sudden cardiac arrest at school. AEDs will be purchased from or through a supplier listed on the [Michigan Department of Education's \(MDE\) list of Approved Providers for First Aid and CPR](#). Each building principal will be responsible for: notifying his or her supervisor when a sufficient number of AEDs are not available or not in working order; and informing staff members where AEDs are located. Each building principal will be responsible for posting the locations of AEDs in a public place in the office and in the teachers' lounge.

Training. All building administrators, 50% of sports coaches, 50% of physical education teachers, and 10% of other staff members will be trained and certified in cardiopulmonary resuscitation techniques (CPR) and the use of AEDs. The District will be responsible for securing and arranging the necessary training from or through a supplier listed on [MDE's List of Approved Providers for First Aid and CPR](#). Each building principal will be responsible for informing all school staff members of the identities of trained staff members and informing his or her supervisor if the number of trained staff members falls below the requirements of this regulation. The building principal will be responsible for conducting at least one cardiac emergency response drill per year.

Emergency Response Team. Each school's cardiac emergency response team will consist of the building principal, or his or her designee, any trained or untrained staff member who observes any person who may be experiencing sudden cardiac arrest at school, and any trained or untrained staff member who is notified, as required by this regulation, that any person may be experiencing sudden cardiac arrest at school.

Required Actions. An untrained staff member who observes a student or other person who may be experiencing sudden cardiac arrest at school must immediately: call 911 and notify the operator of the victim's name, sex, age or approximate age, condition, and location; notify the office; notify a trained staff member; and, retrieve the nearest AED.

A trained staff member who observes a student or other person who may be experiencing sudden cardiac arrest at school must immediately: call 911 (and report to the operator as described above); notify the office; and, attend to the victim according to his or her training.

Building administrators, upon observing or being notified that a student or other person may be experiencing sudden cardiac arrest at school, must immediately: call 911 (and report to the operator as described above); secure the emergency card (in the case of a student); report to the scene of the emergency with an AED and any medication prescribed for the student; and, attend to the victim according to their training. The building principal must notify the family of any student who may have experienced a sudden cardiac emergency at school.

All staff members are responsible for removing students from the area of the emergency and taking steps to provide for their appropriate supervision.

Report. The building principal must report all incidents of suspected sudden cardiac arrest, in writing, to the Superintendent or his or her designee.

MI HEARTSafe School Award Program. Building principals may apply for, obtain, and maintain designation as a MI HEARTSafe School.

Annual Review and Evaluation. Annually, each building administrator will review this regulation with building staff and, if warranted, provide his or her supervisor with recommendations for revision.

Surveillance The Superintendent authorizes surveillance to improve the safety and security of School District staff, students, premises, and equipment. Surveillance may include: observation by School District staff; observation by law enforcement personnel; video surveillance devices; and, other monitoring School District equipment, including computers, and networks. School District surveillance will be within all applicable legal requirements.

Sports Concussions The School District's Athletic Director is responsible for making available to physical education teachers and the coaches of extracurricular athletic activities educational materials that address the signs, symptoms, and consequences of concussions. Students may not be permitted to participate in a physical education class or extracurricular athletic activity until the receipt of such education materials has been acknowledged by the student and his/her parents. The building principal will maintain the signed receipt in the student's CA-60.

3000-AR

CURRICULUM AND INSTRUCTION

The 3000 series of Board Policies permits or requires the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 28, 2020 and posted them on the District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the School District's Curriculum Council to review the 3000 series of Board Policies and these regulations at least annually. The Curriculum Council is also expected to recommend to the Superintendent legally compliant revisions and additions to the 3000 series of Board Policies and these administrative regulations.

3001-AR

Curriculum Development

The curriculum identifies the School District's prescribed programs and courses. Ongoing review with input from School District personnel, other professional educators, and parents is necessary to assure the curriculum remains relevant and up to date. The School District's Curriculum Council will be responsible for overseeing the ongoing review of the curriculum. Any revisions to the curriculum that are recommended by the Curriculum Council will be reported to the Board for review, consideration, and possible adoption.

3002-AR

Parental Involvement

The Board of Education has adopted Policy 3002, Parental Involvement, to express its strong support for the involvement of parents in their children's education. The Policy was adopted, in part, to meet the requirements of [Title I of the Elementary and Secondary Education Act of 1965](#). The purpose of this administrative regulation is to assure that Policy 3002 is fully implemented and all legal requirements are met.

For purposes of this administrative regulation, the School District will follow the statutory definition of parental involvement:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving students' academic learning and other school activities, including ensuring – (A) that parents play an integral role in assisting their child's learning; (B) that parents are encouraged to be actively involved in their child's education at school; (C) that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; and, (D) the carrying out of other activities such as those described in 20 USC 6318 on parent and family engagement.

To implement parental involvement, the School District's Superintendent, or his/her designee, will develop a joint Districtwide Parental Involvement Plan in the following manner: the School District will hold meetings with parents, at least semi-annually, to jointly develop, review, and modify the Parental Involvement Plan; send periodic communications addressed to parents through the School District's website and other media; and, circulate a draft parental involvement policy to parents before it is adopted.

The School District's Superintendent, or his/her designee, will also undertake school review and improvement in the following manner: a consolidated local improvement plan meeting will be held annually, during the month of March (the purpose of the meeting will be to determine the assistance that will be offered to individual schools to develop parental involvement activities to improve their children's academic achievement); parents will be provided with interpreters or translators during the meeting, as necessary, to permit meaningful participation; and, parents will be encouraged to provide comments

about School District and individual school practices, as well as educational programs and activities, throughout the year, by contacting the School District's Curriculum Director.

Improving Student Academic Achievement and School Performance The building principal will be the primary contact person to receive parental input and provide building level staff with assistance in implementing suggested improvement activities and processes.

Program Supports The building principals will receive parent input with respect to various School District programs and coordinate implementation activities. An essential part of this process will be collecting information from parents in terms of personal experiences with the processes and fully considering suggestions for improvement. Support will be offered to individual schools within the School District to explore and utilize effective communication strategies, particularly for parents from diverse cultural, socio-economic, and language backgrounds.

Supporting and Training – Parents In order to assist parents with meaningful involvement in their children's education, the following activities will be coordinated by the School District's building principals: periodic meetings to discuss academic content standards, student assessments and achievement standards, monitoring academic progress and communication with teachers and building level personnel; and, materials and training to assist parents in understanding areas such as literacy and technology. Building principals will also provide parents with grade-level materials and training to help them support their children's learning at home.

Supports and Training – Staff In order to assist School District staff with the meaningful involvement of parents in the educational process, building principals will offer staff supports and training, including suggestions for: reaching out to and communicating with parents; understanding the importance of parental involvement; implementing and coordinating parent programs; and, working with parents as partners.

Coordination of Parental Involvement with Community Programs The School District will make efforts to coordinate parental involvement programs with programs in the local community such as: Parent-Teacher Organizations, Pep Club, and Sports Boosters.

Evaluation of Parental Involvement Policy An annual evaluation of the School District's Parental Involvement Policy will be conducted with parental participation. The evaluation process will be coordinated by the Superintendent, or his/her designee, and will include the identification of any perceived obstacles to parental participation and the effectiveness of the Policy in improving academic quality. Revisions to the Policy will be made, as needed.

3004-AR Textbooks and Other Instructional Materials

The School District will select and use instructional materials, including textbooks, that are compatible with the School District's curriculum. Such materials should assist students in reaching State standards and in meeting School District grade level expectations and course requirements. The Superintendent may, from time to time, appoint an *ad hoc* committee of School District administrators and teachers to assist in the selection of instructional materials. The committee will recommend instructional materials that: are consistent with and provide support and enrichment for the School District's adopted courses of study and curricular goals; meet high standards of quality in factual content and educational significance; present with readability and organization; are appropriate for the ability level, learning styles, and emotional and social development of the students for whom the materials are selected; and, support a balanced approach to controversial issues that include representations of various points of view.

3005-AR**Selection of Media Center Materials**

Media Center materials will: support and be consistent with the general educational goals of the School District; meet high standards of quality in factual content, artistic and literary value, and presentation; be appropriate for the age, emotional development, ability level, and social development of students for whom materials are selected; have aesthetic, literary, scientific, or social value; be current and up-to-date; and, be selected to reflect our diverse society. The selection of materials on controversial issues will be directed towards maintaining a diverse collection representing various points of view.

3006-AR**Parental Objections**

Parents who object to instructional materials or media center materials may present their objection(s) to the Superintendent in writing. The Superintendent will review the parents' objection(s) with the members of the Administrative Council, as appropriate, and others, at the Superintendent's discretion. The Superintendent, based on this review, will: sustain the objection, in whole or in part, and take action consistent with his or her decision, or deny the objection. In either case, the Superintendent will notify the parents with a brief explanation of his or her decision. The Superintendent's decision will be final and binding.

4000-AR

PERSONNEL

The 4000 series of Board Policies permits or requires the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 28, 2020 and posted them on the District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the School District's Director of Business Operations and Human Resources to review the 4000 series of Board Policies and these regulations at least annually. The Director of Business Operations and Human Resources is also expected to recommend to the Superintendent legally compliant revisions and additions to the 4000 series of Board Policies and these administrative regulations.

4001-AR

Administrative Staff and Organization

The Superintendent, in consultation with the Board of Education, will determine the overall structure and staffing level of the School District's administration and other professional and non-professional staff.

4002-AR

Employment Considerations

Recruiting Job postings will be published online with an application and application procedure approved by the School District's Director of Business Operations and Human Resources. Job postings will provide, at a minimum, a job description, necessary qualifications and the time period, and methodology for submitting an application. Job postings will be available on the School District website and other pertinent websites. If an enforceable provision of a collective bargaining agreement or employment contract requires notice of posting, the job must be posted accordingly. The Superintendent may choose an outside agency or other method to recruit employees.

Applications Applications should be submitted consistent with job postings. The failure to do so may result in the applicant not being considered for employment.

Physicals and Drug Tests An applicant who has been offered employment may be required to take a pre-employment physical and drug test.

Hiring and Recommendations for Hiring The Board of Education hires the Superintendent. The Board of Education hires other professional and non-professional staff at the recommendation of the Superintendent. If necessary, in the Superintendent's discretion, an individual may begin employment pending approval by the Board of Education.

Criminal Background Checks The School District will have the Michigan State Police (MSP) obtain criminal history record information (CHRI) from both the state and the Federal Bureau of Investigation (FBI) for all individuals listed in Board Policy 4002 (Criminal Background Checks) and [MCL 380.1230\(1\)-\(2\) of the Revised School Code](#). Employees who fail to comply with this regulation and related policy will be subject to discipline, upon review and approval by the Superintendent. The School District agrees to enter into any agreements as required by the MSP necessary to access CHRI information and maintain the School District's legal obligation to perform such checks.

Local Agency Security Officer (LASO). The School District will appoint the Superintendent and/or designee as its LASO. The LASO will be designated on the appropriate form as provided by MSP and

the School District will submit an updated form for each newly-appointed LASO. The LASO will be responsible for ensuring compliance with these regulations and relevant laws. The LASO will also be responsible for ensuring personnel security screening procedures are being followed, appropriate security measures are in place for the protection of CHRI, MSP is informed of any security breaches, and only approved School District personnel have access to and are using the CHRI in a manner compliant with the law.

Access to CHRI.

Background Checks. The School District will conduct a state and national fingerprint-based criminal history record check within 30 days of hiring or assignment of personnel that require access to CHRI, or are involved in the configuration or maintenance of computer systems and networks with access to CHRI. Additional background checks should be performed once every five years. A felony conviction of any kind will disqualify a person from access to CHRI. If results other than a felony conviction are returned, the LASO will review the results and determine whether appointment is nevertheless appropriate. If approved personnel are subsequently arrested or convicted, the LASO or, in the event the LASO is arrested or convicted after appointment, the Superintendent and/or designee, shall suspend approval until he or she reviews the arrest and/or conviction and determines whether continued approval is appropriate.

The School District will provide consent forms, such as the Livescan form (RI-030) found on the MSP website, to all personnel requested to undergo fingerprint-based criminal background checks. School District personnel should be provided the opportunity to contest or appeal their CHRI results. This procedure should also be used for information technology contractors and vendors with the exception that approval should not be granted to contractors and vendors with outstanding arrest warrants. Non-information technology contractors or vendors will not have access to CHRI.

Incidental Personnel. Any persons, such as janitorial staff or remote IT personnel, who may, by function of their job duties, be around CHRI information or computer systems used to access CHRI information will be physically or virtually escorted by approved personnel.

List of Approved Personnel. The LASO will maintain a list of all personnel approved to access CHRI. The list will also include the reason each person was approved. The LASO will provide the list to the MSP upon request. In the event of termination, re-assignment, or transfer of approved personnel to a position that does not require access to CHRI, the LASO will take whatever measures are necessary to block such personnel from continued access.

Access to Digital CHRI. If the School District maintains CHRI digitally, the LASO will provide a unique password to each approved personnel with access to computer or networks from which CHRI is obtained. This provision does not apply to districts that maintain physical or e-mail-only copies of CHRI. Pursuant to AG 8321, the password must be at least eight characters long, not be a proper name or word found in the dictionary, not be the same as the username/user identification, must expire and be changed every 90 days, and must not be the same as any 10 prior passwords for each user.

Security Awareness Training. In accordance with the MSP template located on its website, the School District will provide all approved personnel with basic security awareness training within six months of approval and every two years thereafter. The LASO will maintain records of all personnel who have completed training.

Dissemination of CHRI. In the event the School District disseminates CHRI to another authorized agency, as defined in the Revised School Code, the School District will maintain a record of such disseminations. The record must include the date of release, the records released, the method of sharing, the School District personnel who disseminated the CHRI, whether authorization for dissemination was obtained, and the agency and agency personnel to whom the CHRI was disseminated. If CHRI is received from another school district or outside agency, the School District will perform an additional background check using MSP's Internet Criminal History Access Tool (ICHAT) to ensure the information received is accurate.

Media Containing CHRI. Only School District personnel involved in hiring decisions may be approved to access digital and physical media containing CHRI. The School District will ensure all media is stored in a physically secure location which can only be accessed by approved persons. In the event such security cannot be guaranteed, all CHRI data must be encrypted and stored on a server only accessible to the School District. Cloud storage is not permitted.

Transportation of Media. CHRI media will not be transported without approval by the LASO. The LASO will not grant approval unless transportation is reasonably justified. Physical media must be transported in sealed, locked, or secured containers and/or envelopes and, to the extent possible, digital media must be encrypted and/or password-protected prior to and during transportation.

Destruction of Media. Upon approval in writing by the LASO and the Superintendent, CHRI media no longer needed by the School District will be destroyed as follows: digital media will be deleted by either overwriting the media at least three times or by degaussing (demagnetizing), prior to disposal or reuse of the media. Physical media must be cross-cut shred or incinerated by approved personnel only. The LASO will maintain records of all CHRI media approved for destruction for five years and written documentation of the steps taken to destroy any media for 10 years. Such records must include the date the media was destroyed and the signatures of the approved personnel performing and/or witnessing the media's destruction.

Incident Handling Capabilities. The following table describes the various means by which the School District is required to handle storage and breaches of CHRI information.

	Physical/Hard Copy CHRI	Digital CHRI
Preparation	The container in which the CHRI is stored will be locked at all times in the Central Office. The office will be locked when staff is not present.	Firewalls, virus protection, and malware/spyware will be maintained.
Detection	Physical intrusions into the building will be monitored by means of a building alarm and by ensuring the building is locked at night.	Electronic intrusions will be monitored by virus and malware/spyware protections.
Analysis	The LASO will work with local law enforcement officers to determine how the subject incident occurred and the data affected.	The IT Department will determine what systems were compromised and what data was affected.
Containment	The LASO will lock uncompromised CHRI information in a secure container or transport CHRI to a secure location.	The IT Department will stop the spread of any intrusion to prevent further damage.
Eradication	The LASO will work with local law enforcement officers 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 of the intrusion will be taken before restoring the system.
Recovery	The local law enforcement agency will handle and oversee recovery of stolen CHRI data. The LASO may contact MSP for assistance in re-fingerprinting, if necessary.	The IT Department will restore the agency information system and data to a safe environment.

Audit Records of Events. The School District shall generate audit records for the events listed below, either via an automated process or, if an automated process is not used, a manual process. The event records must contain: the date and time of each event, the type of event, the user who initiated and/or ended the event, whether the event involved use or access of software and/or hardware, and whether the event was successful or unsuccessful. For automated processes, the School District will set up and maintain an alert system which informs the School District each time an audit attempt fails. The events to be recorded are all successful and unsuccessful:

- Log-on attempts.
- Attempts to access, create, write, delete, or change permission on a user account, file, directory, or other system resource.
- Attempts to change account passwords.
- Actions by privilege accounts.
- Attempts for users to access, modify, and destroy the audit log file.

The School District will appoint a person to review the audit records at least once per week for unusual or inappropriate activity, to investigate suspicious activity, to report findings to the appropriate person, and to take necessary corrective action.

4003-AR Conditions of Employment

Purposes of Conditions of Employment School District employees are public servants who are expected to put the interests of the students and community they serve above their own personal or professional interests. At the same time, the School District's administration must, consistent with Board of Education policies, resolutions, resources, and directives, create a positive and supportive work environment for School District personnel who are meeting or exceeding expectations.

Omnibus Transportation Employees School District employees who operate commercial motor vehicles or are required to hold a commercial driver's license (CDL) in connection with their job duties are subject to the School District's alcohol and controlled substances testing program. Prospective employees for positions that require a CDL are subject to pre-employment testing.

Pre-Employment Testing. Alcohol and controlled substances testing is required prior to the first time a driver begins to work for the School District in a position requiring a CDL. Prospective employees who have been offered employment in positions involving the operation of a commercial motor vehicle and current employees reassigned to such positions are subject to pre-employment testing. Employment or promotion offers for driver positions will be conditioned on completing an alcohol and controlled substances test with negative results.

A person hired by the School District for a position requiring a CDL, or newly assigned to a position requiring a CDL, will not be permitted to report for work unless he/she has received a verified negative controlled substances test result.

The School District may, at its discretion, choose not to require pre-employment controlled substances testing where the applicant has recently undergone drug testing for another employer or prospective employer. Any decision not to require testing will be made in strict compliance with Federal Highway Administration (FHWA) regulations.

The School District is required to, and will, obtain and review information on prior FHWA-mandated alcohol and controlled substances testing from any employer for which the driver performed safety-

sensitive functions in the previous two years. Information concerning positive controlled substance tests, alcohol tests with results of 0.04 or higher, and refusals to test must be obtained and reviewed no later than fourteen (14) days after the first time a driver performs work requiring a CDL. Prospective drivers are required, as a condition of employment, to provide the School District with a release for such information.

Random Testing. The School District may conduct random alcohol testing at an annual rate that is equal to at least 10% of the number of School District driver positions. Random controlled substances testing will be conducted at an annual rate equal to at least 50% of the number of driver positions. These required random testing rates are set by the FHWA and are subject to change.

Drivers will be randomly selected for testing so that each driver will have an equal chance of being tested each time selections are made. Random tests will not be announced in advance and will be spaced throughout the calendar year.

Drivers selected for random testing must proceed immediately to the testing site upon notification of being selected. The School District will make the necessary arrangements to have a substitute employee available to permit the random testing to occur.

Drivers will only be randomly tested for the presence of alcohol when they are driving or preparing to drive a commercial motor vehicle for the School District, or immediately prior to or immediately after such activity.

In the event a driver who is selected for a random alcohol and/or controlled substances test is absent from work, the School District may select another driver for testing. The School District may choose to keep the original selection confidential until the driver returns, if the driver is expected to be available for testing during the current designated testing period.

Reasonable Suspicion Testing. The School District will require a driver to submit to an alcohol or controlled substances test where the School District has reasonable suspicion that the driver has violated alcohol or controlled substances prohibitions. The reasonable suspicion determination must be made by a supervisor or School District administrator who has received mandated training. The determination must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the driver.

A written record will be made of the observations leading to a reasonable suspicion test and signed by the supervisor or School District administrator who made the observations. In the case of controlled substances tests, such a record will be made within twenty-four (24) hours of the observations, or before the results of the test are released, whichever is earlier.

Reasonable Suspicion Alcohol Testing. A driver will be required to submit to an alcohol test when the School District supervisor or administrator has reasonable suspicion that the driver has violated alcohol prohibitions. Mere possession of alcohol is not considered reasonable suspicion for testing.

In order to warrant reasonable suspicion alcohol testing, the observations must be made during, just before, or just after the period of the work day in which the driver is subject to alcohol prohibitions.

The test should be administered as soon as practicable following the observation. The School District will not attempt to test if the testing is not to be administered within eight (8) hours of the observation.

If reasonable suspicion exists, the driver may not, under any circumstances, drive for the School District until an alcohol test is administered and the driver's alcohol concentration measures less than 0.02, or not less than 24 hours have elapsed following the reasonable suspicion determination.

Reasonable Suspicion Controlled Substances Testing. A driver will be required to submit to a controlled substances test when a School District supervisor or administrator has reasonable suspicion the driver has violated controlled substances prohibitions.

The School District will remove the driver from driving functions at least until the verified test results are reported.

The test should be administered as soon as practicable in the particular circumstances.

Post-Accident Testing. Where a commercial motor vehicle being operated for the School District is involved in an accident, the School District shall, as soon as reasonably practicable under the circumstances, test for alcohol and controlled substances any driver: who was driving, if the accident involved the loss of human life; or, who receives a citation for a moving traffic violation arising from the accident.

Immediately following an accident, the driver must contact his/her supervisor or a School District administrator. The driver must remain available for testing. This requirement should not be construed to require a delay of necessary medical attention for injured persons following an accident, to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

Alcohol and controlled substances testing will be conducted as soon as reasonably possible under the circumstances. If an alcohol test is not administered within eight hours following the accident, or a controlled substances test is not administered within 32 hours following an accident, the School District will not attempt to administer the test.

The results of a breath or blood test for the use of alcohol, or a urine test for the use of controlled substances which is administered by federal, state, and/or local officials having independent authority to conduct the test, shall be considered to meet the requirements of this procedure if the results are released to the School District.

Return to Duty and Follow-up Testing. If the School District continues to employ a driver who has tested positive for alcohol or controlled substances, or has otherwise violated this Administrative Regulation, the driver will be subject to testing before he or she can again drive for the School District. The driver may also be subject to follow up testing following the return to duty.

Return to Duty Testing. A driver who has engaged in prohibited alcohol use must undergo a return to duty alcohol test indicating a breath alcohol concentration of less than 0.02 before returning to duty as a driver. A driver who has engaged in the use of prohibited controlled substances must undergo a return to duty controlled substances test with a verified negative result before returning to duty as a driver.

The driver must also be evaluated by a substance abuse professional ("SAP") and participate in any assistance program that is prescribed. The School District must be provided with a written statement from the SAP that the employee has been evaluated and has complied with any prescribed rehabilitation before the employee will be permitted to return to work.

Follow-up Testing. Following a determination by a SAP that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the School District will ensure that the driver is subject to unannounced follow-up alcohol and/or controlled substances testing as directed by the SAP. At least six (6) tests shall be conducted during the first twelve (12) months following the driver's return to duty.

Follow-up alcohol testing will be conducted only when the employee is driving or preparing to drive a commercial motor vehicle for the School District, or immediately prior to or immediately after such activity.

Staffing, Layoff, and Recall of Teachers This administrative guideline applies to those individuals whose employment is regulated by the [Teachers' Tenure Act, MCL 38.71 et seq.](#)

As used herein, the term "effectiveness" is based on the effectiveness label given a teacher in their most recent year end evaluation pursuant to the School District's evaluation system.

The term "qualification" as used herein includes, but is not limited to, an individual's: areas of certification, level of degree attained, type of degree attained (major, minor, or area(s) of focus), relevant previous experience, grade level of relevant experience, relevant classes or training, previous ratings, effectiveness and overall performance as a teacher, or past disciplinary or other employment concerns.

Process for Conducting Layoffs. Reductions shall take place first based on district staffing needs. The District shall layoff starting with the teacher with the lowest Effectiveness Rating and proceeding toward the teacher with the highest Effectiveness Rating in the department.

If two teachers are being considered and share the same effectiveness rating, then the Superintendent or his/her designee must compare the potential individuals using each of the elements of the standards from [Section 1248 of the Revised School Code](#) as set out below. Only when all elements within one level are equal and the candidates cannot be differentiated should the Superintendent or his/her designee move to the next level. Those levels are as follows:

- *Individual Performance.* Individual performance consists of the following:
 1. Evidence of student growth, which shall be the predominant factor in assessing an employee's individual performance.
 2. Demonstrated pedagogical skills, including at least a special determination concerning the teacher's knowledge of his or her subject area and the ability to impart that knowledge through planning, delivering rigorous content, checking for and building higher-level understanding, differentiating and managing a classroom, and consistent preparation to maximize instructional time.
 3. Classroom management, manner and efficacy of disciplining pupils, rapport with parents and other teachers, and ability to withstand the strain of teaching.
 4. The teacher's attendance and disciplinary record, if any.
- *Significant, Relevant Accomplishments and Contributions.* This factor shall be based on whether the individual contributes to the overall performance of the school by making clear, significant, relevant contributions above the normal expectations for an individual in his or her peer group and having demonstrated a record of exceptional performance.
- *Relevant Special Training.* This factor shall be based on completion of relevant training other than the professional development or continuing education that is required by the employer or by state law, and integration of that training into instruction in a meaningful way.
- If all of the above factors are equal, the Superintendent or his/her designee may consider a teacher's seniority or tenure status.

In the event of a layoff, a teacher to be laid off will be given as much advance notice as practicable.

Process for Conducting Recalls.

Teacher Rated Effective or Highly Effective.

- Teachers rated highly effective on their most recent year end evaluation will be recalled first, followed by those rated effective on their most recent year end evaluation.
- If a recall decision is between teachers with the same effectiveness rating on his/her most recent year end evaluation, the factors listed in “Process for Conducting Layoff – Individual Performance” will be used to distinguish which individual should be recalled.
- A teacher on layoff will not be considered qualified for recall if that teacher has no experience teaching the subject matter, does not have a degree in the subject matter, or has not taught at the level (i.e., elementary, middle, or high school level).
- A highly effective or effective teacher will not be eligible for recall if: he/she fails to respond to a recall notice within five days; or, has resigned or otherwise terminated his/her employment with the School District.

Teachers Rated Minimally Effective or Ineffective.

- Teachers rated minimally effective or ineffective will not be automatically recalled.
- A teacher that has received a rating of ineffective on his/her most recent year end performance rating will not be given any preference that would result in him/her being retained or recalled over a teacher rated minimally effective, effective, or highly effective.

HIPAA The School District is committed to compliance with the health information privacy and security requirements of the [Health Insurance Portability and Accountability Act of 1996](#) (HIPAA). The School District currently offers its employees Blue Cross Blue Shield and Secure One. These are considered “health plans” within the meaning of HIPAA and the School District is the “Plan Sponsor.” In order to assure compliance with HIPAA, the following Administrative Safeguards have been established.

Administrative Safeguards. The following safeguards will be implemented to ensure the confidentiality of protected health information, whether created, received, maintained, or transmitted by the Plan. This includes information in electronic form, whether it is being stored or transmitted.

Authorization. The Superintendent appoints Director of Business Operations and Human Resources to serve as the School District’s HIPAA Privacy and Security Officer. Only School District employees designated by the Privacy and Security Officer as requiring access to protected health information for Plan administration purposes will be given access to protected health information. These employees may view protected health information necessary to perform their duties without express authorization from the Plan member.

Training. School District employees authorized to have access to protected health information will receive training on an annual basis. Each such employee will be provided with a copy of the privacy policy and required to affirm, annually, in writing, that they have received the policy.

Security Incidents. Suspected or known security incidents will be identified, responded to, and documented in writing. The harmful effects of such security incidents, known to the Plan, will be mitigated to the extent practicable.

Physical Safeguards. Plan members’ protected health information will be stored in a locked file cabinet used solely for this purpose. Paper documents containing protected health information will be shredded before being discarded. Electronic files containing protected health information, if any, will be password

protected. A facsimile machine used to transmit and receive protected health information will be in a secure location.

Technical Safeguards. To the extent protected health information is maintained electronically, access to electronic information systems or software programs will be provided to only those persons who have been granted access rights to protected health information. Procedures for controlling and tracking the handling of hardware and software, data backup, storage, and disposal will be implemented. This includes the receipt, handling, and disposal of protected health information. Employees will be required to close files when leaving their work stations to protect confidentiality.

The HIPAA Privacy and Security Officer will develop a contingency plan to maintain the continuity of operations in an emergency or disaster and to enable recovery of data following disaster. An annual internal audit of data security will be conducted, including the evaluation of security measures to protect data and review of personnel compliance with the Policy and procedures.

Family and Medical Leave Act (FMLA)

Eligibility. School District employees may be eligible for up to 12 weeks of unpaid leave under the [Family and Medical Leave Act \(FMLA\)](#). Employees are eligible if they: have at least 12 months of service with the School District; and, have worked for the School District for at least 1,250 hours within the preceding 12-month period. The 12-month period will be calculated separately for each employee. It will be determined based on a rolling calendar, looking backward from the commencement of the FMLA leave.

Qualifying Events. FMLA leave may be taken: for the birth of a child and to care for a newborn child; for the placement of a child with the employee for adoption or foster care; to care for a child, spouse, or parent of the employee who has a serious health condition; for the employee's own serious health condition which causes the employee to be unable to perform the essential functions of his or her job; where the employee experiences a qualifying exigency arising out of the fact that the employee's spouse, parent, or child is a covered military member on active duty or has been called to or on covered active duty status in the National Guard or Reserves; or, to care for an armed forces member or qualified veteran who is a spouse, parent, child, or next of kin of the employee and who is injured while on covered active duty, including an injury that manifests itself after completion of active duty.

Serious Health Condition. A "serious health condition" for purposes of this administrative regulation is an illness, injury, impairment, or physical or mental condition that involves: an overnight stay in a hospital, hospice, or residential medical care facility; a period of incapacity for more than three consecutive days, combined with continuing treatment or supervision by a health care provider; a period of incapacity due to pregnancy or for prenatal care; a period of incapacity due to a chronic serious health condition; a period of incapacity that is permanent or long term; or, a period of absence during which the employee will receive multiple treatments from a health care provider for restorative surgery or for a condition that would likely result in a period of incapacity of more than three full calendar days in the absence of medical treatment (e.g. chemotherapy, physical therapy or radiation).

Applying for a Leave under the FMLA. An employee who plans to take FMLA leave must provide the School District with written notice at least 30 days in advance. If the FMLA leave is not foreseeable, and 30 days' notice cannot be given, the employee must submit the request for leave as soon as possible (within two working days of learning of the need for leave, absent extenuating circumstances). Where an employee fails, or is unable to provide thirty 30 days' notice of a foreseeable leave, the School District may delay the commencement of the leave for up to 30 days after the employee provides the required notice.

The School District will provide employees requesting FMLA leave with written notice specifying the expectations and obligations of the employee while on leave and explaining the consequences of failure to meet those obligations.

Intermittent Leave. FMLA leave taken to care for a family member with a serious health condition or due to the employee's own serious health condition may be taken intermittently or on a reduced schedule, when medically necessary.

FMLA leave requested for the birth of a child, to care for a newborn child or for the placement of a child with the employee for purposes of adoption or foster care may not be taken intermittently or on a reduced leave schedule.

Instructional employees who request intermittent leave or a reduced schedule FMLA leave that constitutes more than 20% of the working days in the period during which the leave would extend may be required to choose either to: take FMLA leave for all or part of the FMLA leave period; or, transfer temporarily to an alternative position with equivalent pay and benefits that better accommodates the School District's needs during the leave.

Instructional employees who request FMLA leave that will end near the conclusion of an academic term may be required to continue the leave until the end of the term.

Group health plan benefits will be maintained for the employee during the FMLA leave and the School District will contribute the same portion of the premium as it did while the employee was working. If the employee fails to make timely payment of his/her portion of the premium, the School District reserves the right to cease to maintain the employee's health benefits, provided the School District notifies the employee in writing at least 15 days before health coverage will lapse. If the employee fails to return from leave, the employee may be required to reimburse the School District for all premiums paid by the School District during the leave.

FMLA leave is generally unpaid. The employee may choose, or the School District may require, that any of the employee's available accrued paid vacation or personal leave be substituted for any part of the twelve (12) week FMLA leave period. An employee may choose, or the School District may require, that an employee's available sick leave be substituted for any part of the FMLA leave if the employee or a family member of the employee has a serious health condition for which sick leave is otherwise available. FMLA leave may run concurrently with workers' compensation or disability insurance coverage for a serious health condition.

The School District may require that any FMLA leave request be supported by certification (and, in appropriate cases, by periodic re-certifications) from a health care provider. The certification should be provided before the leave begins, if foreseeable, and must, in any event, be provided within 15 calendar days of a request made by the School District. The failure to provide a required medical certification in timely fashion may result in denial of the leave until the certification is provided.

An employee is not entitled to the accrual of any seniority or employment benefits that would have otherwise accrued during the period of leave unless specifically provided by the applicable collective bargaining agreement or an individual contract of employment.

The School District is prohibited from terminating or in any other manner discriminating against an employee for exercising rights under the FMLA.

Return from Leave. The School District may require that an employee returning from FMLA leave due to a serious health condition obtain certification from his/her health care provider that the employee is able to resume his/her duties and responsibilities.

Upon returning from FMLA leave, the employee may be returned to the same position he/she previously held or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. However, an employee on FMLA leave has no greater right to reinstatement or other benefits than if he or she had been continuously employed during the leave period. An employee on FMLA leave remains subject to legitimate job changes and reductions in force that occur during the leave,

and such changes may result in the employee being denied reinstatement. The School District may, after notice, deny reinstatement to the highest paid 10% of all employees (“key employees”) where necessary to prevent substantial and grievous economic injury to the School District.

Paid Medical Leave Eligible employees will be provided 40 hours of paid medical leave (PML) per benefit year. The School District’s benefit year begins on September 1. Eligible employees hired after the beginning of the benefit year will be provided PML on a pro-rata basis. Eligible employees may not carry over PML from one benefit year to the next. Days when school is closed will not be considered closed due to a public health emergency unless specifically designated as such by the School District’s Superintendent. PML must be used in half day increments. PML may not be used except in the manner permitted by Michigan’s [Paid Medical Leave Act](#) (PMLA). Eligible employees who use or wish to use PML will be required to provide documentation acceptable to the School District to determine PML is being used only for reasons permitted by Michigan law.

Aiding or Abetting All state educational agencies, local educational agencies, and all employees, contractors, and agents of state and local educational agencies are prohibited from recommending for employment any person the recommender knows or has probable cause to believe has engaged in sexual misconduct with a student or minor in violation of the law.

4004-AR Evaluations, Discipline and Discharge, Resignations

Evaluations

Superintendent’s Evaluation. The Board will evaluate the Superintendent annually. Superintendent evaluations will be consistent with the Superintendent’s employment contract and compliant with Michigan law in a format determined by the Board of Education.

Administrators. The Superintendent will evaluate administrators annually using an appropriate tool based upon position.

Teachers. Building principals will evaluate teachers annually using one of the approved tools approved by the Michigan Department of Education.

Employees Whose Evaluations are Not Governed by [Section 1249 of the Revised School Code](#). The Superintendent will determine the manner in which such employees are evaluated.

Discipline and Discharge

Voluntary Discipline and Discharge. Voluntary discipline and discharge should be documented in an agreement approved by the School District’s Superintendent.

Involuntary Discipline and Discharge.

Due Process. Involuntary Discipline and Discharge should be preceded by such due process as is required by the law and the employee’s individual employment contract or collective bargaining agreement.

Authority. The School District’s Superintendent and Director of Business Operations and Human Resource have authority to approve involuntary discipline or discharge. Involuntary discipline and discharge (as well as other actions) that trigger the requirements of the [Teachers’ Tenure Act](#) may only be taken in conformity with the Act’s requirements.

Retirement and Resignation School District employees may retire or resign at any time in conformity with any applicable individual employment contract or collective bargaining agreement. Retirements and

resignations must be submitted to the School District's Superintendent and/or designee. The Superintendent has the authority to accept resignations on behalf of the Board of Education.

4005-AR Other Matters of Employment

Whistleblowers' Protection Act A person who reasonably believes a violation of the law, Board policy, or these administrative procedures has or is about to occur should submit their concern, in writing, to the School District's Superintendent or, if the School District's Superintendent is involved in the violation, the President of the Board of Education. Such concerns will be investigated and resolved using the process set forth in [Policy 4005](#).

Employment Contracts and Collective Bargaining Agreements District administrators and teachers are usually employed by the School District pursuant to individual employment contracts. The Superintendent is authorized to work with the School District's attorney to create legally compliant individual employment contracts for administrators and teachers that provide the School District with the flexibility to assign and re-assign staff as necessary to promote the School District's teaching and learning objectives. Individual employment agreements are not binding on the School District unless and until they are approved by the Board of Education in open session.

The Director of Business Operations and Human Resource is directed to review and understand the teaching, staffing, and financial implications of all collective bargaining agreements into which the School District may have entered and, prior to each round of collective bargaining, to propose to the Superintendent necessary and desirable changes to improving teaching and learning in the School District given the School District's financial resources and other limitations. The Director of Business Operations and Human Resource should also police the implementation of the School District's collective bargaining agreements in a legally compliant manner and in the interest of improving teaching and learning in the School District consistent with the School District's financial resources and other limitations.

Negotiations. The Superintendent will, in consultation with the Board of Education, appoint a negotiating team for each round of collective bargaining with each labor organization. The Superintendent will, confidentially in closed session: consult with and inform the Board of Education, of the School District's objective in collective bargaining; how the School District objectives affect teaching and learning in the School District given the School District's financial resources and other limitations; the position of the bargaining unit in collective bargaining; periodically, the progress of negotiations; and, any tentative agreement(s). Tentative agreements and collective bargaining agreements are not binding on the Board unless and until they are approved by the Board of Education in open session.

Interpretation. Individual employment contracts and collective bargaining agreements may not be, or be interpreted, in a manner that is inconsistent with the laws and regulations of the United States or the State of Michigan. Individual employment contracts and collective bargaining agreements may not, and may not be interpreted to, implicitly restrict the legal authority and prerogatives of the Board of Education and the School District, except by clear and unambiguous language approved by the Board of Education in open session.

Student Teachers and Interns When placing student teachers and interns in the District, the Superintendent and staff will:

- Provide for placement with outstanding teachers who will serve as supervisors;
- Protect students from being overexposed to student teaching and teachers from excessive supervisory responsibilities toward student teachers and interns;
- Ensure placement of student teachers and interns without regard to race, color, sex, age, creed,

national origin, or handicap; and

- Make provisions with higher education institutions to provide for cooperative selection of students to be placed in the District's schools.

Student Teacher Selection. Prospective student teachers will complete a standard application form, background check, and be interviewed by the building principal who will determine whether the student teacher is acceptable.

Supervising Teacher Selection. The building principal is responsible for determining which teachers will be designated as supervising teachers. This will be done with the prior approval of the teaching staff.

The duties and responsibilities of supervising teachers and building principals regarding student teachers and interns can be found in the appropriate staff/faculty handbooks. If at any time a student teacher or intern becomes unacceptable, the District reserves the right to refuse that student teacher or intern further teaching experience with the District.

Student Teachers as Substitute Teachers. Student teachers will not be used as substitute teachers in case of teacher illness or other personal reasons without prior approval of the building administrator. However, special arrangements may be made with student teachers' and interns' universities to allow them to substitute for the supervising teacher so the teacher may attend approved in-service programs or workshops.

A written contract will be negotiated with and signed by a duly authorized representative of the university. Such contracts will relieve the District of responsibility and liability for Workers' Compensation claims for student teachers and interns. At all times, the student teacher or intern will be under the direct supervision of the building principal.

4006-AR

Appeals

A School District employee may appeal a decision arising under or relating to the 4000 series Board policies and administrative procedures. Such an appeal must be submitted to the School District's Superintendent, in writing, no later than 10 calendar days after the employees becomes aware of the grounds for appeal. Such appeals will be investigated and resolved using the process set forth in the employee's collective bargaining agreement.

5000-AR

BUSINESS

The 5000 series of Board Policies requires or permits the Superintendent, or his/her designee, to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 28, 2020 and posted them on the District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the District's Director of Business Operations and Human Resource Director to review the 5000 series of Board Policies and these regulations at least annually. The Director of Business Operations and Human Resource Director is also expected to recommend to the Superintendent legally compliant revisions and additions to the 5000 series of Board Policies and these administrative regulations.

5002-AR

Budget Planning and Adoption

The Superintendent designates the School District's Director of Business Operations and Human Resource Director as the administrator with primary responsibility for developing and proposing the District's annual budget and any necessary or prudent budget revisions. The District's Director of Business Operations and Human Resource Director will also be the District administrator with primary responsibility for preparing and delivering such reports and data as may be required by the State of Michigan, the Board, or the Superintendent.

The Director of Business Operations and Human Resource Director will develop and present the Superintendent with a proposed annual budget on or before June 1 of each school year. The proposed annual budget will meet all applicable legal requirements and, in addition, will be consistent with Board policy and administrative procedures and best practices, including GASB 54. The Director of Business Operations and Human Resource Director will develop and present to the Superintendent, in a timely fashion, such proposed amendments to the District's annual budget as may be warranted by the District's financial circumstances.

In a timely fashion, the Director of Business Operations and Human Resource Director will prepare the reports and data that the District is required to file with the State of Michigan and/or post on its website. These reports will be submitted to the Superintendent for review and approval before they are filed or posted. The Director of Business Operations and Human Resource Director will also prepare and deliver such other reports and data as may be requested by the Board or the Superintendent.

5003-AR

Purchasing

Generally The School District must procure supplies, equipment, and services to carry out its educational mission. The Director of Business Operations and Human Resource Director is the School District administrator with primary responsibility for ensuring School District procurement is: consistent with the District's educational mission; as efficient and effective as possible, given the circumstances; and, consistent with all legal requirements and Board policies. The Director of Business Operations and Human Resource Director may recommend to the Superintendent revisions to these administrative regulations necessary to accomplish these goals.

Procurement Using Federal Grants and Awards The following procedures must be followed with respect to federal grants and awards.

Cash Management Cash management procedures are governed by [2 CFR 200.305](#). The regulation permits the School District to make payments to vendors by electronic funds transfer, check, warrant, or other means that minimize the time that elapses between the transfer of federal funds to the School.

Disbursements to the School District Vendors Advance payments of federal grants and awards to the School District must be deposited and maintained in insured accounts, whenever possible. Advance payments of federal grants and awards to the School District must be deposited in interest bearing accounts, unless: the School District receives less than \$120,000 in federal awards and grants per year; the best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on federal cash balances; the depository requires an average or minimum balance so high it would not be feasible given federal and non-federal case resources; or, a foreign government or banking system prohibits or precludes interest-bearing account. Interest earned amounts up to \$500 per year may be retained by the School District for administrative expense. Interest earned over \$500 must be returned according to the procedures described in the regulation.

Allowability The allowability of costs posted against federal grants and awards is governed by the program legislation, pertinent federal agency regulations, including those referenced in [2 CFR 200.302\(b\)\(7\)](#), and the terms and conditions of the grant or award. School District personnel are also

expected to comply with the December 2013 OMB Supercircular, entitled “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” applicable Michigan law, and applicable School District policies and administrative regulations.

The School District’s Director of Business Operations and Human Resource Director must approve all costs posted against federal grants and awards and, then, only after the School District’s grant or award manager has approved a received bill or invoice. Payroll costs will be documented according to the December 2013 OMB Supercircular. When permitted by the grant or award, indirect costs will be charged using the rate approved by Michigan Department of Education.

Conflicts of Interest Conflicts of interest are governed by [2 CFR 200.318](#). School District Board members, employees, and agents engaged in the selection, award, or administration of contracts paid for, in whole or in part, by federal grants and awards may not have a prohibited conflict of interest. A prohibited conflict of interest exists when a School District Board member, employee, or agent (or any members of his or her immediate family) has a financial interest in or has or would receive a tangible personal benefit from a firm considered for such a contract. A School District Board member who violates this administrative regulation is subject to discipline by the Board of Education or the Governor. A School District employee or agent who violates this administrative regulation is subject to discipline, up to and including discharge. This administrative regulation does not, and should not be interpreted to, supersede or diminish other laws, Board policies, or administrative procedures concerning prohibited conflicts of interest.

Procurement Procedures School District procurement procedures are governed by [2 CFR 200.319](#). School District procurement solicitations must: include a clear and accurate description of the technical requirements for the material, product, or service to be procured that does not, in competitive procurements, contain features that unduly restrict competition by prospective vendors; and, identify all requirements prospective vendors must fulfill and all other factors the School District will use in evaluating bids or proposals.

Evaluations of Proposals Most, but not all, solicitations for supplies, materials and services paid for, in whole or in part, by federal grants and awards involve competitive bidding. [2 CFR 200.320](#), [2 CFR 200.321](#), and/or [2 CFR 200.323\(a\)](#) are applicable to such situations. Among other things, the regulation requires the School District to create a written description of the manner in which the School District will conduct its technical evaluation of proposals by prospective vendors.

Travel See [2 CFR 200.474](#). The travel costs (i.e., transportation, lodging, subsistence, and related costs) for School District Board members, employees, and agents may not be paid from federal grants and awards unless: they would be reimbursed pursuant to applicable School District policies and procedures; and, the individual’s participation is necessary to the federal grant or award.

Construction As reflected in the Board of Education Policies, the School District will construct new buildings and add to or renovate existing buildings through competitive bidding as required by law. The School District will also purchase materials, equipment, and supplies for School District operations on a competitive basis as required by law.

Procedures.

- Any construction of new buildings or additions or renovations of existing buildings will, to the extent required by law, be based on competitive bidding, typically through an RFP approved by the School District’s Director of Business Operations and Human Resource Director, the School District’s Superintendent and the Board of Education.
- All purchases of materials, equipment and supplies will be made through the issuance of a purchase order signed by the School District’s Director of Business Operations and Human Resource Director.

- Prior to issuing a purchase order, competitive pricing is to be pursued, as follows:
 1. *Competitive Bids.* The competitive bidding process will be followed, where required by law.
 2. *Purchases Not Subject to Competitive Bidding.* In all other instances, the School District shall use measures, considered reasonable under the particular circumstances, intended to secure the highest quality product at the lowest possible price.
- Generally, orders or contracts will be awarded to the lowest, responsible, qualified vendor, considering the following factors: price, quality, conformance to specifications, identified needs, service and maintenance, and vendor reliability.

Procurement of Professional Services Professional services, such as architectural, legal, engineering, consulting, and auditing services, frequently requires familiarity with School District personnel, practices, and facilities. The School District recognizes there are advantages in maintaining continuity in the provision of these services and does not require bidding or annual re-bidding, except in cases where the Superintendent or Board of Education considers it in the School District's best interest. Periodically, the School District may competitively bid such services to ensure that service and pricing are aligned with the School District's best interests and industry norms. The criteria for awarding contracts for professional services will be determined by the Board of Education, following recommendations from the Superintendent, on an *ad hoc* basis.

5004-AR Surplus Property

Generally The Superintendent, or designee, will develop a process for the periodic review of all real and personal property owned by the School District to determine whether any property is no longer needed for School District purposes. This may be due, in part, to the fact that the property is outdated or broken and beyond repair.

Disposal of Real Property Real property consists of School District land and buildings and fixtures. The Superintendent, or designee, will periodically review the real property owned by the School District to determine whether any such property is believed to be no longer needed for School District purposes. The Superintendent, or his/her designee, will, based on this review, recommend to the Board that it consider disposing of any real property that has been identified as no longer needed for School District purposes. The recommendation may include the estimated value of the property and possible means of disposition. In cases when the Board authorizes the sale or other disposition of real property, the Superintendent may, with concurrence of the Board, establish the asking price and other minimum terms. This information may be disseminated to real estate brokers, agents, and other persons who have indicated an interest in acquiring the property and the property may be listed or advertised for sale.

If the Board resolves to dispose of surplus real property by seeking bids or offers, the Superintendent, or designee, will solicit bids by publishing a notice including the following information and conditions:

- That sealed offers (or bids) are being solicited;
- The date for submission of offers (or bids) with a statement that late offers (bids) will not be considered;
- The type of offers desired – cash, lease, or exchange;
- The amount of an earnest money deposit which must accompany an offer;
- That the property is offered “as is,” unless otherwise authorized by the Board;

- That the person seeking to acquire the property will be given an opportunity, at the prospective purchaser's sole expense, to inspect and perform testing customarily required in connection with the purchase of similar property during a period of not more than ninety (90) days (unless otherwise authorized by the Board) and that restoration of the premises and indemnity will be required to be provided by the person or entity seeking to acquire the property;
- That title insurance will be provided by the School District;
- That the offer must be irrevocable for ninety (90) days;
- That a contract to dispose of real property owned by the School District shall not be binding upon the School District unless and until approved by the Board of Education through resolution at a public meeting and executed by the person or persons specifically authorized to do so by the Board; and,
- That the School District reserves the right to accept or reject any and all offers, in whole or in part, and reserves the right to negotiate the terms and conditions or any offer deemed to be in the best interest of the School District. Bids or offers solicited in this fashion will be forwarded to the Board with the recommendation of the Superintendent.

Disposal of Personal Property The Superintendent, or designee, will periodically prepare a list of the personal property of the School District that is found to be no longer needed for School District purposes. The property shall be classified within broad groupings.

The list shall be submitted to the Board of Education with a recommendation for disposal of the same. If the Board approves the disposal of some or all of the property, the Superintendent or his/her designee may proceed with the sale or other disposition of the property. The method of sale or disposition shall depend on the nature of the property and other circumstances. All determinations shall be made based upon what is considered to be in the best interest of the School District.

5005-AR Investments

Operating Procedures The Superintendent designates to the School District's Director of Business Operations and Human Resources primary responsibility for the investment of School District funds. The Director of Business Operations and Human Resources will publish operating procedures that will be delivered to the Superintendent and Board of Education for approval. These procedures will include: the specific delegation of authority to persons responsible for investment transactions; and, a system of controls to regulate investment activities, to be reviewed annually by the School District's independent auditor. The controls will include:

- Control against improper collusion;
- The separation of transaction authority from accounting and record keeping;
- Custodial safekeeping;
- The written confirmation of transactions for investments and wire transfers; and,
- The development of a form wire transfer agreement.

Reporting Requirements The Superintendent and/or Director of Business Operations and Human Resources will provide the Board with regular reports. The budget will be amended winter, spring, and year end.

The Director of Business Operations and Human Resources's annual report will include a list of all of the institutions the School District used to make investments during the school year and the types of investments made by each institution. The Director of Business Operations and Human Resources may not use institutions or make investments prohibited by law and may not authorize investments in derivatives, leveraged investments, or other instruments with significant risk of price volatility. The Director of Business Operations and Human Resources, when considering a particular investment, should consider the following criteria, in the following priority: preservation of principal; School District cash flow needs; yield; and, coordination with other available financial services and School District needs.

5006-AR Risk Management

The School District promotes safety and accident prevention for its students and employees in consultation with its insurer(s). The following on-going measures are designed to further this undertaking: building principals will regularly report to the Superintendent or his/her designee all accidents, injuries, and property loss or damage within their school buildings and perceived risks of future harm, with recommendations to minimize such risks; and, the Director of Business Operations and Human Resources, or his/her designee will arrange for education of students and in-service for employees on matters of school safety and review all School District insurance policies and recommend to the Superintendent and the Board of Education areas in which modifications in coverage are warranted.

5008-AR Meal Charge / Food Services

This administrative regulation gives effect to the Board of Education's Meal Charge/Food Services Policy.

Requests for Reduced-Price or Full-Price Meal Benefits Parents may request reduced-price or full-price meal benefits by submitting a Free and Reduced Lunch Application found at LunchApp.com, paper copies are available in all school offices, [District website](#), or by contacting the Food Service Director at 989-642-4700.

Meal Account Balance Payment for school meals is expected at the time of purchase. Parents are expected to regularly monitor their child's meal account balance online, at [Send Money to School.com](#).

Positive Balances. Any money remaining in a student's meal account balance will be carried over to the next consecutive school year. The School District will refund balances in excess of \$5.00. If the student moves out of the District they have sixty (60) days to request a meal refund. If monies are left in an inactive students meal account over sixty (60) days the monies will be transferred to another student's account that is in need. It is the responsibility of the family to request the refund. The District does not refund balances of \$5.00 or less due to the administrative costs associated with creating a refund.

Insufficient Funds. The School District recognizes that, at times, students may come to school without sufficient funds in their meal account. If so, all schools may charge up to three (3) times before exceeding charge limit. If a student's exceeds the charge limit the Food Service Director will contact the household via letters, email, and phone calls. Student will not be able to charge, other than the reimbursable meals, until account is in a positive state.

Notification and Collection

Low Account Balances. The School District will notify the student's household, by email or, if the District does not know the parent's email address, by telephone, when a student's meal account balance falls below 3 times the highest school lunch price. The notification will include the current account balance. The District may choose to use the following sample email and/or alert call:

Hello [parent/guardian]. This is Hemlock Food Service, I am the Food Service Director. I am calling to let you know that [student] has a low balance of \$[X] in their school meal payment account. To ensure your child has enough money to purchase school meals, please add funds to their account as soon as possible. You may do so by sending money or check payable to Hemlock Food Service or going to SendMoneytoSchool.com and using a debit or credit card. If you have any questions, please call us at 989-642-4700. Thank you.

District personnel shall keep records of all such phone calls or emails sent which will include the date and time of the phone call or email, and the telephone number or email address used.

Negative Account Balances. Students eligible for reduced-price or full-price meal who have money to pay for a meal at the time of service shall be provided a reimbursable meal, even if they have incurred a negative account balance. The School District will not use funds students have in-hand to repay a negative balance or other unpaid meal charge debts. Students who qualify for full-price meals will not be denied a reimbursable meal, even if they have incurred a negative meal charge balance from the purchase of additional cafeteria items, such as a la carte items. If students eligible for full-price meals have incurred a negative account balance, they will not be permitted to purchase additional cafeteria items above and beyond the reimbursable meal provided.

The School District expects all delinquent debts will be paid in full on the last day the student will be in attendance for the relevant school year. Before uncollectable/delinquent debt can be reclassified as bad debt, the Food Service Department must make reasonable efforts to collect on the debt and keep detailed records showing the efforts made, as follows:

- Once a student's meal account balance becomes negative for three times the highest school lunch price, the Food Service Department will contact the household by email or, if the parent's email address is not known, by telephone to request payment or via mail. The Food Service Department will also inform the parent of the School District's reduced-price and full-price meal program. The Food Service Department will inform the parent that the matter will be turned over to the district office building if no payment is received within the end of that school year.
- If no payment is received at the end of school year, a letter will be sent to the household notifying the debt may be turned over to a collection agency if no payment is received within 30 days of receipt of the letter. The District may choose to use the following sample letter, or some variation thereof:

[Date]

[Parents/Guardians' Names and Address]

Dear [Parents/Guardian]:

The goal of Hemlock Public School District lunch program is to provide healthy meals to children during the school day. In order to serve healthy, high-quality meals, we must make sure we are financially secure. You play a key role in this effort, and are responsible for purchases made by your child in our school cafeteria.

As of [date], your child has a negative account balance of \$[X.XX]. We strongly encourage you to pay this amount as soon as possible. Your response to this request is important. Paying back this debt will help keep our food service program strong and ensures all children at our school have access to the healthy food they need to focus in the

classroom. We understand that mistakes happen. But meal payments are important to our program, and we must collect your cafeteria debt.

Please contact the Food Service Director at 989-642-4700 if you have any questions. We would be happy to work on a repayment plan with you.

You may pay your child's negative account balance at SendMoneytoSchool.com using a debit or credit card or by sending a check payable to Hemlock Food Service at 200 Wilson St., Hemlock, MI 48626.

If you think your child may qualify for a free or reduced-price meal, please submit free and reduced application found at LunchApp.com.

Thank you for your quick payment.

Sincerely,

Food Service Director

CC: [Name of teacher, principal, superintendent, as appropriate]

District personnel shall keep records of all such letters sent.

Bad Debt The School District defines bad debt as uncollectable/delinquent debt from all student meal accounts that has been determined to be uncollectable by December 31st end of the current school year in which the debt was incurred. Debt is considered uncollectable/delinquent if the District has exhausted its collection attempts, as described in the preceding section. Bad debt shall be classified as an operating loss.

Once classified as bad debt, non-federal funding sources must reimburse the nonprofit school food service account (NSFSA) for the total amount of the bad debt. The funds may come from any non-federal funding, including: the School District's general fund, state or local funding. Bad debt also includes losses (whether actual or estimated) arising from uncollectable accounts, including costs associated with collection efforts or legal costs incurred prior to its classification as bad debt.

Recordkeeping Once uncollectable/delinquent debt charges are converted to bad debt, the School District shall maintain records relating to those charges.

Audits and Reviews. Upon request, the District must make accounts and records regarding its school food service available to the Michigan Department of Education and/or the United States Department of Agriculture, Food and Nutrition Service for audit or review. Such records shall be retained for a period of three years after the date of the final claim for federal reimbursement for the fiscal year in which the charges were incurred. The District may be required to keep such accounts and records for more than three years if the audit or review results in issues that require District correction, up until all such issues are resolved.

Competitive Foods Competitive foods means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966, which are available for sale to students on District campuses during the school day. The District is responsible for maintaining records in compliance with the nutrition standards for all competitive foods, as defined under [7 CFR 210.15\(b\)](http://7.CFR.210.15(b)). The District is also responsible for ensuring departments or third-party organizations responsible for food service at its schools maintain records documenting compliance with the nutrition requirements for the foods and beverages sold to students. At a minimum, such records must include receipts, nutrition labels and/or product specifications for the competitive food available for

sale.

5013-AR Post-Issuance Tax Compliance

This regulation establishes guidelines and procedures in connection with tax-exempt or tax-advantaged bonds and other debt obligations issued by the School District (generally referred to as “Obligations”). Tax exempt borrowings and other borrowings of the School District, including but not limited to tax-exempt bonds, refunding bonds, tax credit bonds, installment and lease purchase agreements, lines of credit, and state aid notes (SAN) and tax anticipation notes (TAN), and are collectively referred to as “obligations”.

The School District intends to ensure that all tax-exempt obligations issued by the District satisfy all requirements of the [Internal Revenue Code of 1986](#), as amended (the “Code”) and regulations there under (the “Regulations”). The Internal Revenue Service (IRS) has recommended that issuers of tax-exempt and tax-advantaged obligations have written procedures in place to enable the issuer to effectively monitor the post-issuance compliance requirements outlined in the IRS Code. Accordingly, the School District will maintain a procedure for post-issuance compliance that encompasses the following key elements: due diligence review at regular intervals; identifying the District official or employee responsible for review; training of the responsible District official or employee; retention of adequate records to substantiate compliance (e.g. records relating to expenditure of proceeds); procedures reasonably expected to timely identify noncompliance; and, procedures that the issuer will take steps to timely correct noncompliance

The School District reserves the right to use its discretion as necessary and appropriate to make exceptions or request additional provisions as circumstances warrant. The School District also reserves the right to amend this policy and all related procedures from time to time as deemed necessary in the District’s sole discretion. In addition, this policy is subordinate to the Code and any regulations thereto and is subject to amendment or deletion depending on the content of any new regulations or Code amendments promulgated by the United State Treasury.

The 6000 series of Board Policies requires or permits the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 28, 2020 and posted them on the District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the School District's Director of Building & Grounds to review the 6000 series of Board Policies and these regulations at least annually. The Director of Building & Grounds is also expected to recommend to the Superintendent legally compliant revisions and additions to the 6000 series of Board Policies and these administrative regulations.

Facilities Inspection and Maintenance Program A comprehensive facilities inspection and maintenance program will assure that School District facilities and grounds are kept safe, clean, and attractive. The Director of Building & Grounds will coordinate an inspection program that includes, at a minimum: mechanical systems (heating, ventilation, and air conditioning); electrical (interior and exterior); roofs; windows and doors (interior and exterior); gates and fences; interior surfaces (floors, ceiling, walls); fire equipment; restrooms (accessibility, functionality, and cleanliness); sewers; playground and other school grounds; and, overall cleanliness. As necessary, the Director of Building & Grounds will prepare and submit to the Superintendent a report of desirable or necessary repairs and improvements.

School Safety Commission Liaison Pursuant to [Section 1241 of the Revised School Code](#), the Board appoints the Director of Building & Grounds as the School District's school safety commission liaison. The liaison will work with the statewide School Safety Commission and the Office of School Safety to identify model practices for determining school safety measures.

Building Access Security The following building security procedures will be followed:

- Building access will be for school-related business only. Custodial sub-access to all buildings will be from 3:00 PM to 11:00 PM only.
- All buildings will be closed from 11:00 PM to 5:00 AM on all days. No one is permitted access to any District facility during this time other than appropriate personnel such as member of the maintenance, custodial, or administration.
- All school buildings will be closed to all staff and students on December 24, 25, 31, and January 1 of each year.
- No guests or visitors are allowed in school buildings beyond normal business hours unless authorized by a building administrator.
- Key card access requests will be made through the building administrator with the exception of School Board Members, which will be made through the Superintendent.
- Non-Staff or Non-HPSD/PCMI Coaches will have limited access for the duration of the need and will be terminated annually. Individuals making this request must **annually** complete an iChat, sign a written agreement in regard to usage and expectations and place a \$10 non-refundable processing fee for a key fob.
- Access will be removed at the end of every season.

6004-AR School Crisis, Response, and Closure

The Superintendent will appoint a District Crisis Response Team. The Team will meet during the month of August, each year, to review and consider revisions to the School District's School Crisis Response Plan. The Superintendent authorizes and directs the Principal of each building to appoint a School Crisis Team to respond to coordinate the response to crises that may arise at the building. The principal of each building will notify the Superintendent of the members of the building's crisis team no later than September 15 of each school year. In addition, the Board will develop and adopt an Emergency Operations Plan pursuant to [MCL 380.1308b](#) of the Revised School Code.

6005-AR Hazardous Chemicals and Substances

Generally Hazardous chemicals and other substances are present in school buildings and other School District facilities. In order to maintain a safe environment for students, staff and other members of the school community, the following measures will be taken:

Hazard Communication Program The Director of Building & Grounds will have primary responsibility for conducting an annual review and making recommendations to the Superintendent for revisions to the School District's Hazard Communication Program. The Program will include, at a minimum: container labeling; safety data sheets; employee information and training; and, the identification of hazardous substances known to be present within the School District.

Procedures for Storage and Disposal of Chemicals The Director of Building & Grounds will develop procedures for the storage and disposal of chemicals used within the School District.

6007-AR Integrated Pest Management

The School District will provide students, staff and members of the school community with a school environment that is free of pests while reducing the use of harmful pesticides. The Director of Buildings & Grounds is designated the Integrated Pest Management manager for the School District. He/she will: review and recommend to the Superintendent revisions to the School District's Integrated Pest Management Plan; develop and implement specific procedures to identify pest problems, review control options and application strategies and select, in each particular instance, the least toxic control method to manage problems; and, educate and train staff on pest identification and safe application strategies.

6008-AR Transportation

As determined by the School District, school buses will be acquired, operated, secured, and maintained by the School District or its contracted provider for the transportation of eligible children between their home and school of attendance and for school-related trips.

School District Discretion The School District will select bus stops at its discretion. Disabled students will be transported in the manner required by law. The District will determine, on a case-by-case basis and in the Superintendent's discretion, the extent to which students and others (such as chaperones) are eligible for transportation to or from field trips and extra-curricular activities. Non-public student transportation will be provided in accordance with the laws.

Use of School Buses for Non-School Functions School buses will not be loaned or rented to commercial, private, or non-profit organizations, or any other organization, with the following exceptions: the local Parks and Recreation department, if approved by the Superintendent; field trips within District boundaries during normal school hours for District private and parochial schools, as long as the field trip

does not conflict with the transportation needs of the K-12 program; and, participation in local disaster plans.

Transportation Fees A fee may be collected for transporting students enrolled in the District's K-12 program providing students are being transported to or from a non-mandatory and non-credit event(s) sponsored by the School District and/or other activities permissible under state law. Fees charged shall cover trip expenses.

Travel Reimbursement District employees will be reimbursed for reasonable expenses incurred for pre-approved District-related travel, but will not be reimbursed for alcoholic beverages. District employees will be reimbursed at the then prevailing IRS rate for out-of-District mileage incurred on pre-approved District-related travel.

6011-AR Surveillance of and in School District Buildings and Facilities

The Director of Technology, with the Superintendent's approval, may promote school safety by employing surveillance of and in School District Buildings and Facilities. In the event of routine and on-going recorded electronic surveillance of the general public or students, the Director of Technology will post conspicuous notice that surveillance may be taking place. Recorded electronic surveillance will not take place inside bathrooms, locker rooms, or other places where recorded electronic surveillance would compromise reasonable standards of modesty.

Recorded electronic surveillance may be or become subject to a [FOIA](#) request, a subpoena or may be or become an education record within the meaning of [FERPA](#). In such cases, person receiving the FOIA request or subpoena or the building principal (in the case of an education record) will notify the Superintendent and the Director of Technology that it is or may be necessary to save the recorded electronic surveillance consistent with law and Board policy and administrative regulations.

6012-AR Stormwater Discharge

The Superintendent appoints the School District's Director of Building and Grounds to determine whether the School District is required to obtain an NPDES Municipal Separate Storm Sewer System (MS4) discharge permit and, if so, to obtain a permit and create a Stormwater Management Program Plan (SWMP) or any other mechanism that implements and carries out those inspections, procedures, and best practices necessary to comply with permit requirements.

The 7000 series of Board Policies requires or permits the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 28, 2020 and posted them on the District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the District's Central Office Staff to review the 7000 series of Board Policies and these regulations at least annually. The District's Central Office Staff is also expected to recommend to the Superintendent legally compliant revisions and additions to the 7000 series of Board Policies and these administrative regulations.

Introduction This Regulation is published by the School District to inform the public of its rights under the [Michigan Freedom of Information Act \(FOIA\)](#). The regulation and guidelines, below, are not intended to, and should not be read to limit the rights actually created by FOIA. Accordingly, to the extent this regulation or the guidelines are found to be inconsistent with FOIA, or inconsistent with a future amendment to FOIA, the Act governs. The School District retains the right to revise this regulation and the guidelines.

Requesting Public Records Under FOIA, the Superintendent of Schools is the School District's "FOIA Coordinator." Public records may be requested by providing the School District's FOIA Coordinator with a written request that identifies the public records with enough specificity to permit the School District to locate them. For requesters other than indigent persons, the request must also include the requester's complete name, address, and contact information or, if the requester is other than an individual person, such as a company or organization, the request must also include the complete name, address, and contact information of the requester's agent who is an individual person. The written request may be on paper or it may be electronic or digital.

A person may subscribe to public records that are created, issued or disseminated on a regular basis. A subscription is valid for up to six months and may be renewed.

The School District will not accept or respond to a verbal request for public records. However, where a School District employee receives a verbal request and is aware the public records are available on the District website, the School District employee will notify the requestor of the website address.

Response to Request for Public Records The District is required to respond, in writing, to a written request for public records. The District may grant the request, deny the request, or grant the request in part and deny the request in part.

Timeline The District has five (5) business days to respond to a written request for public records. However, if the request was sent by email and delivered to the District's spam or junk mail folder, the request is not considered received until the first day after the District actually becomes aware of the request. The District may extend the time for responding by ten (10) business days if the nature of the request justifies an extension by so notifying the person who made the request, in writing, and within the original five business day response window.

Types of School District Responses

Granting a Request. The District's FOIA Coordinator will grant a request for public records by so notifying the requestor in a timely manner and in writing. The District will also provide notice if some or all of the public records are available on its website and will include a specific website address, if practicable.

Denying a Request. The District's FOIA Coordinator may deny a request if the request is not specific enough to allow the District to locate the public records in question by so certifying that fact to the requestor in writing. The District's FOIA Coordinator may also deny a request if the requested public records are exempt from disclosure under the Act. If only part of a public record is exempt, the FOIA Coordinator will redact the exempt part and, otherwise, grant the request.

Allowable Fees FOIA allows the District to charge the following fees incurred for processing and responding to FOIA requests, as stated below.

Labor Costs. Generally, FOIA does not permit the District to charge labor costs for searching for, locating, examining, separating, or reproducing public records unless a failure to charge a fee would result in unreasonably high costs to the District because of the nature of the request in the particular instance and the District specifically identifies the nature of these unreasonably high costs. Examples of requests that may cause such unreasonably high costs include, but are not limited to: voluminous requests, requests that require time-consuming searches, significant separation or redaction of exempt documents or information, significant IT personnel time, etc. In cases where labor costs are allowable, they will be charged according to these guidelines.

Searching for, Locating, and Examining Public Records. The District may charge labor costs directly associated with searching for, locating, and examining requested public records in conjunction with receiving and fulfilling a granted request. Except as provided by the Act, the District may not charge labor costs for searching for, locating, and examining public records that are on the School District's website at the time the request is made.

Separating or Deleting Exempt Information. The District may charge labor costs directly associated with separating or deleting information that is exempt from disclosure under the Act, unless the District has previously redacted the public record(s) and the redacted version is still in the District's possession. The District will not charge for separating documents that are available on its website.

Reproducing Information. The District may charge labor costs directly associated with duplicating or publishing public records. This includes the time spent making paper copies, making digital copies, and transferring public records to non-paper physical media or through the internet, if so requested.

Limitations on Labor Costs. Subject to the Itemization of Allowable Fees section of this Guideline, the District may charge no more than the hourly rate and actual fringe benefits of the lowest paid employee capable of performing the particular task for which the District may charge labor costs, even if the District assigns a more highly paid employee to perform the task. The charge for fringe benefits may not exceed 50% of the employee's hourly rate. The District may not charge overtime except at the request or stipulation of the requestor. If the District's FOIA administrator determines that no District employee is capable of separating or deleting exempt information with respect to a particular request, the District may hire contracted labor to perform the task. In such cases, the District will calculate the time spent by the contracted labor in the same manner it calculates the time of its own employees and the charge for the contracted labor will not exceed six times Michigan's minimum wage. In all cases, labor costs will be charged and estimated in increments of fifteen (15) minutes, with all partial time increments rounded down.

Reproduction Costs.

Non-Paper Physical Media. The District may charge the actual and most reasonably economical cost of reproducing public records on non-paper physical media (e.g., computer discs, computer tapes, or other digital or similar media). The District is not required to reproduce public records on non-paper physical media if it does not have the technology necessary to do so.

Paper Copies. The District may charge the actual incremental cost of reproducing paper copies of public records using the most economical means available (e.g., double sided copies, if double sided copies are

available and more economical than single sided copies). In no case will the District charge more than 10 cents per sheet. The District will not charge copying costs for copying documents on its website or the on-site inspection of public records unless the requestor requests paper copies.

Mailing. The District may charge the actual cost of mailing requested public records and the least expensive method of confirming delivery. The District may not charge for expedited shipping or insurance unless specifically requested by the requestor.

Waiver, Reduction, or Discount of Allowable Fees. The District may waive or reduce allowable fees if the District determines a waiver or reduction is in the public interest.

Indigence. The District will discount allowable fees by \$20.00 to a requestor who submits an affidavit stating that he or she is indigent and on public assistance or, if not receiving public assistance, stating facts showing inability to pay full allowable fees due to indigence. If the District determines a requestor who submits such an affidavit is not eligible for the discount, the District's written response will inform the requestor of the reason(s) for its determination. The District will not provide an indigence discount to an otherwise eligible requestor if: the requestor has already received discounted copies from the District twice during the calendar year; or, the requestor has been offered or received payment or other remuneration by or from another person.

Protection and Advocacy. The District will discount allowable fees and costs by \$20.00 if the requestor is a non-profit agency designated by the Governor under [Section 931 of the Michigan Mental Health Code, MCL 330.1931](#), and the following additional conditions are met: the request is made on behalf of the agency or its clients; the request is made for reasons wholly consistent with the agency's mission, as described in Section 931; and, the request is accompanied by documentation of its designation, if so requested by the District.

Itemization of Allowable Fees. The District will itemize allowable fees on in a Detailed Itemization of Allowable FOIA Fees form.

Good-Faith Deposit. The District may require a good-faith deposit from a requestor before providing public records if the total allowable fees exceed \$50.00 and the District provides the requestor with an estimate of total allowable fees using the Itemization of Allowable Fees and Costs form. The good-faith deposit may not exceed 50% of the total allowable fees and costs. The District's request for a good-faith deposit will include a reasonable and best efforts estimate of the time frame within which the District will provide public records after receiving the good-faith deposit, along with notice that the good-faith deposit is due within 48 days of when the request was sent or else the request will be considered abandoned. The School District is not required to fulfill abandoned requests. Requests are not considered abandoned if the requester has filed an appeal of the good-faith deposit request within the 48-day timeframe.. The District may charge an increased good-faith deposit of up to 100% of the estimated fee before it begins a full public record search for a person who has previously failed to pay allowable fees in full if: the final allowable fees were not more than 105% of the total estimated fees; the public records provided contained the information sought in the prior request and are still in the District's possession; the public records were provided within the School District's reasonable best efforts estimate for the prior request; ninety (90) days have passed since the District notified the requestor the public records were available for pickup or mailing; the requestor is not able to show proof of prior payment; and, the School District calculates provides a completed Detailed Itemization of Allowable FOIA Fees form that is the basis of the increased good-faith deposit. However, the District may not insist on an increased good-faith deposit if: the requestor shows proof of prior payment; the District is paid in full for the prior request; or, three hundred and sixty-five (365) days have passed since the requestor made the request for which full payment was not remitted.

Reduction of Labor Charges for Untimely Response. The District will reduce otherwise permitted labor charges by 5% per day (to a maximum of 50%) for each day the District's response is untimely if: the late response was willful and intentional; or, the written request conveyed a request for information within the first 250 words or the request included the words, characters or abbreviations for "freedom of

information," "information," "FOIA," or a recognizable misspelling of such, or appropriate legal code reference on the front of the envelope or the subject line of the request.

Appeals The requestor may appeal the denial of all or part of a request in two ways: submit an appeal to the District's Superintendent or file a civil action in the circuit court where the District is located. The requestor may also appeal an allowable fee calculation that violates the [Act](#) or this administrative regulation.

Appeal to Superintendent. An appeal to the Superintendent must include the word "appeal" and identify the reason(s) the Superintendent should reverse the denial or reduce the allowable fee calculation. The Superintendent will respond to the appeal, in writing, within ten (10) business days by reversing the denial or calculation, upholding the denial or calculation, or reversing the denial or calculation, in part, and upholding the denial or calculation, in part. In unusual circumstances, the Superintendent may issue not more than one notice extending his/her time for responding by not more than ten (10) additional business days. If the appeal is based on the District's calculation of fees and the Superintendent upholds the calculation, in whole or in part, the Superintendent must certify and explain the District's calculation.

Civil Action. The requestor may, in addition to appealing to the Superintendent, file a civil action in the circuit court where the District is located. The civil action may be based on the District's failure to timely provide public records or the District's calculation of allowable fees. If the requestor prevails in a case concerning the timely provision of public records, he or she is entitled to reasonable attorneys' fees, costs, and disbursements. If the requestor or the District prevails in part the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. Additionally, if the court determines the District has arbitrarily and capriciously violated the [Act](#) by refusing or delaying the request, the court will order the District to pay a fine of \$1,000.00, which will be deposited in the Department of Treasury's general fund, and, in addition to any actual or compensatory damages, punitive damages to the requestor in the amount of \$1,000.00.

If the requestor prevails in a case concerning the District's calculation of allowable fees by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award the requestor all or an appropriate portion of his or her attorneys' fees, costs, and disbursements. If the court determines the District has arbitrarily and capriciously violated the Act by charging an excessive fee, the court will order the District to pay a fine of \$500.00, which will be deposited in the Department of Treasury's general fund, and, in addition to any actual or compensatory damages, punitive damages to the requestor in the amount of \$500.00. Separately, if the court determines the District willfully and intentionally failed to comply with the [Act](#) or has otherwise acted in bad faith, the court will order the District to pay a civil fine of not less than \$2,500.00 and not more than \$7,500.00 per occurrence, which will be deposited in the Department of Treasury's general fund.

A civil action based on a denial of public records must be filed within one hundred and eighty (180) days after the District's final determination. A civil action based on the District's calculation of allowable fees must be filed within forty-five (45) days of receiving the completed Detailed Itemization of Allowable FOIA Fees form or within forty-five (45) days of the Superintendent's decision concerning an appeal. If the requestor files a civil action based on the District's calculation of allowable fees, the District is not required to continue processing the request until the court resolves the fee dispute.

7002-AR Community Use of School District Facilities

Generally The School District's buildings, facilities, and property were acquired for educational and related purposes. Therefore, use of buildings, facilities, or property shall be consistent with the School District's mission, educational programs, and extra-curricular purposes. The Superintendent, or designee, may develop and implement additional administrative procedures permitting the use of District buildings, facilities, and property.

Agreements The individual, group, or organization will complete and execute an Agreement for the Use of School District Buildings and Facilities, or its equivalent, developed by the Superintendent and/or designee that will address, at a minimum: the fee the School District will receive, which will be at least sufficient to cover all marginal costs associated with the use; the liability or other insurance the user will carry and the fact the School District will be named as an additional insured; a release of the School District (including School District agents and employees) for any injuries or damages that occur during the use; and, an agreement to indemnify and hold harmless the School District against such injuries, damages, and actual attorneys' fees and costs arising or relating to related litigation. The Superintendent may waive the requirement for such an agreement for School District-related users.

Fees The School District facilities currently in use for the K-12 instructional program are made available to responsible groups and organizations in the Superintendent's discretion. Groups and organizations requesting the use of District facilities are assessed fees according to cover the cost of custodial services or \$25.00 whichever is agreed upon.

Building or Facilities Permit Procedures A group or organization that wishes to use a School District building or facility must obtain a Building Usage Form from the building office. To obtain a permit, the group or organization must:

1. Complete and submit a Building Usage Form, or its equivalent, to the building office at least one (1) week prior to the activity.—Payment is due when the building request is made. A \$10.00 late fee will be charged for requests not submitted with the one (1) week time limit. Refunds will be given if cancellation is made five (5) days or more before the event.
2. Fees will be charged for additional service from school personnel on weekdays, weekends, or holidays and/or after 10:00 p.m. Monday through Thursday and for any event held on Friday.
3. Space will be tentatively reserved pending approval of the Building Principal/Supervisor and the Operations Department.
4. Upon approval, the space will be reserved and a confirmation will be communicated to the applicant.—The applicant must have the permit with them at the time of building use.
5. All permits are subject to cancellation for school activities.

Regulations Pertaining to Rental of School District Facilities

- Those in attendance must confine themselves to the area rented by the organization.
- The use or sale of intoxicating beverages and tobacco is not permitted on the premises. Violators will be subject to removal and possible prosecution.
- School District facilities are not available for private parties.
- The sale of food or any commodity requires prior approval from the School District. A request must be included on the reservation request form at the time the reservation form is submitted.
- All current fire and safety regulations must be strictly observed.
- An employee of the School District may be on site during events.
- Users of School District facilities will be fully responsible for damage to school property occasioned by the group's use of School District property. The renting organization will be required to replace damaged property at its sole cost and expense.

Insurance The Board of Education requires all users of School District facilities to carry comprehensive general liability insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. Furthermore, the Board of Education, its individual board members, officers, and agents, and the School District, as well as its employees and volunteers, shall be named as additional insureds.

7003-AR Gifts, Bequests, and Donations

The School District appreciates the generosity of donors who wish to recognize the School District with monetary donations or gifts of property. In order to assure that the School District does not incur a cost as a result of the gift that approaches or exceeds its value, all gifts, bequests, and donations will be submitted to the Superintendent of Schools for approval. As reflected in Board of Education Policy 7003, the Superintendent, or his/her designee, will review an offered gift to assure that the gift: is free of any restriction that is contrary to law or inconsistent with Board policy; is, in the opinion of the Superintendent, fitting and appropriate for District use; does not require excessive installation, alteration or maintenance costs, or otherwise require a large commitment of District resources; and, contains no commercial advertising.

7004-AR Distribution of Information / Materials

The School District periodically receives requests from various organizations to distribute informational or promotional materials on District property. In order to minimize intrusions on the time of students and employees that result from such distribution, the following will apply:

Review Process Organizations must submit the following information for review and approval prior to distribution: a final pdf version of the flyer; and, a cover sheet with the following information: name and phone number of contact person; the method by which the organization wishes to be contacted following review; the target audience to receive the materials (i.e. students, parents, staff, or some combination thereof); and, the name of the school buildings where it is contemplated that the materials will be distributed. The Superintendent will review and approve materials for which a request for distribution has been received before distribution occurs.

Content In order to be accepted for distribution, materials may not: be obscene, indecent, or vulgar; advocate illegal activities, violence, or hate; contain libelous or defamatory information; discriminate or contain bias toward any individual's race, gender, sexual orientation, or religious or ethnic identity; be likely to cause substantial disruption of or material interference with discipline or the education of students in the school in which the material is posted or distributed; promote, favor, or oppose a candidate for elected office or a ballot measure; or, advocate religion or a particular faith or religious viewpoint.

Disclaimer All materials that will be distributed on District property must include the following statement:

This event/activity/offer is not sponsored by the School District. The School District assumes no responsibility for the conduct or safety of persons attending or participating in the event/activity/offer.

7005-AR Public Complaints

Citizens who have concerns with District staff, programs, or practices are encouraged to bring their concerns to the person in charge at the closest point of origin. In most cases this will be the building principal. Where the matter is unresolved at that level, the following formal complaint procedure may be utilized:

Complaint Procedure A complaint will: be in writing; be signed by the complaining parties; set forth the specific acts, conditions, or circumstances of concern; identify the relief being requested that is within the authority of the District to grant; and, be submitted to the person in charge at the closest point of origin (typically the building principal)

The building administrator will offer to meet with the complainant to discuss the complaint. Following the meeting, if there has not been a satisfactory resolution, the building administrator will, within five (5) school days after receipt of the complaint, send the written complaint to the Superintendent, together with the outcome at his/her level.

The Superintendent will conduct or coordinate an investigation of the complaint and reach a decision within fifteen (15) school days after receipt of the complaint. The decision of the Superintendent shall be communicated in writing to the parties involved. Should a complaint be submitted with less than fifteen (15) school days remaining within the school year, a reasonable extension of this timeline may be taken, as deemed necessary by the person conducting the investigation.

If the complaint has been investigated by the Superintendent's designee, and has not been resolved to the citizen's satisfaction, the citizen may request, within five (5) school days, that the complaint be referred to the Superintendent.

The parties involved in the complaint will have the opportunity to meet with the Superintendent within fifteen (15) school days after the Superintendent receives the designee's decision.

The Superintendent will make a decision and notify the citizen, in writing, within ten (10) school days after: receiving the complaint and the designee's decision; or, meeting with the parties involved in the complaint. The response of the Superintendent will: deny the allegations contained in the complaint and/or identify corrective measures deemed necessary to resolve the complaint.

7007-AR District Support Organizations

Except for student-initiated organizations, all district support organizations must be recognized by the Internal Revenue Service as non-profit, 501(c)(3) charitable organizations prior to engaging in any activity. The Board expects all organizations to operate in a manner consistent with public expectations for the School District and reserves the right to prohibit organization activities at its sole discretion or at the sole discretion of the appropriate building principal. All district support organizations are expected to abide by the Board's policies and these administrative regulations.

Approval Except for student-initiated organizations, each district support organization will submit a copy of its bylaws and/or Articles of Incorporation and proof of 501(c)(3) status to the appropriate building principal for review and approval. Each organization will also notify the building principal of any upcoming district support events. Each organization is required to timely inform the building principal in the event the Internal Revenue Service revokes the organization's 501(c)(3) status.

7009-AR Media Utilization

The School District will: regularly post information on the School District website; consider School District-wide mailings on issues of importance; schedule public forums for the dissemination of information and to receive feedback from the community; and, work with local and other media outlets to share School District information with the community.

The 8000 series of Board Policies requires or permits the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 28, 2020 and posted them on the District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the District's Administrative Council to review the 8000 series of Board Policies and these regulations at least annually. The Administrative Council is also expected to recommend to the Superintendent legally compliant revisions and additions to the 8000 series of Board Policies and these administrative regulations.

8001-AR**Acceptable Use**

Generally The School District encourages and promotes the use of technology in our schools and for school operations. To ensure students, staff and parents take full advantage of the technologies available, but in compliance with applicable law, all uses of technology in the School District must have proper authorization and adhere to School District policies. The use of technology is a privilege, not a right, and must be in support of and consistent with the purposes and stated goals of the School District. There are no inherent warranties for technological resources that the School District is providing. The School District will monitor all network activity by, for example, ensuring the presence of a teacher or other appropriate School District staff personnel when students are accessing the internet at school, installing filtering or blocking software on School District computers to restrict unauthorized websites, and monitoring access logs to keep track of websites visited by students in order to restrict access to newly-created or previously unknown websites harmful to minors.

Guidelines Students will use technology as authorized by appropriate school personnel. Only software legally owned and/or authorized by the School District may be put on School District computers. All network activities will be legal and of an appropriate use. Prior approval of the building principal and District web manager is needed to place anything on the building or District web pages.

Technology Users Will:

- Comply with School District policies, rules, and regulations.
- Use networks and technology in support of the School District's educational goals.
- Obey all School District, state, and national copyright laws.
- Report to the building administrator or teacher any misuse of networks and/or technology.
- Use School District equipment responsibly.
- Respect individual work, files, programs, and security.
- Hold harmless the School District from any and all claims or damages of any nature arising from access, use, or inability to access or use the technology or network system.

Technology Users Will Not:

- Intentionally tamper with computer or network components in a way that makes them temporarily or permanently inoperable.

- Access, vandalize, or modify anyone else’s account, data, files, and/or passwords without authorization of the network administrator or building principal.
- Use School District technology for commercial or “for profit” purposes.
- Use School District technology to impersonate another, or to obtain illegal copies of software or audio, text, or video materials for which the School District does not have ownership.
- Use School District technology to send or intentionally receive messages that are inflammatory, harassing in nature, sexist, racist, or otherwise inappropriate.
- Disclose confidential information, passwords, or access codes.
- Post personal information (such as address or phone number), credit card numbers, bank account numbers, or any other financial information.
- Use School District technology to distribute and/or access materials that:
 1. Violate [FERPA](#), or any other law which affords students certain rights with respect to their education records;
 2. Jeopardize the health and safety of students;
 3. Are obscene, pornographic, or libelous;
 4. Cause disruption of school activities;
 5. Plagiarize the work of others;
 6. Are commercial advertisements; or
 7. Have not been approved by the building administrator, network administrator, or web master.

Any attempt at performing one of the aforementioned prohibited acts is also prohibited.

Internet Safety The School District will implement software and/or other safeguards on School District-owned technology which protects adults and students from accessing images or other online depictions that are obscene, contain child pornography, and, with respect to students, are harmful to minors.

The School District will educate students about appropriate online behavior, including: interacting with other individuals on social networking websites and chat rooms, and cyberbullying awareness and response, in accordance with Board policy 2006 and any implementing regulations.

**8002-AR Americans with Disabilities Act (ADA) and
Section 504 of the Rehabilitation Act (Section 504)**

[ADA](#) and [Section 504](#) prohibit illegal discrimination on the basis of disability. ADA and Section 504 also require the School District to provide a free appropriate public education (FAPE) to eligible students. The manner in which the School District provides FAPE to eligible students and related issues are described in the School District’s [Notification of Parent’s Rights](#). This regulation sets forth a procedure for addressing complaints of illegal discrimination arising under the ADA and Section 504.

Procedure

Step 1. A person who believes that he/she has been discriminated against by the School District may discuss the matter informally with the immediate supervisor in the case of an employee, or the building principal, in the case of a student, or, instead, proceed directly to Step 2. (NOTE: If the immediate supervisor or building principal who is the subject of the complaint, the employee or student may instead contact the School District's Section 504 Compliance Officer, identified below.) The person receiving the complaint shall verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within ten (10) days.

NOTE: The informal complaint procedure is provided as a less formal option for a person who believes s/he has been discriminated against or harassed. This informal procedure is **not** required before filing a formal complaint. Moreover, a student who seeks resolution through the informal process may request, at any time, that the matter be moved to the formal complaint process.

Step 2. If the informal Step 1 process does not resolve the matter, or, if the employee or student chooses not to use the informal procedure, a written complaint may be submitted to the employee's immediate supervisor (to the school's principal if by a student). A complaint may also be filed directly with the applicable School District Section 504 Compliance Officer. The complaint shall include: (1) the employee's or student's name; (2) the facts of the incident or action complained about; (3) the date of the incident or action giving rise to the complaint; (4) the type of discrimination alleged to have occurred; and, (5) the specific relief sought. A Step 2 meeting shall be conducted within ten (10) days following the submission of the written complaint. Within the next ten (10) days, the immediate supervisor or principal shall issue a written disposition, with copies to be given to both the person who alleged the violation and the person who is the subject of the complaint.

Step 3. If the supervisor or principal's reply does not resolve the matter, a written complaint may be submitted to the applicable District Section 504 Compliance Officer within ten (10) days of the Step 2 disposition. A meeting shall be conducted at which both parties shall have the right to present witnesses and offer other evidence. Following the meeting, the Section 504 Compliance Officer shall reply in writing to the complainant and the person who is the subject of the complaint within ten (10) days.

Step 4. If the complainant wishes to appeal the decision of the Section 504 Compliance Officer, he/she may submit a written appeal to the Superintendent of Schools within ten (10) days after receipt of the Section 504 reply. The Superintendent, or his/her designee, shall meet with all parties involved and respond to the complaint, in writing, within ten (10) days of the date of the appeal. Copies shall be provided to both the complainant and the person who is the subject of the complaint.

Prohibition Against Retaliation The District hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Complaint Procedure.

8003-AR

Web Accessibility

Generally With regard to the District website and any District web presence which is developed by, maintained by, or offered through third party vendors and open sources, the District is committed to compliance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 so that students, parents, employees, and members of the public are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, with substantially equivalent ease of use. The District further seeks to ensure that those individuals with disabilities are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online. All existing, new, or updated web content produced by the District will conform

to Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents, as soon as practicable.

With respect to third-party content, the District, through its Technology Director, will confirm the accessibility of such content before posting/linking to the District's web presence, to the extent possible, by testing same through a web accessibility checker or similar resource and/or manual checking. If the accessibility of third-party content cannot be verified prior to posting/linking, the District shall avoid posting/linking of same.

If third-party content is verified and posted, but is later identified as not being accessible **after** posting/linking occurs, the District, through its Web Accessibility Coordinator, will endeavor to determine the basis of the issue by contacting the third-party provider and/or requesting information regarding the accessibility of their products. To the extent possible, the District will determine if an alternate way to provide the third-party content exists. If it is ultimately determined that the third-party content cannot be made accessible – either because it represents an undue burden or would require a fundamental alteration – the District shall keep a record of the inaccessible third party content. A determination of undue burden or fundamental alteration will be made by the Superintendent and/or his/her designee after considering all resources available for use in the funding and operation of the service, program, or activity and will be accompanied by a written statement outlining the reasons for such conclusion.

Website Audit The District's Web Accessibility Coordinator will be responsible for reviewing all areas of the District's website and evaluating its accessibility on a semester basis or as close thereto as possible. The contemplated review will be completed, subject to District discretion, utilizing free online resources available to the District, a platform audit resource (if applicable), and/or a third-party vendor resource. The District's Web Accessibility Coordinator will also conduct a manual check of the website as part of the contemplated semester review. The results of all reviews/audits will be documented and evaluated. Identified issues will be remediated within a reasonable period of time under the direction of the Web Accessibility Coordinator.

District Training The District will provide annual training for any staff (e.g. administrators, faculty, support staff, student employees) responsible for creating or distributing information with online content. The training will be facilitated, in whole or in part, by an individual with sufficient knowledge, skill, and experience to understand and employ the technical standard(s) adopted by the District. The training will include training on the Web Accessibility Policy, the Administrative Regulation, and staff roles and responsibilities to ensure that web design, documents, and multimedia content are accessible. The District will provide periodic updates to staff, as appropriate, should technology standards change in a readily discernable way. The District will also ensure that new staff are timely provided training consistent with the above expectations. With regard to staff who have already been fully trained at least once on the Web Accessibility Policy, the annual-training requirement may be satisfied by disseminating notice that includes the Web Accessibility Policy (e.g., via e-mail with a link to the policy), highlights any Policy updates, and provides the name and contact information of the Web Accessibility Coordinator to serve as a resource for staff with questions about the accessibility of online content.

Report of Accessibility Concerns/Issues In contacting the District's Web Accessibility Coordinator to report any issues or concerns associated with the accessibility of online content, reporting individuals are encouraged to provide the following information:

- Name;
- Contact information (phone or email);
- Type of information that was inaccessible (PDF, video, etc.);
- Specific web page the user was on (URL or page title);

- Date the user was unable to access the information; and
- Any other information the user believes might be helpful to the District in resolving the issue.

Upon report of a concern regarding the accessibility of online content, the Web Accessibility Coordinator will, consistent with District policy, provide the requested information in an alternate format and, as soon as reasonably practical, make the necessary improvements to make the information accessible online.

Formal Discrimination Complaint A student, parent, or member of the public who wishes to submit a formal complaint regarding a violation of Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 related to the accessibility of any District web presence that is developed by, maintained by, or offered through the District, third party vendors, and/or open sources, may utilize the District's established complaint procedures are contained in administrative regulation 7005-AR.

Irrespective of the submission of a formal complaint, once the District has been notified of inaccessible content, the reporting party should be provided with access to the desired information in a prompt manner. In this regard, the Complainant should not have to wait for the investigation of the complaint to be concluded before receiving the information that he/she was unsuccessful in accessing through the District's web presence.

8005-AR Communicable Diseases

Where a student or staff member has been diagnosed with a communicable disease, the School District administration will consult the most recent County Health Division Reference Chart (CHD COMMUNICABLE DISEASE REFERENCE CHART) to determine and implement exclusion and re-admittance of individuals. Saginaw County Health Division staff will be contacted as needed for consultation and clarification.

Communicable Diseases Known Not to Be Spread by Casual Contact Communicable diseases that are known not to be spread by casual contact, within the meaning of this regulation include Hepatitis B, HIV infections, ARC (AIDS Related Complex), AIDS, and other diseases that are transmittable by blood, other body fluids, and other body products, which present potentially serious health problems for those who contract the disease. The following procedure is intended to assure that both the rights of the individual and the school community at large are protected, and that each case will be determined on an individual basis.

HIV, ARC, or AIDS When a District employee reasonably suspects that a student or staff member is infected with HIV, ARC, or AIDS, he/she must notify the Saginaw County Health Division, if such action is reasonably thought necessary to: protect the health of the student or staff member; prevent further transmission of the disease; or, diagnose and care for the student or staff member. The District employee shall not provide the Saginaw County Health Division with the name of the student or staff member unless such information is determined by the employee making the disclosure to be reasonably necessary to accomplish the above-mentioned purposes.

Request the permission of the affected student's parent or guardian, or the staff member, to inform the Superintendent and other necessary persons of the suspected illness. If such consent cannot be obtained, the employee shall inform the Superintendent of the matter in such a way that the identity of the affected person is not discernible. The Superintendent may then seek a court order permitting the Superintendent to obtain the information and disclose it to Board of Education members and other necessary persons.

Communicable Disease Review Committee. Upon receipt of the consent of the affected student's parent or guardian, or the staff member, or a court order permitting the review process to proceed, the

Superintendent shall select a Communicable Disease Review Committee and direct the Committee to meet within five (5) school days. The Committee may be comprised of the following individuals:

- An official representative of the District, designated by the Superintendent, who will chair the Committee.
- The principal of the school of the affected student or staff member.
- A physician who is treating the affected individual.
- A physician appointed by the Superintendent to represent the District.
- A representative of the Saginaw County Health Division.
- A parent if the affected individual is a student, the affected individual, and/or his/her representative if the affected individual is a staff person.
- A special education teacher, when the affected student is a special education student.
- Other persons designated by the Superintendent, the Committee, or the court.

Committee Recommendations. The Committee shall make a written recommendation to the Superintendent, based on the affected student or staff member's neurological and physical condition and the expected type of interaction with others in the affected student or staff member's school or employment setting, as to whether the person should be excluded from the school or employment setting and all school sponsored activities, restricted in his/her activities in the school or employment setting, or remain in an unrestricted school or employment setting.

If the Committee recommends that the student or staff member remain in his/her present school or employment setting, but that he/she are restricted from participating in certain activities, or that consideration be given to an alternate setting within the District, the Committee shall further set forth, in writing, the precautionary/sanitary measures, if any, that should be taken to protect the health and welfare of the student or staff member and the school community.

If the Committee recommends that the student or staff member remain in an unrestricted school setting, the Committee must so state in writing and further state what precautionary/sanitary measures, if any, should be taken to protect the health and welfare of the student or staff member and the school community.

If the Committee recommends that the affected student or staff member be totally excluded from his/her former school or employment setting based upon his/her neurological and physical condition and expected type of interaction with others in that setting, the Committee must so state in writing. The Committee shall also state the conditions under which it would consider the student or employee's return to a restricted or unrestricted school or employment setting.

The Committee shall provide the Superintendent with its written recommendation within ten (10) school days of its meeting, unless the Committee determines that additional time is necessary in order to obtain pertinent medical information regarding the student or staff member's condition and/or that additional diagnostic testing is necessary for a thorough review of the matter.

In the event that the Committee's decision is not unanimous, the dissenting member(s) shall be given the opportunity to attach a written dissenting report to the Committee's recommendation within twenty-four (24) hours of the presentation of the Committee's report to the Superintendent.

Upon the Superintendent's receipt of the Committee's written report, the Superintendent shall, within five (5) school days, make a determination regarding the student or employee's status. The Superintendent's decision will be based upon whether, with reasonable accommodations, the student or staff member can remain in the school or employment setting without posing a health risk to himself/herself or others in the school community. In the event that the Superintendent determines that a student or staff member should be excluded from the school setting, he/she shall so advise the affected person, and, where a student is involved, his/her parent or guardian.

Where the Superintendent determines that a staff member who has been affected with HIV, ARC, or AIDS should be excluded from employment, the Superintendent shall attempt to obtain the affected person's permission or petition the circuit court for an order permitting the District to proceed pursuant to the provisions of the applicable collective bargaining agreement, board policy and/or applicable laws. If the employee in question is certified, the Superintendent shall, pursuant to [Article V, Section 2 of the Michigan Teacher's Tenure Act](#), either obtain the person's consent to be placed on a medical leave, or, if consent cannot be obtained, file tenure charges with the Board of Education seeking to place the person on an involuntary medical leave of absence.

Appeals. If the affected student or staff member disagrees with the determination of the Superintendent, he/she may file a written appeal to the Board of Education within ten (10) school days. The Board shall receive and review all necessary and pertinent materials provided by the Committee and the student or employee and provide an opportunity to both the Superintendent and student or employee to provide additional pertinent information. In its discretion, the Board may grant the student or employee a hearing.

The Board of Education may affirm, modify, or revise the decision of the Superintendent within ten (10) school days of the receipt of an appeal. The affected student or staff member shall have the right to remain in the school setting during the tendency of any such appeal, unless an appropriate medical professional confirms that there are clearly documented risks to the infected individual or others in the school setting that could pose an immediate health threat.

Where an affected student or staff member is permitted to remain in either a restricted or unrestricted school setting, the Superintendent shall designate a school representative to monitor changes in the student or staff member's medical status on a monthly basis, or more frequently if deemed appropriate. The Superintendent shall seek written permission from the affected person or parent prior to designating the responsible school representative. If the written authorization cannot be obtained, the Superintendent shall seek an order from the court permitting such. The Superintendent, with input from the Committee, shall reassess the status of the student or staff member at not less often than annual intervals. All time lines set forth herein may be extended where required by the individual circumstances of the case.

Communicable Diseases Known Not to Be Spread by Casual Contact, Other Than HIV, ARC, or AIDS For communicable diseases which are known not to be spread by casual contact, other than HIV, ARC, or AIDS, the identical procedures set forth above will be followed, except that there will be no necessity of court involvement to obtain the infected person's consent to disclosure of his/her identity to the Superintendent and other necessary persons.

If the District employee determines that disclosure of such information is reasonably necessary to: (1) protect the health of the student or staff member; (2) prevent further transmission of the disease; or, (3) diagnose and care for the student or staff member, the District employee may advise his/her supervisor that a student or staff member may have a serious communicable disease known not to be spread by casual contact. The identity of the student or staff member *SHALL NOT BE* disclosed unless written authorization is obtained from the affected student's parent or the staff member, or is otherwise necessary to satisfy the requirements of this section. The supervisor shall immediately inform the Superintendent or his/her designee.

Confidentiality All persons involved in these proceeds and in the education of an affected student shall respect the student's right to privacy, including maintaining student records and information in accordance with the requirements of the [Michigan Public Health Code, MCL 333.5101 et seq.](#) and the [Family Educational Rights and Privacy Act, 20 USC 1232g](#). The privacy rights of affected staff members shall be similarly affected including maintaining employment records and information in accordance with the requirements of the [Michigan Public Health Code, MCL 333.5101 et seq.](#), the [Bullard Plawecki Employee Right to Know Act, MCL 421.501 et seq.](#), any applicable contractual provisions, and Board of Education policy and regulations.

8006-AR

Copyrighted Works

Generally The guidelines, below are intended to assist staff in determining the permitted use of copyright materials within the School District. The guidelines apply to materials used within the classroom, as well as in staff members' instructional and research activities. Before beginning or authorizing a reproduction, a School District employee will determine whether the copying is expressly permitted within the guidelines. If copying is not expressly permitted, or if there are any questions, the matter must be brought to the attention of the building principal before any copying is done. Should there be a question about whether a particular use is permitted, staff members are not to proceed without consulting their building principal.

Single Copying for Teachers' Use A single copy may be made of the following by or for a teacher for use in teaching or for research purposes:

- A chapter from a book;
- An article from a periodical or newspaper;
- A short story, short essay, or short poem, whether or not part of a collective work; and/or
- A chart, graph, diagram, cartoon, or picture from a book, periodical, or newspaper.

Multiple Copies for Classroom Use Multiple copies (not to exceed one copy per student in the class) may be made by or for the teacher for classroom use as follows:

- A complete poem if less than 250 words and if printed on not more than two pages;
- An excerpt from a longer poem, containing not more than 250 words;
- A complete article, story or essay of less than 2500 words;
- An excerpt from any prose work of not more than 1000 words or 10% of the work, whichever is less.

(Each of the numerical limits, above, may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)

- One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.
- Certain "special works" in poetry, prose, or in "poetic prose" which may combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Such "special works" may not be reproduced in their entirety but an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof, may be reproduced.

All copies must include a notice of copyright.

Additional Permitted Use – Spontaneity

- The copying is at the instance and inspiration of the individual teacher, and
- The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Copying, as detailed above, is not intended to serve as a substitute for the purchase of books or periodicals.

8007-AR Discrimination and Harassment

The Board of Education has adopted a Discrimination and Harassment policy which prohibits illegal harassment and other forms of illegal discrimination within the School District. The Board of Education's policy prohibits illegal harassment and discrimination by, among others, board members, school district employees, and students. A student or employee who believes that s/he has been the victim of illegal discrimination or harassment may seek resolution of his/her complaint through the applicable Complaint Procedure, which follows.

The School District recognizes its obligation under the law to investigate reported instances of sex-based discrimination and harassment. While it is expected that all instances of sex-based discrimination and harassment will be reported to District administration, consistent with District policy, instances may arise where a person does not report the concern to the District. If the District becomes aware that an allegation of sex-based discrimination or harassment occurring on school grounds has been made to law enforcement, the District will investigate such claims, even if local law enforcement is independently investigating the claim and/or the complainant did not inform the District directly of the concern.

8007.1-AR Discrimination and Harassment – Students

Generally Any student who believes that s/he has been the victim of illegal discrimination or harassment may seek resolution of his/her complaint through either the informal or formal procedures described below. The Board of Education has designated the individual named below to serve as the District's Title IX Coordinator for matters involving alleged discrimination on the basis of sex. The Board has adopted a Discrimination and Harassment policy, which prohibits illegal harassment and other forms of illegal discrimination within the School District. The Board's policy prohibits illegal harassment and discrimination by, among others, board members, school district employees, and students.

Definitions

"Discrimination," for purposes of this Administrative Regulation, means an action based in whole or in part on a student's race, color, national origin, religion, sex, marital status, genetic information, or disability. In order to be a subject of redress under this administrative regulation, the action must be found to be so severe or pervasive that it:

- Affects the student's ability to benefit from an educational program or activity;
- Creates an intimidating, threatening, or hostile educational environment;
- Has the effect of substantially or unreasonably interfering with a student's academic performance;
or

- Otherwise adversely affects that student's educational opportunities.

"**Harassment**," for purposes of this administrative regulation, refers to verbal acts, written statements, or other conduct that is threatening, harmful, or humiliating that is sufficiently severe, pervasive, or persistent so that it:

- Affects the student's ability to benefit from an educational program or activity;
- Creates an intimidating, threatening, or hostile educational environment;
- Has the effect of substantially or unreasonably interfering with a student's academic performance;
or
- Otherwise adversely affects that student's educational opportunities.

Compliance Officer. Any student who believes that s/he has been the victim of illegal discrimination or harassment may seek resolution of his/her complaint through either the informal or formal procedures described below. The Board of Education has designated the individual named below, or designee, to serve as the District's Title IX Coordinator for matters involving alleged discrimination on the basis of sex. He or she also serves as Compliance Officer with respect to all student claims of harassment:

Name:	<u>Donald Killingbeck</u>
Position:	<u>Superintendent</u>
District Phone:	<u>989-642-5282</u>
Email:	<u>killingbeck@hemlockps.com</u>

Informal Complaint Procedure The informal complaint procedure is provided as a less formal option for a student who believes s/he has been discriminated against or harassed. This informal procedure is **not** required before filing a formal complaint. Moreover, a student who seeks resolution through the informal process may request, at any time, that the matter be moved to the formal complaint process.

A complaint alleging sexual violence will be addressed only through the formal complaint process. All complaints of illegal discrimination or harassment by a District employee or any other adult member of the District community will also be addressed only through the formal complaint process.

Step 1. A student who believes s/he has been illegally discriminated against or harassed may tell: (1) an employee or building administrator in the school the student attends; (2) the Superintendent or other District-level employee; and/or (3) the Compliance Officer (Title IX Coordinator for claims for sex discrimination).

All informal complaints received by a staff member must be reported to the Compliance Officer within two (2) school days. The Compliance Officer will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution. This reporting requirement applies to **all** complaints made by or on behalf of a student, regardless of where the conduct is alleged to have occurred. Complaints alleging illegal discrimination or harassment based on sex should be similarly processed but directed to the above-named Title IX Coordinator.

Step 2. The District's informal complaint procedure is designed to provide students who believe they are being discriminated against or harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming discrimination or harassment, informal resolution may involve, but not be limited to, one or more of the following:

- Advising the student about how to communicate the unwelcome nature of the behavior to the other person.
- Distributing a copy of the nondiscrimination and/or anti-harassment policies as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- If both parties agree, the Compliance Officer (or Title IX Coordinator) may arrange and facilitate a meeting between the student claiming discrimination or harassment and the other individual to work out a mutual resolution. Such a meeting is **not** to be held in circumstances where sexual violence has been alleged.

Step 3. The Compliance Officer or Title IX Coordinator will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint.

All materials generated as part of the informal complaint process will be retained in a single location under the control of the Compliance Officer (including where acting as a Title IX Coordinator) in accordance with the Board of Education's records retention policy and/or Student Records policy.

Formal Complaint Procedure

Step 1. A student who believes s/he has been subjected to discrimination or harassment may file a formal complaint, either orally or in writing, with a teacher, principal, or other District employee at the student's school, the Compliance Officer/Title IX Coordinator, Superintendent, or another District employee. The employee must report such information to the Compliance Officer/Title IX Coordinator or designee within two (2) school days. This reporting requirement applies to **all** complaints made by or on behalf of a student, regardless of where the conduct is alleged to have occurred.

All formal complaints must include the following information to the extent it is available:

- The name and protected class of the alleged victim and, if different, the name and protected class of the person reporting the allegation;
- The nature of the allegation, a description of the incident(s), and the date(s) and time(s) (if known);
- The name(s) and protected classes of all persons alleged to have committed the alleged harassment, if known, or a description/identifying information available if the name is not known; and
- The name(s) or description/identifying information and protected classes of all known witnesses to the alleged incident.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Step 2. Within two (2) school days of receiving the formal complaint, the person who will conduct the investigation (the Compliance Officer or designee) will initiate a formal investigation to determine whether the Complainant has been subjected to discrimination or harassment. A building principal will not conduct an investigation unless directed to do so by the Compliance Officer.

NOTE: Upon receiving a formal complaint, the person who will be conducting the investigation shall consider whether any action should be taken during the investigatory phase to protect the Complainant from further discrimination or harassment, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the accused person. In making such a determination, the person conducting the investigation should consult the Complainant to assess his/her agreement with the proposed action. If the Complainant is unwilling to consent to the proposed change, the person conducting the investigation may, nevertheless, take whatever actions are deemed appropriate for the protection of all persons, following consultation with the Superintendent.

The person conducting the investigation will inform the individual alleged to have engaged in discrimination or harassment that a complaint has been received. The accused person will be informed about the nature of the allegations and provided with a copy of any relevant Board policy or administrative guidelines. The accused will also be informed of the opportunity to submit a written response to the complaint within five (5) business days. Throughout the course of the process, the Title IX Coordinator/Compliance Officer shall keep the parties informed of the status of the investigation and the decision-making process.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of discrimination or harassment within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- Interviews with both parties;
- Obtaining and reviewing any written statements of the reporter, the victim (if different from the reporter), the accused student(s), and any known witnesses;
- Interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations; and
- Consideration of any documentation or other information presented by the parties, or any other witness that is reasonably believed to be relevant to the allegations.

Step 3. At the conclusion of the investigation, the Compliance Officer or the designee shall, within fifteen (15) school days of receiving the formal complaint, prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation, the response of School personnel and, if applicable, the date any incident was reported to the police. The report shall provide recommendations based on the evidence. A preponderance of the evidence standard will be followed. The investigating person's recommendations should consider the totality of the circumstances, including the ages and maturity levels of those involved. Disciplinary recommendations, if appropriate, should be reasonably calculated to prevent recurrence of illegal discrimination or harassment. Disciplinary recommendations may range from: counseling to permanent expulsion, in the case of a student; counseling to discharge, in the case of an employee; and, recommendation for censure or a complaint to the Governor in the case of a board member.

Step 4. Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the Superintendent will either issue a final decision regarding whether the complaint has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both parties.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

Filing a Complaint with the Office for Civil Rights A Student alleging discrimination on the basis of sex, or harassment, may, at any time, file a complaint with the United States Department of Education Office for Civil Rights at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
(216) 522-4970

Cooperation with Law Enforcement Agencies In certain instances, an allegation of harassment may also be investigated as a criminal matter. To the extent permitted by law, the District will comply with law enforcement requests for cooperation.

Retaliation Retaliation against a person who files a complaint alleging discrimination or harassment, or participates as a witness in an investigation, is strictly prohibited. Upon a finding that a person has engaged in retaliation, appropriate disciplinary action will be taken.

Maintenance of Records All materials generated as a part of the formal complaint process will be retained in a single location under the control of one of the Compliance Officers (including where acting as a Title IX Coordinator) in accordance with the Board of Education's records retention policy and/or Student Records policy.

8007.2-AR Discrimination and Harassment – Employees

Generally Any employee who believes that s/he has been the victim of illegal discrimination or harassment may seek resolution of his/her complaint through either the informal or formal procedures described below. The Board of Education has designated the individual named below to serve as the School District's Title IX Coordinator for matters involving alleged discrimination on the basis of sex. He or she also serves as Compliance Officer with respect to all employee claims of harassment:

Definitions

"Discrimination," for purposes of this Administrative Regulation, means an action based in whole or in part on an employee's race, color, national origin, religion, sex, marital status, genetic information, age, height, weight or disability. In order to be a subject of redress under this Regulation, the action must be found, on the basis of membership in a protected class, to:

- Create an intimidating, hostile or offensive environment;
- Substantially or unreasonably interfere with the person's work performance, opportunities, or benefits;
- Otherwise adversely affect the person's employment; and
- Has been brought to the attention of the School District's Title IX Coordinator or to the attention of other School District personnel with authority to address and redress the discrimination.

"Harassment," for purposes of this Administrative Regulation, refers to verbal acts, written statements or other conduct that is threatening, harmful or humiliating and that:

- Creates an intimidating, hostile or offensive environment;

- Substantially or unreasonably interfere with the person's work performance, opportunities, or benefits;
- Otherwise adversely affect the person's employment; and
- Has been brought to the attention of the School District's Title IX Coordinator or to the attention of other School District personnel with authority to address and redress the harassment.

Informal Complaint Procedure The informal complaint procedure is provided as a less formal option for an employee who believes s/he has been discriminated against or harassed. This informal procedure is **not** required before filing a formal complaint. Moreover, an employee who seeks resolution through the informal process may request, at any time, that the matter be moved to the formal complaint process.

A complaint alleging sexual violence will be addressed only through the formal complaint process.

Step 1. An employee who believes s/he has been illegally discriminated against or harassed may make an informal complaint, either orally or in writing, to: (1) the building administrator in the building to which the employee is assigned; (2) the Superintendent or other School District-level employee; and/or (3) the Compliance Officer (Title IX Coordinator for claims of sex discrimination).

All informal complaints received by a staff member must be reported to the Compliance Officer within two (2) school days. The Compliance Officer will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution. This reporting requirement applies to **all** complaints made by or on behalf of an employee, regardless of where the conduct is alleged to have occurred. Complaints alleging illegal discrimination or harassment based on sex should be similarly processed but directed to the above-named Title IX Coordinator.

Step 2. The School District's informal complaint procedure is designed to provide employees who believe they are being discriminated against or harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the employee claiming discrimination or harassment, informal resolution may involve, but not be limited to, one or more of the following:

- Advising the employee about how to communicate the unwelcome nature of the behavior to the other person.
- Distributing a copy of the nondiscrimination and/or anti-harassment policies as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- If both parties agree, the Compliance Officer (or Title IX Coordinator) may arrange and facilitate a meeting between the employee claiming discrimination or harassment and the other individual to work out a mutual resolution. Such a meeting is **not** to be held in circumstances where sexual violence has been alleged.

Step 3. The Compliance Officer or Title IX Coordinator will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint.

All materials generated as part of the informal complaint process will be retained in a single location under the control of the Compliance Officer (including where acting as a Title IX Coordinator) in accordance with the Board of Education's records retention policy.

Formal Complaint Procedure

Step 1. An employee who believes s/he has been subjected to discrimination or harassment may file a formal complaint, either orally or in writing, with the building administrator of the building to which the employee is assigned, the Compliance Officer/Title IX Coordinator, or the Superintendent. The employee with whom a complaint is filed must report such information to the Compliance Officer/Title IX Coordinator or designee within two (2) business days. This reporting requirement applies to **all** complaints made by or on behalf of an employee, regardless of where the conduct is alleged to have occurred.

All formal complaints must include the following information to the extent it is available:

- The name and protected class of the alleged victim and, if different, the name and protected class of the person reporting the allegation;
- The nature of the allegation, a description of the incident(s), and the date(s) and time(s) (if known);
- The name(s) and protected classes of all persons alleged to have committed the alleged harassment, if known, or a description/identifying information available if the name is not known; and
- The name(s) or description/identifying information and protected classes of all known witnesses to the alleged incident.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Step 2. Within two (2) school days of receiving the formal complaint, the person who will conduct the investigation will initiate a formal investigation to determine whether the Complainant has been subjected to discrimination or harassment.

NOTE: Upon receiving a formal complaint, the person who will be conducting the investigation shall consider whether any action should be taken during the investigatory phase to protect the Complainant from further discrimination or harassment, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the accused person. In making such a determination, the person conducting the investigation should consult the Complainant to assess his/her agreement with the proposed action. If the Complainant is unwilling to consent to the proposed change, the person conducting the investigation may, nevertheless, take whatever actions are deemed appropriate for the protection of all persons, following consultation with the Superintendent.

The person conducting the investigation will inform the individual alleged to have engaged in discrimination or harassment that a complaint has been received. The accused person will be informed about the nature of the allegations and provided with a copy of any relevant Board policy or administrative guidelines. The accused will also be informed of the opportunity to submit a written response to the complaint within five (5) business days. Throughout the course of the process, the Compliance Officer/Title IX Coordinator shall keep the parties informed of the status of the investigation and the decision-making process.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of discrimination or harassment within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- Interviews with both parties;
- Obtaining and reviewing any written statements of the reporter, the victim (if different from the reporter), the accused person, and any known witnesses;
- Interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- Consideration of any documentation or other information presented by the parties, or any other witness that is reasonably believed to be relevant to the allegations.

Step 3. At the conclusion of the investigation, the Coordinator or the designee shall, within fifteen (15) school days of receiving the formal complaint, prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation, the response of School personnel, and, if applicable, the date any incident was reported to the police. The report shall provide recommendations based on the evidence. A preponderance of the evidence standard will be followed. The investigating person's recommendations should consider the totality of the circumstances. Disciplinary recommendations, if appropriate, should be reasonably calculated to prevent recurrence of illegal discrimination or harassment. Disciplinary recommendations may range from: counseling to discharge, in the case of an employee; and censure to a complaint to the Governor in the case of a Board member.

Step 4. Absent extenuating circumstances, within ten (10) school days of receiving the report of the Coordinator or the designee, the Superintendent will either issue a final decision regarding whether the complaint has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both parties.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

Filing a Discrimination or Harassment Complaint with State or Federal Agencies An employee alleging discrimination on the basis of sex, or harassment, may, at any time, file a complaint with the United States Department of Education Office for Civil Rights at:

United States Department of Education
 Office for Civil Rights
 Cleveland Office
 1350 Euclid Avenue, Suite 325
 Cleveland, Ohio 44115
 (216) 522-4970
 FAX: (216) 522-2573
 TDD: (216) 522-4944
 E-mail: OCR.Cleveland@ed.gov
 Web: <http://www.ed.gov/ocr>

A complaint may also, or instead, be filed with:

United States Department of Labor
 Equal Employment Opportunity Commission
 Detroit Field Office
 477 Michigan Avenue, Room 865
 Detroit, Michigan 48226

or

State of Michigan
Department of Civil Rights
Cadillac Place, Suite 3-600
3054 West Grand Boulevard
Detroit, Michigan 48202

Cooperation with Law Enforcement Agencies In certain instances, an allegation of harassment may also be investigated as a criminal matter. To the extent permitted by law, the School District will comply with law enforcement requests for cooperation.

Retaliation Retaliation against a person who files a complaint alleging discrimination or harassment, or participates as a witness in an investigation, is strictly prohibited. Upon a finding that a person has engaged in retaliation, appropriate disciplinary action will be taken.

Maintenance of Records All materials generated as a part of the formal complaint process will be retained in a single location under the control of one of the Coordinators (including where acting as a Title IX Coordinator) in accordance with the Board of Education's records retention policy.

8009-AR Digital Communications

Generally Digital communication (including social networking) provides educational and other opportunities for staff and students. There are also potential pitfalls arising from, among other things, the speed, permanence, and perceived anonymity of digital communication. These regulations are intended to help staff and students take advantage of opportunities presented by digital communication in a manner that enhances education, student achievement, and appropriate relationships between staff, students, parents, and the larger community. These regulations are not intended, and should not be interpreted, to limit the legal rights of any person.

Digital Communication Involving Students Digital communication between staff and students should always be professional and of the same content, tone, and demeanor as in-school communications. This applies to direct communication between staff and students and to communication to which students reasonably may be exposed. Unless otherwise protected by law, examples of inappropriate digital communication include, but are not limited to:

- Communication that violates Board Policy, such as: communication that discloses personally identifiable information about students (see Policy [2003]); communication that violates Board Policy against illegal harassment (see Policy [8007]); etc.
- Communication that is false or misleading.
- Communication that attributes personal views to others, including the School District.
- Communication that defames, insults, derogates, or embarrasses staff members or students.
- Communication that defames, insults, derogates, or embarrasses Board members, parents or other community members.
- Communication stating or suggesting the desirability of confidentiality vis-à-vis students' parents or other staff members.
- Communication that have as its purpose the development of a romantic or sexual relationship between a staff member and a student, or that reasonably may be interpreted as having that purpose.

The School District encourages staff to use School District equipment and sites for all digital communication with students.

The School District does not have the resources or ability to police digital communication between and among students. However, students may be subject to school-imposed disciplinary sanctions when their digital communication violates the Student Code of Conduct and interferes with the rights of others or is reasonably anticipated to result in the disruption of school or school activities. Separately, the School District reserves the right to report suspected criminal misconduct to police authorities.

Digital Communication Involving Board and Staff Members, Parents, and Others Digital communication between Board and staff members, parents, and other community members or adults should always be professional. This applies to direct communication and to communication to which they reasonably may be exposed. Unless otherwise protected by law, examples of inappropriate communication include, but are not limited to:

- Communication that violates Board Policy, such as: communications that disclose personally identifiable information about students (see Policy [2003]); communication that violates Board Policy against illegal harassment (see Policy [8007]); etc.
- Communication that is false or misleading.
- Communication that attributes personal views to others, including the School District.
- Communication that defames, insults, derogates, or embarrasses other staff members or students.
- Communication that defames, insults, derogates, or embarrasses Board members, parents, or community members and is not otherwise protected by law.

Personal Digital Social Networking The School District does not have the inclination, resources, or ability to police the off-duty behavior of staff members. At the same time, staff must be cognizant of the fact they serve as role models for our students. Furthermore, their communications and behavior may affect the reputation of the School District and their colleagues. For these reasons, staff are reminded that off-duty digital communication may result in investigation, disciplinary sanctions, or discharge when those communications, or characterizations or depictions of staff behavior, disrupts the educational environment or adversely affects or undermines their ability to perform their jobs.