



ADMINISTRATIVE REGULATIONS



Miller Johnson School Policy Services

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2000-AR	STUDENTS
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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 July 26, 2019 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 Executive Director of School Services to review the 2000 series of Board Policies and these regulations at least annually. The Executive Director of School Services 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
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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 if the child will be five years old on or before December 1 of the eligible year.

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 provide a notarized affidavit to 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:

At the time of enrollment, the parent must present: (1) photo identification, such as a driver’s license or, state identification card, which must show the parent’s current address,³ or passport and one item of proof from Column I, below, and (2) two items of proof from Column II, below:

Column I* <i>(one required – must be current)</i>	Column II <i>(two required - must be current)</i>
Warranty Deed	Gas Bill
Current Property Tax Document	Electric Bill

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.
³ The School District does not accept P.O. Boxes as valid addresses.

Lease – Apartment/House Rental: All tenant and authorized occupants' names, including lease beginning/ending dates, must be on the lease. The lease must be signed by both the landlord and the tenant.	Internet/Cable/Satellite TV Bill
Closing Papers (accepted only if you moved into your house within the past 30 days)	(Water Bill Not Accepted)
Accepted Purchase Agreement – Signed by all parties with closing date indicates.*	

*Depending on the time of year and with authorization from Central Office. Central Office must be contact for additional stipulations.

Nonresident Students

Schools of Choice (Inter-District). The School District may allow inter-District schools of choice students according to periodic Board of Education resolutions.

Schools of Choice (Intra-District). The School District permits intra-District transfers. Parents who wish their children to attend another District school should complete an application during the enrollment period for the Superintendent's consideration and approval before the beginning of the school year. Click [here](#) for the application and submit it to the School District's pupil accounting office at 32500 Shiawassee Street, Farmington, Michigan 48336.

Tuition Students. The School District may accept tuition students in specific circumstances: seniors having completed a junior year at the School District and who wish to finish their 12th grade year at Farmington Public Schools.

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 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; the provision of the evidence of approval by the United States Department of State, including a 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 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 will recommend to the Superintendent international exchange students who meet the criteria set forth in the preceding paragraph, preferably by June 15 of each school year. The Superintendent will review the recommendations and, if he/she is satisfied, approve the recommendations for placement for the upcoming school year according to applicable Board policies and administrative regulations. Approved international exchange students attending the School

District are subject the same policies and administrative regulations as other students and will not receive diplomas from the School District except according to applicable administrative regulations.

Homeless Students The Superintendent appoints the School District's Parent/McKinney-Vento Coordinator 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

Curriculum The School District's curriculum is Michigan's K-12 Standards as promulgated by the Michigan Department of Education. School District personnel may supplement and enhance but may not ignore or replace the School District's curriculum, except as permitted or required by law.

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 Assessment 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.

Reports, Grades and Academic Recognition. The School District's Associate Superintendent for Instructional Services is 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. A teacher may not award a failing grade to a secondary student unless he/she has provided such notice to parents in a timely fashion. Building administrators are expected to facilitate these teacher responsibilities consistent with Board policies and these administrative regulations.

Attendance. The School District expects student 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 School District makes student attendance available to parents via the student information database.

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. Grades may be appealed and/or changed via the procedures found in the relevant collective bargaining agreement. The CBA will prevail if there is any inconsistency between the grade appeal procedures contained therein and the following:

First Level: Building Level Procedures.

- Person(s) wishing to challenge a transcript grade must present the facts to the local building administrator. The building administrator will meet with the teacher and the parent to hear the concerns and review relevant data. Every reasonable effort should be made to resolve the dispute at the building level.

- Should the contending person(s) be dissatisfied with the local building decision, they may seek review of the decision through the Grade Review Panel within 30 days after the student has received the grade in dispute.
- Upon receiving request for grade review, the building administrator will provide all necessary forms and forward all the documentation to the Assistant Superintendent for Instruction.

Second Level: Grade Review Panel.

- The Assistant Superintendent for Instruction will notify the Grade Review Panel upon receipt of the grade review request.
- The teacher will submit written justification for the grade in contention.
- The building administrator will submit a chronology of his/her investigation, including a recommendation to resolve the dispute.
- The building administrator will forward all written testimony to the Assistant Superintendent for Instruction.
- The Assistant Superintendent for Instruction will convene a meeting of the Grade Review Panel to hear/discuss the case within thirty (30) school days.
- The Grade Review Panel decision will be made on the basis of the facts submitted.
- The Grade Review Panel may request a hearing with the involved parties.
- All parties (student, parent, teacher, and administrator) will be notified in writing of the panel's decision.
- The decision of the Grade Review Panel is final.

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. The High School Principal will grant the following honors to seniors graduating a Michigan Merit Diploma based on grade point averages calculated at the end of the first semester of their senior years: honors (GPA 3.0-3.49) and high honors (GPA 3.5 and above).

Placement 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:
 - (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 23 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. The MMC eligibility requirement may be fulfilled through a Personal Curriculum (PC) created according to Michigan law and approved by the Superintendent.

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 to the Superintendent 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.

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 Executive Director of Special Education 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 as follows:

Special services files will be maintained in accordance with the Michigan Department of Technology, Management and Budget guidelines, found [here](#). The School District shall ensure the records are stored in a manner so they remain accessible during the entire retention period. All records will be stored in a secure and stable environment that will protect them from damage, tampering, and degradation. Presently, the School District stores Special Services files for current students in paper format. The District stores former students' special services files electronically in PDF format, to ensure the files remain accessible even when the electronic storage hardware and/or software becomes obsolete. In the event technological advances render the current format inaccessible, the District shall re-format the files to be compatible with current technology.

Directory Information and Access to Student Education Records

Family Education 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. A "legitimate educational interest" exists if the Board member or other School District personnel are performing a task specific to their position description or contract agreement, performing a task related to a student's education or to discipline of a student, providing a service or benefit related to the student or student's family, or maintaining the safety and security of campus. For example, an academic advisor has a legitimate educational interest in reviewing the courses a student has completed because reviewing completed courses is related to the task of advising the student. The advisor would not be authorized to view records that are not relevant to the task at hand.

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 exercise 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 his or her 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.

2004-AR Extracurricular Activities

School District Clubs and Other Activities On or before October 31 of each school year, each building administrator will forward to the Superintendent and/or his/her designee a complete list of the School District clubs and other activities offered in the building. Building administrators may not add new School District clubs or activities that cost the School District money without the approval of the Superintendent and/or his/her designee. The building administrator will also promptly notify the Superintendent and/or his/her designee of any changes during the school year.

Fund Raising

Overview. All fundraising activities must comply with 7007-AR.

General Guidelines. Requests to conduct fundraising must be submitted to the building principal for approval. Fundraisers requiring the use of School District facilities must be approved by the building principal. The distribution and posting of fundraiser flyers must also be approved by the building principal. For fundraisers involving food items, only two fundraisers per building per week are permitted if the food

items sold to students or consumed by students on campus during school hours do not meet USDA Smart Snack standards.

Contracts Building administrators may not enter into contracts, including contracts related to fundraisers, without the prior approval of the Superintendent and/or his/her designee.

Accounting Procedures and Cash Management

Generally.

- Secondary schools and elementary schools shall only use Student Activity Accounts maintained through the Business office.
- **Neither** individuals **nor** PTAs/Booster Clubs are to open a bank account in the name of the District or any given fundraiser.
- Accounts are not to “borrow” money from each other. Fundraising should be completed prior to any expenditure to ensure adequate money is available for the group. A Fundraiser Reconciliation form should be completed for each fundraiser. A sample form is attached.
- An annual budget should be used as a tool to establish goals. The budget should be developed through a joint effort of teachers, students and parents. A sample form is attached.
- The school responsible for record keeping should maintain a set of records, i.e., chart of accounts that clearly report all accounting activity for each fundraising activity. Revenues from "X" program should be matched against expenditures for "X" program.
- All financial records, including vendor invoices, are to be returned to the building Principal and available for a period of seven years.
- Minutes of Student Council meetings are to be retained for seven years. The attached form is to be used in the absence of another comparable form.
- Transfers from student accounts shall be duly recognized in the minutes of the student group and shall note where the transfer is to be designated. A copy of those minutes should be attached to the yearend printout of the activity of the individual group.

Cash Receipts. Under no circumstances are checks or cash to be deposited in any individual's personal bank account or used for payment to a vendor. Monies on hand should be restricted to funds for immediate deposit. All cash should be counted by two individuals (adults), not necessarily together in the same room, and immediately after an event when possible. Cash handling and recording duties should be separated as much as possible and practical. Locked cash boxes are to be used at all activities to protect cash and cash items. **A pre-numbered receipt is to be issued to the club advisor/teacher when the money is turned in. All voided receipts are to be retained and properly marked void.** A receipt should also be issued to parents for cash payments received stating the student name and purpose of payment. Checks received should be endorsed immediately and deposit tickets should identify each check separately. If separate deposit tickets are not practical, a tape detailing each check shall be provided to the bank, a copy kept with the building and a record which identifies how much was received and from who should be kept. Checks must be made payable to Farmington Public Schools.

Deposits should be made often, but no less than weekly when receipts exceed \$500.00. The District will not reimburse schools/student activities accounts for lost funds. **Tickets are to be used for any event in which paid admission is required.** A complete report must be kept listing tickets printed, sold and

unsold, along with ticket numbers for each category. Tickets are to be professionally printed and numbered and all unsold tickets noted on an event report.

Cash receipts are not to be used as a change fund to cash personal checks.

Cash Disbursements.

- Divide responsibility for approval of disbursements and payments where possible and practical. Signatures shall include an administrator and a secretary/bookkeeper. **No stamped signatures are allowed for checks.**
- No payments should be approved without sufficient documentation (e. g., receipts, invoices, etc.).
- **No payments will be made from “statements.” There should be an invoice detailing the goods purchased.**
- No employee is to receive pay for services from these funds.
- **Old, outstanding checks will be voided and credited back to the appropriate club/activity account.**
- Sales tax must be paid on items purchased for resale. Contact the Assistant Superintendent for Business Services, Finance Director, or Manager of Purchasing and Accounting for more information if this applies.
- The building principal or responsible budget committee should approve payments in excess of \$1,000 (for any one event) before any payments are authorized or contracts for services are awarded.
- All expenditures should be “reasonable and necessary” before expenditures are authorized and made.
- Payments for general fund expenditures made from activities funds with the expectation of general fund reimbursement shall be the exception and not the rule.

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Communications

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 will 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.

Student Code of Conduct The Superintendent has developed and promulgated the School District's Student Code of Conduct consistent with Board Policy 2006. The current Student Code of Conduct is posted on the School District's website and is also accessible by clicking [here](#). 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 Code of Conduct. The current Athletic Code of Conduct is posted on the School District's website and is also accessible by clicking [here](#). Building administrators, teachers, club sponsors and coaches are responsible for enforcing the Athletic Code of conduct in their buildings and programs.

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. 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; 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. The building administrator may grant a student permission to self-administer medication if the student's parent has provided written permission. For prescription medications, the parent must also provide the building administrator with written approval of the student's physician. A student who has been approved for self-medication may have in his/her possession only the quantity of medication needed for that school day, unless otherwise approved, in writing, by the building administrator.

Seclusion and Restraint Michigan law prohibits seclusion and restraint, except emergency seclusion and emergency physical restraint. The Superintendent designates the School District's Executive Director of Special Education to train staff consistent with Michigan law. In addition, all School District personnel involved in seclusion and restraint must be trained in Nonviolent Crisis Intervention.

Wellness The Superintendent establishes the School District's Wellness Committee. The Superintendent delegates to the School District's Nutrition Supervisor the duty of appointing and coordinating the duties of the Wellness Committee, which will include the School District's Health Coordinator and Physical Education Instructional Leaders. The School District's Nutrition Supervisor 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 Health Coordinator and the Physical Education Instructional Leaders are responsible for communicating the requirements of this administrative regulation to teaching staff who, in turn, are responsible for implementation within their individual classrooms. 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 School District's Nutrition Supervisor 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:

- 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);
- The building administrator has received a copy of the necessary written permissions; and,
- The school has on file a written emergency care plan (or IEPT Report 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. All training will be supervised, evaluated and approved by a licensed registered professional nurse. The building administrator is responsible for designating the necessary number of staff members to administer epi-pen injections and 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 the School District's Nurse at the same time. The Superintendent designates School District's Nurse 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.

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 July 26, 2019 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 Associate Superintendent for Instructional Services and/or his/her designee to review the 3000 series of Board Policies and these regulations at least annually. The Associate Superintendent for Instructional Services and/or his/her designee 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 that the curriculum remains relevant and up to date. The School District's Associate Superintendent for Instructional Services and/or his/her designee will be responsible for overseeing the ongoing review of the curriculum. The Associate Superintendent for Instructional Services will form a curriculum committee and serve as its chairperson. Any revisions to the curriculum that are recommended by the committee will be reported to the Superintendent for review and possible adoption.

3002-AR**Parental Involvement**

ESSA Section	Ways in Which District Staff Accomplishes these Activities
1116(c)(1): Convene an Annual Title I Parent Meeting at a time convenient to parents to inform parents of the Title I requirements and their right to be involved.	An annual meeting is held which includes information for parents/families of Lanigan, Beechview, Gill, Kenbrook, and Wood Creek elementary schools' participation in Title I, to explain the requirements of Title I, and the right for parents/families to be involved.
1116(c)(2): Offer a flexible number of meetings at times convenient to parents and provide transportation, child care, or home visits as they relate to parent involvement.	Meetings are offered at times convenient for parents and, if needed, transportation, child care, and home visits can be arranged. Parent/family meetings are scheduled at various times throughout the day and evening during the school year. Lanigan, Beechview, Gill, Kenbrook, and Wood Creek elementary schools will use Title I funds to pay reasonable and necessary expenses associated with parent/family involvement activities, including transportation, childcare costs, and home visits to enable parents/families to participate in school-related meetings and training sessions. Arrangement for phone conferences can also be offered, if necessary.
1116(c)(3): Involve parents in an organized, ongoing, and timely way in the planning, reviewing, and improvement programs under Title I, including the development of the Parent Involvement Plan and schoolwide Plan.	Parents/families will have a shared partnership in the Building School Improvement at Lanigan, Beechview, Gill, Kenbrook, and Wood Creek elementary schools and will be involved in the organized and ongoing planning, review, and improvement of the school improvement plan and parent involvement policy. This includes parent surveys and Parent Advisory Team meetings.

<p>1116(c)(4)(A): Provide parents of Title I children timely information.</p>	<p>Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools will ensure that information related to the school and parent/family programs, meetings, and other activities is sent to the parents/families in a timely, understandable, and uniform format, including alternative formats upon request, and to the extent possible in a language the parents/families can understand. Multiple modes of communication will be utilized including but not limited to; ListServ, building website, student planners, phone messenger, mailings, teacher websites, teacher newsletters, and follow-up personal phone calls and translation (where applicable).</p>
<p>1116(c)(4)(B): Provide parents of Title I children a description and explanation of the curriculum used at the school, the forms of academic assessment used to measure progress, and the proficiency levels students are expected to meet.</p>	<p>The school curriculum is accessible through the district website, and it is reviewed and discussed with parents during Fall Open House by all teachers, curriculum nights, and Title I Annual Meetings, along with individual conferences, where applicable. In order to assist with understanding of the curriculum Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools will, with the assistance of its Title I funds, provide access to the State's academic content standards, the State's student academic achievement standards, the State and local academic assessments including alternate assessments, the requirements of Part A, how to monitor their child's progress, and how to work with educators.</p>
<p>1116(c)(4)(C): Provide parents of participating Title I students opportunities for regular meetings to formulate suggestions, to participate in decision making as it relates to their child's education, and to respond to any suggestions as soon as possible.</p>	<p>The school and the parent/family community communicate regularly about academic opportunities, school performance, student progress, and parent/family activities. Communication activities include, but are not limited to, parent-teacher conferences, annual reports, ListServ, building website, student planners, school phone messenger, mailings, teacher websites, teacher newsletters, trimester report cards, personal phone calls, and emails. Individual meetings with families occur throughout the year as determined by the student's needs and parent or teacher request. These meetings engage parents in two way communication and support parent engagement in the development of educational plans for their student. Mutually developed plans help monitor individual student progress and support a home school connection to support student growth. Parents are encouraged to request meetings in addition to regularly scheduled conferences, for the review, monitoring and identification of strategies pertaining to their child's education.</p>
<p>1116(c)(5): Ensure that if the schoolwide plan is not satisfactory to parents of participating students, submit any parent comments on the plan when the school makes the plan available to the Local Education Agency.</p>	<p>If the Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools' Title I plan is not satisfactory to the parents/families of participating children, the school will submit any parent/family comments with the plan to the Farmington Public Schools Director of Instructional Equity. The concern will be addressed and the appropriate action will be taken.</p>

<p>1116(d)(1): Jointly, with parents, develop a school-parent compact that outlines how the entire school staff, parents, and students will share the responsibility for improved student academic achievement.</p>	<p>The School-Parent Compact was developed. Parent/families are involved in the creation and review of the Student-Parent Compact. This compact describes the expectations and responsibilities of all partners throughout the school year. The compact addresses the importance of ongoing communication, and will describe specific expectations for the school, the students, and families.</p>
<p>1116(d)(2)(A): Include a schedule for Elementary Parent/Teacher Conferences, at least annually, during which the Compact will be discussed with parents as it relates to the individual child's achievement</p>	<p>The Parent/School Compact will be shared annually at Parent/Teacher Conferences each fall. This is an opportunity for the parents and the teacher to share ways in which they can jointly support the child's learning at home and school. Elementary parent teacher conferences will take place in the fall and the spring, according to the district academic calendar. The parent teacher student compact will be discussed annually at the fall conference.</p>
<p>1116(d)(2)(B): Provide frequent reports to parents on their child's progress.</p>	<p>The school and the parent/family community will communicate regularly and clearly about academic opportunities, school performance, and student progress. Progress communication could include, but not limited to student planners, mailings, trimester report cards, personal phone calls and emails. Individual meetings with families occur throughout the year as determined by the student's needs and parent or teacher request.</p>
<p>1116(d)(2)(C): Afford parents of children receiving Title I services, reasonable access to staff, opportunities to volunteer, and participate in their child's class, and observation of classroom activities</p>	<p>Parent/families are invited to contact staff before and/or after school, as well as during designated times throughout the school day. Parents/families are encouraged to access any of the following forms of communication: email, phone contact and/or in-person communication. Observation of classroom activities by parents/families may also be coordinated with school staff. Parents/families and community members regularly provide assistance in the form of volunteering by providing their expertise in the classroom to support school improvement and student success.</p>
<p>1116(d)(2)(D): Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand</p>	<p>Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools will, with the assistance of parent/families, educate its teachers, principals and other staff in how to reach out to, communicate with and work with parents/families as equal partners, in the value and utility of contributions of parents and families and in how to implement and coordinate parent and family programs and build productive relationships between parents and families and schools by providing professional development and encouraging staff to attend parent meetings. The District will ensure that information related to the school and parent/family programs, meetings, and other activities is sent to the parents/families in a timely, understandable and uniform format, including alternative formats upon request and to the extent possible in a language the parents/families can understand.</p>

<p>1116(e)(1): Shall assist parents served by the school in understanding the State's academic content standards, the State and Local assessments, and how to monitor their child's progress</p>	<p>School staff annually shares the State's content expectations with parents, the state's annual assessment (MEAP) with parents, and how to monitor their child's progress. In order assist with understanding of the curriculum Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools will provide content standards, the State's student academic achievement standards, the State and local academic assessments including alternate assessments, the requirements of Part A, how to monitor their child's progress, and how to work with educators.</p>
<p>1116(e)(2): Shall provide materials and training to help parents work with their children at home to improve their child's achievement.</p>	<p>Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools will provide support, materials and training to help parents/families work with their children to improve their children's academic achievement, such as literacy training and using technology as appropriate to foster parental/family involvement by: parent/family forums, parent-teacher conferences, workshops, literacy nights, kindergarten orientation, kindergarten parent night, open house/curriculum nights, and support for joining ListServ, MiStar and other technology based parent information sources. Parents/families are encouraged to request additional support in areas of need and will be provided reasonable support as requested. Many academic supports are available for check out for at home use.</p>
<p>1116(e)(3): Shall educate staff in the value and utility of parents' contributions. Staff shall receive guidance in ways to reach out to parents, to communicate with parents, to coordinate and implement parent involvement programs, and to build relationships between the parents and the school.</p>	<p>On-going professional development for staff on effective ways to increase parent involvement occurs annually. Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools will with the assistance of parent/families educate its teachers, principals and other staff in how to reach out to, communicate with and work with parents/families as equal partners, in the value and utility of contributions of parents and families and in how to implement and coordinate parent and family programs and build productive relationships between parents and families and schools by providing professional development and encouraging staff to attend parent meetings.</p>
<p>1116(e)(4): Shall coordinate and integrate parent involvement programs and activities with other programs that encourage and support parents in more fully participating in the education of their children.</p>	<p>Lanigan, Beechview, Gill, Kenbrook and Wood Creek elementary schools will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs: Head Start, State-operated preschool programs and Title III Instruction Programs. These programs utilize strategies and activities such as but not limited to: needs assessments, home visits, monthly parent meetings, parent training and workshops, translation, community outreach and partnering with service and faith based organizations.</p>
<p>1116(e)(5): Shall ensure information is shared with parents in a language and format they can understand.</p>	<p>The District ensures that information related to the school and parent/family programs, meetings, and other activities is sent to the parents/families in a timely, understandable and uniform format, including alternative formats upon request and to the extent possible in a language the parents/families can understand. Multiple modes of communication will be utilized including but not limited to; ListServ, building website, student planners, school phone messenger, mailings, teacher websites, teacher newsletters, and follow- up phone calls and translation(where applicable).</p>

<p>1116(e)(14): Shall provide other reasonable support for parental involvement activities as parents may request.</p>	<p>Parents are provided with other reasonable support such as: Parents/families are encouraged to request additional support in any areas of need and will be provided reasonable support as requested.</p>
<p>1116(f): Shall provide full opportunities for participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children.</p>	<p>The District will provide opportunities for participation of parents/families with limited English proficiency, parents/families with disabilities and parents/families of migratory children. School reports as well as all relevant information will be provided in a format and language that parents/families can understand.</p>

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.

The Executive Director of Special Education will select appropriate intervention material(s) to support the individual needs of students with IEPs and Section 504 Plans.

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 or Community 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 Associate Superintendent for Instructional Services 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.

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 July 26, 2019 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 Human Resources to review the 4000 series of Board Policies and these regulations at least annually. The Director of 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 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 the Oakland ISD website. 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 provided a conditional offer of 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 Human Resources Specialist 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, 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 human resources department. 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.

Employment Contracts and Collective Bargaining Agreements District administrators and teachers are usually employed by the School District pursuant to individual employment contracts. The Director of Human Resources 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 Human Resources and the Assistant Superintendent for Business Services 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 Human Resources, Assistant Superintendent of Instruction and Talent Development, and/or Associate Superintendent for Instructional Services 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.

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.

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.

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.

Testing Requirements

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 will 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.

Layoff, Recall, and Personnel Decisions Affecting Teachers This administrative regulation 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.

All personnel reduction and related staffing decisions will be made based on the following factors:

- The yearend effectiveness rating assigned to a teacher under the FPS performance evaluation system (Highly Effective, Effective, Minimally Effective, Ineffective). No teacher who has received a rating of Ineffective on his/her most recent year-end evaluation will be given any preference that would result in that teacher being retained over a teacher who received a performance rating other than Ineffective;

- Regardless of the overall evaluation rating, documented areas of deficiency within the components that comprise the overall evaluation rating: Quality Instruction, Professional Responsibilities, Relevant Training and Special Contributions, Student Growth, considering the teacher's receptivity to feedback as evidenced by the documented efforts to improve identified areas of concern, if any, and the degree of progress made, if any; and/or formal disciplinary action after July 19, 2011, consisting of suspensions with or without pay (excludes paid administrative leave preceding a decision on disciplinary action).
- The teacher's demonstrated instructional expertise in the subjects, grades and levels being retained. This factor is demonstrated by one or more of the following, not in any order of priority:
 1. Successful teaching in the subject area, grade or level during a recent and relevant time period, in light of the needs of District students and the anticipated District configuration.
 2. One or more grade or subject matter certifications(which may include NBPTS certification, etc.) or successful experience in more than one grade, subject or level, in light of the needs of District students and anticipated District configuration.
 3. Demonstrated special expertise or experience in a role or responsibility deemed critical by the District, above the normal expectations for an educator/teacher in his/her peer group, as determined by the Superintendent and his/her designees. In this regard, the District will also consider whether the educator/teacher also demonstrated a record of exceptional performance over time.
 4. [Section 1248](#) factors embedded within the Farmington teacher evaluation rubric may be considered in determining layoff and recall, when teachers are otherwise deemed equal in all respects.
- Tenure status or length of service will not be a consideration unless the factors described in this Procedure are found to be equal, and then only at the discretion of the Superintendent.

Process for Conducting Recalls. Should the School District decide to conduct a recall from a staffing or program reduction, the following factors apply:

- A teacher who is subject to layoff and has received a rating of effective or highly effective on his/her most recent year end evaluation will be eligible for recall for three (3) years following the effective date of his/her layoff. In such cases, the School District will recall teachers in order of overall effectiveness based on the criteria set forth above in this Administrative Regulation.
- In order to be eligible for recall, a teacher must be certified and qualified for the vacant position.
- If a vacancy is not filled by the recall of a certified and qualified teacher that has been rated as effective or highly effective on his/her most recent year end evaluation, any teacher who is subject to layoff and has received a rating of effective or highly effective on his/her most recent year end evaluation but is not considered "qualified" for the position, is eligible for recall under the following conditions:
 1. The School District will notify the teacher in writing of any vacancy that occurs within his/her area of certification for a period of three (3) years from the effective date of the teacher's layoff.

Once notified of the vacancy, the teacher must apply for it in the manner described by the School District in the written notification.

- A teacher who is subject to layoff and has received a rating of minimally effective on his/her most recent year-end evaluation, regardless of whether that teacher is defined as “qualified,” is eligible for recall to a vacancy within their area of certification under the conditions set forth in the preceding two paragraphs.
- A teacher who has been subjected to layoff and has applied for recall to a position under the preceding paragraphs of this administrative regulation will be considered along with any individuals that have applied for the position from outside of the School District. Selection of the appropriate person to fill any vacant position shall be at the sole discretion of the School District using the criteria described herein.
- A teacher who is subject to layoff and has received a rating of ineffective on his/her most recent year end evaluation will not be eligible for recall.

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.

Layoff, Recall, and Personnel Decisions Affecting School Administrators This administrative regulation applies to those individuals whose employment is regulated by the Teachers’ Tenure Act, MCL 38.71 *et seq.* The Board, upon recommendation of the Superintendent and/or his/her designee will determine the number of layoffs necessary and the schools, departments, and administrative positions to be affected. The focus of personnel decisions will be the retention or staffing of those school administrators the School District determines to be the most effective under this policy.

Personnel Decisions. All personnel decisions will be made based on the following factors, in order of priority:

- The year-end effectiveness rating assigned to a school administrator under the School District’s Professional Growth & Administrator Evaluation Process (Highly Effective, Effective, Minimally Effective, Ineffective). No school administrator who has received a rating of Ineffective on his/her most recent year-end evaluation will be given any preference that would result in that administrator being retained over an administrator who received a performance rating other than Ineffective.
- Documented areas of deficiency within the components that comprise the overall evaluation rating: Quality Instructional Leadership, Professional Responsibilities, Relevant Training Contribution, and Aggregate Student Growth, considering the administrator’s receptivity to feedback as evidence by documented efforts to improve identified areas of concern, if any, and the degree of progress made, if any; and/or formal disciplinary action after July 19, 2011, consisting of suspensions with or without pay, but excluding paid administrative leave preceding a decision on discipline.
- The administrator’s demonstrated expertise as an instructional leader in the schools, departments, and positions being retained. This factor is demonstrated by one or more of the following, not in any order of priority:
 1. Successful instructional leadership during the most recent four (4) years.
 2. One or more certifications as teacher or school administrator or successful experience in more than one school, department, or level, or other relevant special training deemed critical by the District.

3. Special assignment by the District as an administrative leader in instructional matters, above the normal expectations for a school administrator in his/her peer group, as determined by the Superintendent or his/her designees.

4. Demonstrated effective leadership within a school, department, or the District, above the normal expectations for a school administrator in his/her peer group, as determined by the Superintendent or his/her designees.

5. Demonstrated special expertise or experience in a role or responsibility deemed critical by the District, above the normal expectations for a school administrator in his/her peer group, as determined by the Superintendent or his/her designees.

- The school administrator's successful experience during the most recent four (4) years within the District, school, department, or level, in a position being retained.
- Tenure status or length of service will not be a consideration unless the factors described above are found to be equal, and then only at the discretion of the Superintendent.

School or District administrators whose positions are eliminated shall be considered for reassignment solely at the discretion of the Superintendent or his/her designees, considering all effectiveness factors described herein.

Recalls. Should the School District determine to conduct a recall from a staffing or program reduction, the following factors apply:

- An administrator subject to layoff will be eligible for recall to a position held within the most recent four (4) years, for up to three (3) years following the effective date of his/her layoff, provided the administrator was rated effective or highly effective in such position in each of the four (4) years prior to the layoff.
- In order to be eligible for recall, an administrator must be certified and qualified for the vacant position. An administrator on layoff is not "qualified" for a vacancy if they have no experience in the vacant administrative position within the four (4) years prior to layoff, or do not meet the requirements of the hiring posting.
- If a vacancy is not filled by the recall of a certified and qualified administrator who has been rated as effective or highly effective on his/her most recent year-end evaluation, any administrator who is subject to layoff and has received a rating of effective or highly effective on his/her most recent year-end evaluation, but is not considered "qualified" for the position, as described in the preceding paragraph, is eligible for recall under the following conditions:
 1. The School District will notify the administrator in writing of any administrative vacancy that occurs for a period of three (3) years from the date of the layoff.
 2. Once notified of the vacancy, the administrator must apply for the vacancy in the manner described by the School District in the written notification.
- An administrator who is subject to layoff and has received a rating of minimally effective on his/her most recent year-end evaluation, regardless if the administrator is considered "qualified" as defined above, is eligible for recall to an administrative vacancy under the conditions set forth in this "Recalls" section.

- An administrator who has been subjected to a layoff and has applied for recall to a position under this policy will be considered along with any individuals that have applied for the position both inside and outside of the School District. Selection of the appropriate person to fill any vacant position shall be at the sole discretion of the School District using the criteria described in this policy.
- An administrator who is subject to layoff and has received a rating of ineffective on his/her most recent year-end evaluation will not be eligible for recall by the School District.

Layoff Notices. The District will strive to provide layoff notices before the end of a school year. However, the availability of state assessment data and/or state budget information are important factors that may influence the timing of layoff notices. Minimally, layoff notices will be issued at least two weeks prior to the effective date of the layoff.

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 HIPAA-compliant health plans. 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 Assistant Director of Human Resources and Employee Relations 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 upon hire and as necessary and appropriate for staff members to carry out their job functions. Each such employee will be provided with a copy of the privacy policy and required to affirm 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 file cabinet within a locked room 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 unless the employee and School District agree.

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.

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 The purpose of evaluations and discipline will be to encourage growth in staff and to encourage and create an environment that allows the School District to implement the educational goals of the Board of Education. Evaluations will be compliant with Michigan law, where applicable.

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 and/or his/her designee will evaluate administrators annually using the Marzano School Leader Evaluation Model.

Teachers. Building principals will evaluate teachers annually using the Marzano Teacher Evaluation Model.

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 has 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 or Director of Human Resources. 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 the Whistleblower's Complaint Form found on the School District's website.

Employee Pets With the exception of service animals, employees are prohibited from bringing their personal pets to work.

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 Director of Human Resources, in writing, no later than 10 calendar days after the employee becomes aware of the grounds for appeal. Such appeals will be promptly investigated and resolved, to the extent possible.

Succession planning is an organized, proactive process designed to ensure that the right people will be in place to sustain and promote the culture and goals of the District into the future.

Procedures The Succession Planning Committee will prepare for and manage a planned or unplanned change of leadership of the Superintendent. The Succession Planning Committee will include the Superintendent, Board President, Board Vice President and immediate past Board President. If the immediate past Board President is no longer a member of the Board, the Board Secretary will sit on the Committee.

Annually, the Succession Planning Committee will:

- Review the District's mission, vision and goals which will become the basis for determining the key leadership competencies and qualifications necessary to further the District's progress and review and update the Succession Plan. Changes to the plan require Board approval.
- Consult with the incumbent Superintendent regarding her/his career plans to provide for an informed Succession Plan.
- Review the District's emergency/short-term transition plan which shall include:
- The Superintendent's recommendation for an Acting Superintendent who would replace him/her in the case of a temporary absence and a timeline for appointment;
- By the end of September, the Board will authorize the Acting Superintendent to function as Superintendent in the event of the Superintendent's absence through the end of the current school year. If an absence occurs and overlaps two fiscal years, the Board shall reaffirm their approval before the end of the current fiscal year.

Succession Plan Process: Emergency/Short-Term Change in Leadership

- The absence status will be communicated to all stakeholders.
- The Superintendent will review her/his roles and duties with Acting Superintendent.
- The Acting Superintendent shall consult with the Superintendent, if available, on major decisions and continue to implement the annual goals of the Superintendent and District; and
- If the short-term absence is determined to be long-term or permanent, then the Board will decide the process for appointing an Interim Superintendent.

Succession Plan process, Permanent Leadership Change Upon announcement of the resignation or vacancy of the Superintendent, the Board will put the Succession Plan into effect. The Succession

Planning Committee will make recommendations to the Board regarding the specific procedures to be used and the process for filling the vacancy.

Minimally, this plan will include:

- Communication Plan outlining the selection process:
 1. Announcement of the Superintendent's resignation or vacancy will be shared with both staff and
 2. Community. Following Board approval, a statement of the Succession Plan and process for filling the vacancy will be announced. (See Attachment A)
 3. Information will be communicated through the following channels: email communications, newspapers, website, parent newsletters, and public meetings.
 4. The official spokesperson representing the District in all media contacts and external inquiries will be the Director of School and Community Relations working in conjunction with the Board President and Succession Planning Committee.
- The process for identifying executive search consulting services. If the Board determines it is necessary, it may choose to retain an executive search firm and issue a request for proposal;
- A timeline and schedule of recruitment selection activities including opportunities for input from key stakeholders;
- A transition time period between the outgoing Superintendent and the incoming Superintendent;
- Negotiation of the Superintendent's contract; and
- Appointment of the new Superintendent and assistance in the transition during his/her first year of employment.

Attachment A Succession Plan

Process: Timeline for Permanent Change in Leadership.

- Announce resignation or vacancy to staff and community
- Announce transition plan, which may include appointment of an Acting Superintendent
- Board decision on search process
- Process begins with announcements of search process
- If deemed necessary, the Acting Superintendent shall take over the responsibilities of the superintendency until such time it becomes necessary to appoint an Interim Superintendent.
- Board President and Director of School and Community Relations manage communications
- Superintendent search begins
 - Preparation
 - Timeline

- Staff and community input
 - Recruitment
 - Solicitation of applications
 - Board leadership and support
 - Screening of applicants
 - Visitations
- Communication
 - Press release(s) on search process
 - Communication(s) to staff
- Culminate Superintendent search process
- Negotiate contract
- Appoint new Superintendent
- Outgoing or Acting Superintendent consults with newly appointed Superintendent to assist in the transition

The Board president, vice president, and immediate past president shall serve as a Transition Committee to support the new Superintendent during the first year of his/her superintendency to provide feedback, guidance and support.

5000-AR

BUSINESS

The 5000 series of Board Policies requires or permits the Superintendent, or designee, to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on July 26, 2019 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 Assistant Superintendent for Business Services to review the 5000 series of Board Policies and these regulations at least annually. The Assistant Superintendent for Business Services 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 Assistant Superintendent for Business Services 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 Assistant Superintendent for Business Services 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 Assistant Superintendent for Business Services 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 84. The Assistant Superintendent for Business Services 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 Assistant Superintendent for Business Services will prepare the reports and data that the District is required to file with the State of Michigan and/or post on its web site. These reports will be submitted to the Superintendent for review and approval before they are filed or posted. The Assistant Superintendent for Business Services 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 Assistant Superintendent for Business Services 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 Assistant Superintendent for Business Services may recommend to the Superintendent revisions to these administrative procedures necessary to accomplish these goals.

Procurement Using Federal Grants and Awards The following administrative 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.

District and Its Disbursement to the School District Vendor 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 procedures.

The applicable or appropriate School District grant and/or award manager(s) must approve all costs posted against federal grants and awards and, then, only after the grant and/or award manager(s) have 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.

The Business Office maintains detailed procedures for specific federal grant requirements, such as allowable use of funds, time and effort reporting, etc.

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 real or apparent conflict of interest. A real or apparent 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. School District Board members, officers, employees, and agents are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or parties of subcontracts. 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\(a\)](#), when appropriate or required, 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 The School District will construct new building 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. Professional services are not covered by this Regulation.⁴

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 Facilities Management and Transportation, 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 Manager of Purchasing and Accounting.
- 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 and 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.

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.

⁴The 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.

The Superintendent, or designee, will, based on this review, recommend to the Board of Education 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, in compliance with Board Policy 5004. 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.

The Superintendent designates to the School District's Assistant Superintendent for Business Services primary responsibility for the investment of School District funds. The Assistant Superintendent for Business Services 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.

The Superintendent will make a quarterly report to the Board concerning the District's investments, as applicable. The Assistant Superintendent for Business Services will prepare a quarterly report for the Superintendent concerning the District's investments and deliver it to the Superintendent at least two weeks before the end of each quarter. Each of the Assistant Superintendent for Business Services' quarterly reports to the Superintendent will include detailed information concerning: portfolio diversification; maturity structure; potential risk; and, a comparison of the performance of the School District's portfolio with generally followed market measures.

Separately, the Superintendent will make an annual report to the Board concerning the District's investments, as applicable. The Assistant Superintendent for Business Services will prepare an annual report for the Superintendent concerning the District's investments and deliver it to the Superintendent on June 1 of each school year. The Assistant Superintendent for Business Services' 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 Assistant Superintendent for Business Services 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 Assistant Superintendent for Business Services, 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.

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 complete and submit incident reports, which includes all accidents, injuries, and property loss or damage within their school buildings to the District's Assistant Superintendent for Business Services.

Annual Assessment of Risks Annually, building principals should confer with their building's staff members, including teachers, administrators, food services, and maintenance/custodians, to discuss potential current risks or perceived risks of future harm. A summary of the meetings should be reported to the Superintendent for consideration.

Insurance Policies Annually, the Assistant Superintendent for Business Services will review insurance policies covering the District against loss resulting from personal injury or property damage and loss

should be reviewed to ensure they are necessary or sufficient. All recommended changes should be presented to the Superintendent and the Board.

Student Education Building administrators will update their student handbooks, to the extent necessary, to educate students on matters of school safety.

5008-AR Meal Charge

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

Requests Parents may request reduced-price or full-price meal benefits by submitting a meal application found at <http://www.lunchapp.com>, or by contacting the Nutrition Services Department at (248) 489-3717.

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 and purchase history online, at <https://www.mealmagic.cloud/mylunchaccount>.

Positive Balances. The School District will refund balances in excess of \$10.00. The District does not refund balances of \$10.00 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 balance. If so, all students will be allowed the equivalent of two lunch credits on their meal account and will be served the lunch entrée for the day. Students may charge up to \$5.00 in the negative for a complete meal only. No a la carte items may be charged. After May 1, 2019, the District will no longer permit students whose account balances are overdrawn to charge additional funds. The School District does permit charging for breakfast.

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 \$5.00. The notification will include the current account balance.

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.

To add to a student's meal account, please go to: <https://farmington.revtrak.net>.

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. Students whose accounts are overdrawn are permitted to charge up to a negative of \$5.00. Students whose accounts are overdrawn by \$5.00 or more will be offered an emergency lunch consisting of a bowl of Cheerios, a cheese stick, one fruit, one vegetable, and a milk for the cost of \$1.00. No more than five emergency lunches will be provided per child per school year. Emergency lunches will be charged to the student's meal account and the student's parents are responsible for reimbursing the School District for the full amount of any emergency meals.

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 Nutrition Services 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 the Nutrition Services Department will contact the household by School Messenger, email or, if the parent's email address is not known, by telephone, to request payment. The Nutrition Services Department will also inform the parent of the School District's reduced-price and full-price meal program. The Nutrition Services Department will inform the parent that the matter may be turned over to the building principal if no payment is received within a reasonable amount of time.

Bad Debt The School District defines bad debt as uncollectable/delinquent debt from inactive student meal accounts that has been determined to be uncollectable by June 30th of the fiscal year in which the debt was incurred. Debt is considered uncollectable/delinquent if: (1) the District has exhausted its collection attempts, as described in the preceding section; and (2) the student was inactive by June 30th. A student is inactive if he/she was no longer enrolled in the school district or had graduated by June 30th of the same fiscal year. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, the debt is classified as bad debt. 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, or school or community organizations such as the PTA. 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.

The Business Office will pursue collection efforts pertaining to the bad debt subsequent to the close of each fiscal year, when appropriate. The Business Office will quantify the amount of uncollectable balances by building and charge the appropriate student activities fund in each building for the balances. The Business Office will also write off the amount of uncollectable balances to the general fund.

Recordkeeping Once uncollectable/delinquent debt charges are converted to bad debt, the School District shall maintain records relating to those charges with the record retention requirements found under 7 CFR 210.9(b)(17) and 7 CFR 210.15(b).

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\(b\)](#). 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 date of sale receipts, nutrition labels and/or product specifications for the competitive food available for sale.

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) are collectively referred to as “obligations”.

The School District intends to ensure that all tax-exempt obligations issued by the School 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 School District official or employee responsible for review; training of the responsible School 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 School 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.

6000-AR

FACILITIES AND OPERATIONS

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 July 26, 2019 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 Facilities Management to review the 6000 series of Board Policies and these regulations at least annually. The Director of Facilities Management is also expected to recommend to the Superintendent legally compliant revisions and additions to the 6000 series of Board Policies and these administrative regulations.

6002-AR

Safety and Security

A comprehensive facilities inspection and maintenance program will assure that School District facilities and grounds are kept safe, clean, and functional. The Director of Facilities Management 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, ceilings, walls); fire equipment; restrooms (accessibility, functionality and cleanliness); sewers; playground and other school grounds; and, overall cleanliness.

As necessary, the Director of Facilities Management will prepare and submit to the Superintendent a report of desirable or necessary repairs and improvements.

Building Security Procedures

NOTE: The security system needs to get to know who all District personnel. If the fob to enter the building does not immediately work, District personnel are encouraged to wait 20 minutes and try again. This will permit the security system to communicate with the computer at Facilities Management, find the person attempting to enter the building, and load that person's profile into the building's database.

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 7:00 a.m. to midnight only.
- All buildings will be closed from 12:30 a.m. to 5:00 a.m. on all days. No one is permitted access any District facility during this time.
- All school buildings will be closed to all staff and students on December 24, 25, 31, and January 1 of each year.
- Key/fob requests should be made through the building administrator.
- No guests or visitors are allowed in school buildings beyond normal business hours unless authorized by a building administrator.

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.

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 Facilities Management 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 will develop procedures for the storage and disposal of chemicals used within the School District.

6009-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 Facilities Management 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.

6010-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.

Eligibility for Transportation [Sections 1321](#) and [1322](#) of the Revised School Code require the District to provide student transportation to and from school under certain circumstances. Additionally, [R 340.281](#) and [R 450.382](#) of the Administrative Code permit the District to transport or decline to transport some non-public students under limited circumstances.

Non-Public Schools. The Board is not authorized to establish the attendance areas of non-public schools. The Board shall request in writing from non-public school officials the information necessary for planning the transportation of non-public students. Non-public school officials will furnish the information requested in writing.

The Board will establish bus routes, bus time schedules, and expected school bus student conduct for all students transported. The school bus policies may be contained in the Student Code of Conduct or student handbooks and are equally applicable to public and non-public students. The Board will review with non-public school officials prior to opening of schools the routes, bus time schedules, and school bus rules established. These may be modified by the Board at its discretion.

The Board may contract for transportation by private care of students if the Board determines the cost of a school bus is excessive.

The bus stops for state-approved non-public students will be at their kindergarten through fifth grade home school. The exceptions are:

1. If the student lives in an area that is available for bussing and the starting times of the two schools do not accommodate the home school as the bus stop is determined by the Transportation Department.
2. Efficiency of scheduling by the District is better served by an alternate site.
3. The home school site cannot accommodate the bus stop placement.
4. For shuttle buses, a student attending a state-approved non-public school may need to be transported from their original bus stop or their home school to another location (generally a school site) and shuttled via a second bus to their chosen school.

Transportation Not Provided. Transportation is not provided to: schools of choice students and students who have administratively transferred to a school that is not their home school

Distance from School The District's requirements regarding student transportation and the students' distance from their schools are contained under Policy 6009. Normally, the District's routing software will be used to determine distances. When distances are close to the requirements under Policy 6009, county composite aeriels will be used to measure distances. All measurements are made in accordance with Attorney General Opinion 5933 (July 23, 1981) which provides: "the point of beginning for measuring . . . distance is the point of intersection of the center line of the public street or read with the center of the nearest schoolhouse doorways" and "the point of ending is the point of intersection of the center line of the public street or road with the center of the nearest walk or drive serving the [student]'s home."

Bus Stops The School District will select bus stops at its discretion. Disabled students will be transported in the manner required by law. Bus stops are determined by: (1) safety of the routes (i.e., students are not required to cross a street to reach their bus stop); and (2) efficiency of scheduling (i.e., the District strives to make bus rides less than one hour).

Bus Stop Locations. Bus stops will:

- Be no less than 200 feet from a public highway or roadway intersection, unless the stop is administratively approved;
- Allow no less than 200 feet of clear, continuous visibility of the bus in its stopped position to approaching vehicles, if the driver is making a red-light stop. If a posted speed of 45 mph or more exists on the road that the bus stops, the visibility minimum is 400 feet.
- Be no less than 50 feet from an intersection if the intersection is controlled by a traffic light, if the driver is making a red-light stop.
- Be a distance of not less than 200 feet before the stop so the driver can activate overall flashing yellow lights 200 feet before bus stop or not. (The lights cannot be activated prior to turning from one street onto another).
- To the best of the District's ability, be assigned to no more than 25 students.
- Adequate size for the number of students assigned.

- Assigned in public right-of-way areas, which may extend between 30 to 60 feet from the center of the road, and, therefore, may be placed on driveways.
- Assigned regardless of consideration for weather.
- Be placed consistent with state law, Board policy, and this administrative regulation.

School buses will not enter cul-de-sacs unless a student would be required to walk more than the distance designated in this regulation.

Parents will receive notification of their students' bus stop location and approximate pick-up time via postcard at the beginning of the school year. Bus pickup times are approximate until the school year is underway.

General Rules

Daycare. The Transportation Department may provide transportation to and from daycare centers based on factors including: school of attendance, location, existing routes, and availability of space. A "walker," i.e., a student who typically walks or is transported by non-District vehicles to and from school, can ride the bus to a daycare facility on a consistent schedule, if there is room on the bus and there is an existing stop already established at the daycare. Students will not be dropped off at a daycare center unless an adult is present at the drop off point. Failure of the center to provide an adult may result in the stop being eliminated from the bus route.

Consistency. Transportation will be provided on a consistent schedule (i.e., there may be a different pick up location than drop off location, but each must be the same every day). Students are not permitted to ride home on a different bus unless it is an emergency and approved by the building administrator who will notify the Transportation Department.

Grades Kindergarten through Five Transportation. Kindergarten students are transported to and from school with kindergarten through fifth grade students from neighborhood stops. Kindergarten students may walk up to one-half mile to reach their bus stop, with the exception of lone kindergarten students who may walk up to one-quarter mile. Students are not required to walk along main roads without sidewalks.

Grades Six through 12 Transportation. Where possible, bus routes are scheduled for main roads. Students may walk up to one mile to their bus stop. Students are considered capable of walking on the shoulder of a main road (5-foot shoulder required).

Cul-de-Sacs. Buses are not routed into subdivisions except to pick up students whose walking distance is further than one mile from the main road or for routing efficiency.

Chaperone Use of School Buses. 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.

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.

Student Expectations Bus rules are distributed to students at the beginning of each school year. The Student Code of Conduct is also applicable to students while riding school buses. Persistent student misbehavior can result in suspension of transportation privileges. Students must be waiting outside of vehicles up to 10 minutes before their scheduled pickup time as the bus may arrive up to 10 minutes before the scheduled pickup time. Buses are not permitted to re-open school bus doors for tardy students. Other bus stops may not be used if a student misses his/her bus. If the school bus is 15 minutes or more late, students must return home.

Parent Expectations The safety and conduct of students while going to and from school or at a bus stop and while waiting for the bus is the primary responsibility of parents. It is not necessary to inform the Transportation Department if a student will be absent from school. There is no provision for additional or change in transportation for students whose parents are out of town. Parents must sign a Parent/Guardian Transportation Acknowledgment Form when their student attends a class in a building other than their home school. Please contact the student's school building to request a copy.

Travel Reimbursement School District employees will be reimbursed for reasonable expenses incurred for pre-approved District-related travel, but will not be reimbursed for alcoholic beverages. School District employees will be reimbursed at the then prevailing IRS rate for out-of-District mileage incurred on pre-approved District-related travel. More detailed procedures and guidelines are located in the Staff Procedural Handbook.

6013-AR Surveillance of and in School District Buildings and Facilities

The Executive Director of School Services, 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 Executive Director of School Services 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 Executive Director of School Services that it is or may be necessary to save the recorded electronic surveillance. All electronic surveillance must be saved for 30 days after the date it was created.

6014-AR Recycling

Each school building, in order to reduce the amount of solid waste entering landfills, is expected to participate in a recycling program that is student driven and supported by the school administration. Every non-school building shall also have a staff driven recycling program. Items for recycling shall include, but not be limited to, paper, plastic bottles, batteries, printer cartridges and cardboard. Custodial staff is available to provide support but are not the primary persons responsible for recycling. The implementation of this procedure is the joint responsibility of administrators, teachers, support personnel and students, and its success is based on cooperation at all levels.

Objective The District seeks to minimize waste going into landfills through its recycling initiatives. Our goal is to promote recycling of materials by having in place a comprehensive recycling program to:

- Reduce the output of the general waste stream;
- Minimize contamination in the recycling stream;
- Reduce the need for landfill space;
- Take advantage of the economic benefits arising from recycling; and
- Promote resource conservation on non-renewable and renewable resources.

This procedure applies to the following recycling streams in every building in the District.

- Paper (all inclusive)
- Cardboard
- Aluminum cans/foil
- Plastics nos. 1-7
- Books
- Batteries
- E-Waste
- Fluorescent lamps
- Motor oil and other motor fluids
- Tires
- Green waste (food scraps)

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 July 26, 2019 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 School and Community Relations to review the 7000 series of Board Policies and these regulations at least annually. The Director of School and Community Relations is also expected to recommend to the Superintendent legally compliant revisions and additions to the 7000 series of Board Policies and these administrative regulations.

7002-AR Community Use of School District Facilities

Generally The following procedures govern the use and rental of school facilities to protect the regular instructional program, those who use the facilities, and the taxpayer who has provided the facilities.

Group Classifications

Group I. Group I includes school programs whose purpose is to support the School District's students including: PTA/Booster activities.

Group II. Group II includes school-related, civic, or community service non-profit organizations with an 80% residency. Group II shall supply a roster with participant addresses to the Facilities Scheduler.

Group III. Group III includes businesses and religious institutions located within the District, other governmental units, and higher education institutions.

Group IV. Group IV consists of any other for profit organization.

Commercial Film Companies. Companies should apply to the Director of Facility Management. The application should be made by letter and include the dates and hours requested, the facilities and equipment needed, and a brief description of the content to be filmed. Commercial film companies may incur additional costs above and beyond standard facility rental charges for ID cards, security personnel, event management, and miscellaneous supplies.

Negotiated contract rates will apply as specified in the lease agreement. Lease agreements will be negotiated with the Director of Facilities Management.

General Procedures School programs (regular, extracurricular, or school-related) take credence over the use of school facilities by a non-school group.

Permits and Insurance. All persons using a school building or property, including District employees who are members of local groups or organizations must submit a permit request through the District's Facility Scheduler. Permits will only be issued subsequent to receipt of a Certificate of Insurance and/or Hold Harmless and Indemnification agreement, as follows:

- *Group I.* These activities are considered school programs and, therefore, no special insurance or hold harmless and indemnification requirements are set forth.
- *Groups II, III, and IV.* These activities require the group to provide a certificate of insurance for workers' compensation, if applicable, liability for bodily injury and property damages, and/or any other type of insurance as the Superintendent deems necessary. Certificates of liability insurance

will be in the specific and aggregate amount of not less than \$3,000,000 and will name the District as an additional insured. The hold harmless and indemnification agreement shall also be required. The Superintendent may also impose special regulations in order to ensure the safety of all users. This may result in additional expenses to the group. For Group II, the certificate of insurance and/or hold harmless agreement requirements may be waived after review by the Facilities Scheduler.

Requests for parking lot use shall require a signed indemnification agreement.

Age Restrictions. No permit shall be issued to persons under the age of 21. There must be on site adult supervision for all usage. Minors will not be granted building entry without adult supervision. The group must be kept within the designated area(s) and hour(s) assigned on the permit.

Cancellation. The District reserves the right to pre-empt or cancel any permit 24 hours prior to the event if a scheduled school-related event is in conflict with the permit. Permit holders may cancel them by giving the issuing office notice at least 24 hours in advance of the event to be cancelled, except Saturdays or Sundays, when 48 hours will be required. If proper notice of cancellation is not given, permit holders will be responsible for all expenses and damages incurred.

Other Information. A custodian will usually be required to be on duty during all times the building is in use unless an administrator or District coach is present.

Rules and Regulations. All rules and regulations included with the permit must be followed or additional permits will not be issued to the organization. Building area capacities are not to be exceeded. Users will be charged for damages to buildings, grounds, and/or equipment. The user shall be responsible for the conduct and control of all in attendance and shall see that all District policies and regulations are followed. The user is not to enter any area other than those identified on the permit.

Food and Beverages. Groups serving food in the stadium that requires refrigeration, freezing, or to remain hot (except for beverages) must have a Certified Food Service Manager on site during the event. Prior to a facility use permit being issued, the Certified Food Service Manager's name and certificate shall be submitted to the Facilities Scheduler. If the group does not have a Certified Food Service Manager, a Certified Good Service Manager may be retained by the District at an hourly rate. An exemption to this requirement may be made to the Oakland County Health Department by submitting an exemption request form. It is the responsibility of the group to request and obtain their own exemption certificate and provide evidence of same by the Oakland County Health Department to the Facilities Scheduler. Nutrition Services supervision is required for any cafeteria kitchen use other than water access. Groups must provide own coffee urn. Stern cooking fuel and open flames are prohibited.

Building Availability. Priority will be given to Group I. No permits will take place or be issued when buildings are CLOSED during Holidays. All permits are cancelled when the District declares an inclement weather day. Use during summer break will be negotiated under a separate contract other than the permit procedure.

Special Requests. Individual requests for space for partnership activities, use of buildings for training facilities, and university course offerings will be negotiated under a separate contract other than the permit procedure and will require the approval of the Facilities Scheduler.

Prohibited Activities.

- Alcoholic beverages or illegal substances.
- Smoking, vaping, and/or gambling.
- Weapons of any type.

- Animals except for service dogs and for instructional purposes related to the curriculum of the District.
- Activities which block fire doors, means of egress, and/or block or tamper with any fire protection apparatus.

Safety and Security Guidelines. Entry to the building will be by front door only unless otherwise designed. All other doors will remain locked. Students will not be allowed to enter the building until adult supervision is present. The group must be kept within the designated area and hours assigned in the permit. No doors may be propped open.

Equipment Usage. All requests for use of school equipment such as piano, AV equipment, physical education equipment, scoreboards, timing equipment, technology, etc. must be noted on the permit. An additional fee may be charged.

Obtaining Use of Facilities/Sites. All permit requests from users outside the District are to be issued through the Facility Scheduler. When applying for a permit, copies of fliers and any promotional materials related to the activity are to be provided to the Facilities Scheduler and must indicate the program is not sponsored or endorsed by District. .

Rental Fees and Charges Rental and facility usage fees and charges will be reviewed periodically and are subject to change. A 50% deposit of estimated fees and charges will be due and payable upon signing the school facilities use agreement. Non-payment of fees will result in the loss of facility use privileges. All payments are due no later than thirty (30) days after invoicing by the District. Checks are to be made payable to Farmington Public Schools, mailed or dropped off to: FPC Facilities Management, 29350 W. Ten Mile Rd., Farmington Hills, MI 48336. The home address and driver's license number of the applicant and/or person signing the check will be required.

Group I. No rental fees will be charged. Incurred overtime for custodial services will be charged to the group.

Group II. Overtime and other direct costs incurred (e.g. snow removal, salting, unauthorized use of supplies and equipment, damages, excessive cleaning required) will be charged to the user.

80% Residency Rule. Group II users who do not have at least 80% of its participants as residents of the School District will be assessed the Group III fee.

Rental fees will be charged for auditoriums, pools, and outdoor athletic facilities. No reduction in fees is applicable for these areas.

Group III. Facility usage and rental fees may not be a profit generating activity.

Group II, III, IV.

Auditorium	\$300/hour	4-hour min.
Pool	\$100/hour	4-hour min.

- (A) Lifeguard (WSI certification required; (1-25 ratio))
- (B) District Pool Operator required

Group III, IV.

Classrooms		\$25/hour
Large Group Instruction (LGI)		\$50/hour
Media Center		\$50/hour
Cafeteria		\$75/hour
Kitchen		\$50/hour
Gyms	High School	\$90/hour
	Middle School	\$75/hour
	Elementary School	\$50/hour

Personnel Fees. Subject to change annually and applicable to all user groups.

- Custodial

Weekdays/Saturday	\$40/hour	4-hour min.
Sunday/Holidays	\$60/hour	4-hour min.

- Auditorium

Manager	\$40/hour	4-hour min.
Student Tech.	\$10/hour	4-hour min.

- Certified Pool Operator

Weekends/Saturday	\$75/hour	4-hour min.
Sunday/Holidays	\$60/hour	4-hour min.

- Kitchen

Weekdays/Saturday	\$40/hour	4-hour min.
Sunday/Holidays	\$60/hour	4-hour min.

- Grounds Utility

Weekdays/Saturday	\$55/hour	4-hour min.
Sunday/Holidays	\$70/hour	4-hour min.

Outdoor Facility Use Rental Fees.

	Group I & II	Group III	Group IV
Stadium/Track	\$50/hour	\$200/hour	\$300/hour
Stadium Lights	\$20/hour	\$50/hour	\$75/hour
Concessions	\$30/hour	\$60/hour	\$125/hour
Synthetic Practice Turf	\$25/hour	\$100/hour	\$150/hour

Tennis Courts	\$0/hour	\$25/hour	\$50/hour
Baseball/Softball	\$20/hour	\$75/hour	\$100/hour
Tack – Middle School	\$10/hour	\$50/hour	\$75/hour

- Ground Fees

Plowing/Salting	\$75/hour
Field Lining	
Baseball/Softball	\$75
Soccer/Lacrosse	\$150
Football	\$150

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 or 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:

Online Distribution The Director of School/Community Relations, in combination with an online distribution system, will receive and approve distribution of materials.

Review Process Organizations must submit the following information for review and approval prior to distribution: a form provided by the online distributor which includes the name and contact information of the organization, the school building(s) selected, as well as any other information required to finalize and distribute the requested material, along with a final pdf version of the flyer. The Director of School/Community Relations 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, 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 information/event is not organized or presented by Farmington Public Schools. We are sharing with you for your information.

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 disposition at his/her level.

The Superintendent/designee 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/designee 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.

7006-AR District Support Organizations

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 to the appropriate building principal for review and approval. Each organization will also obtain approval from the building principal for any and all district support events.

7009-AR Sustainability

A District committee of staff, students, and community members will be formed to monitor progress and provide guidance and oversight of sustainability initiatives. The District will inform staff and students of its sustainability policy and procedures so they can take an active part in its implementation.

7010-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

7011-AR Michigan Freedom of Information Act

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 and/or his/her designee 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. 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 web site, 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 web site and will include a specific web site 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 web site 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 web site.

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 web site 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 the attached 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. 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 Summary and Guidelines document.

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.

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 July 26, 2019 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 Executive Director of Instructional Services to review the 8000 series of Board Policies and these regulations at least annually. The Executive Director of Instructional Services 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 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 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 password 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 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 necessary to protect adults and students who use School District technology to access the internet against images or other depictions that are obscene, contain child pornography, and, with respect to technology use by students, are harmful to minors. Such software will be in use any time students use School District technology to access the internet.

The 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 (Student Bullying) and any implementing regulations.

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

The [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 Special Education Handbook and 504 Manual. This regulation sets forth a procedure for addressing complaints of illegal discrimination arising under the ADA and Section 504.

Procedure

These procedures can be found by clicking [here](#).

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 it is 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.

Compliance Officer The Board of Education has designated the individual named below, or designee, to serve as the District's Section 504 Compliance Officer:

Name:	<u>Naomi Khalil</u>
Position:	<u>Director of Instructional Equity</u>
District Phone:	<u>(248) 489-3596</u>
Email:	<u>naomi.khalil@fpsk12.net</u>

Equipment The School 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 sudden cardiac arrest. 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 the 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 School District will be responsible for securing and arranging the necessary training from or through a supplier listed on [Michigan Department of Education's \(MDE\) 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.

Sudden Cardiac Arrest 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.

Emergency Response to Sudden Cardiac Arrest 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 a 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 a person may be experiencing sudden cardiac arrest at school.

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 parents of any student who may have experienced sudden cardiac emergency.

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.

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.

8006-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 to determine and implement exclusion and re-admittance of individuals. Wayne County Health Division staff will be contacted as needed for consultation and clarification.

Communicable Diseases, Which Are 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 Wayne 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 Wayne 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.

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 Oakland County Health Division.
- A parent/guardian if the affected individual is a student, and 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.

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 accommodation, 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.

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 of Education 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 That Are 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(s)/guardian(s) 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 proceedings 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.

8007-AR

Copyrighted Works

Generally The guidelines, below are intended to assist staff in determining the permitted use of copyrighted 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;
- 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.

8008-AR

Discrimination and Harassment

The Board of Education has adopted anti-discrimination and anti-harassment policies that prohibit illegal discrimination and harassment in the School District's programs and activities by, among others, Board members, School District employees, and students. A student, employee, or any other person who believes a student or employee has been the victim of illegal discrimination or harassment may seek resolution of the matter through the procedures that follow. Alleged discrimination and harassment other than sexual harassment will be investigated and resolved pursuant to 8008.1-AR or 8008.2-AR. Sexual harassment against employees and students will be investigated and resolved pursuant to 8008.3-AR, as required by Title IX and its implementing regulations. The School District's duty to investigate allegations of discrimination and harassment is not affected in cases where the same allegations have been reported to or are being investigated by law enforcement authorities.

Compliance Officer and Title IX Coordinator The Director of State and Federal Programs, School Improvement and School Safety and Compliance Officer/Title IX Coordinator, whose telephone number is 248-489-3596 and whose email address is tyrone.weeks@fpsk12.net, is the School District's Compliance Officer and Title IX Coordinator for purposes of this Administrative Regulation.

Days As used in 8008.1-AR through 8008.3-AR, the word "days" means school days during the school year when school is in session and business days during the summer break.

8008.1-AR

Discrimination and Harassment – Students

Generally Any student, or any other person, may report that a student has been the victim of illegal discrimination or harassment, other than sexual harassment, to the School District's Compliance Officer and Title IX Coordinator and seek resolution of the matter through the informal or formal procedures described in this Administrative Regulation.

Definitions for 8008.1-AR

"Complainant" means the student who is the alleged victim of discrimination or harassment; other than sexual harassment, which is addressed by 8008.3-AR.

"Respondent" means the person who allegedly discriminated against or harassed Complainant.

"Investigator" means the person investigating a formal complaint of discrimination or harassment.

"Discrimination" means behavior based, in whole or in part, on Complainant's race, color, national origin, religion, sex, marital status, genetic information, or disability. The behavior must be sufficiently severe and pervasive that it:

- Affects Complainant's ability to benefit from the School District's educational programs or activities;
- Creates an intimidating, threatening, or hostile educational environment;
- Has the effect of substantially or unreasonably interfering with Complainant's academic performance; or,
- Otherwise adversely affects Complainant's educational opportunities.

"Harassment" means behavior that is threatening, harmful, or humiliating and so severe, pervasive, or persistent that it:

- Affects Complainant's ability to benefit from the School District's educational programs or activities;
- Creates an intimidating, threatening, or hostile educational environment;
- Has the effect of substantially or unreasonably interfering with Complainant's academic performance; or,
- Otherwise adversely affects Complainant's educational opportunities.

Informal Complaint Resolution Procedure The informal complaint resolution procedure is a less formal option for a Complainant who believes s/he was the victim of discrimination or harassment. Resorting to the informal procedure is not required before filing a formal complaint. Moreover, at any time during the informal complaint resolution procedure, Complainant may request that the matter be moved to the formal complaint process. The informal complaint resolution procedure will not be used for complaints against District employees and other District-affiliated adults.

Step 1. A student, or any other person, may report discrimination or harassment to: a School District employee or building administrator; the Superintendent or other central-office administrator; or, the Compliance Officer and Title IX Coordinator.

All informal complaints received by School District employees must be reported to the Compliance Officer and Title IX Coordinator within two (2) days. The Compliance Officer and Title IX Coordinator will either facilitate an informal resolution, as described below, or appoint another person to facilitate an informal resolution.

Step 2. Depending upon the facts, circumstances, and wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- Counseling Complainant how to effectively communicate the unwelcome nature of the behavior to Respondent.
- Distributing a copy of the School District's anti-discrimination and anti-harassment policy and this Administrative Regulation as a reminder to Respondent and other individuals.
- If both parties agree, the Compliance Officer and Title IX Coordinator may arrange and facilitate a meeting between the Complainant and Respondent to work out a mutual resolution. Such a meeting may include some or all of the features of the restorative practices process described in the Revised School Code, [MCL 380.1310c](#).

Step 3. The Compliance Officer and Title IX Coordinator will endeavor to complete the informal complaint resolution procedure within ten (10) days of receiving the informal complaint. If Complainant or Respondent is dissatisfied with the result, s/he may file a formal complaint.

All materials generated as part of the informal complaint resolution procedure will be retained in a single location under the control of the Compliance Officer and Title IX Coordinator in accordance with the Board of Education's records retention and/or Student Records policies.

Formal Complaint Resolution Procedure

Step 1. A student, or any other person, may file a formal complaint with: a School District employee; the Superintendent or other central-office administrator; or, the Compliance Officer and Title IX Coordinator. All such complaints must be forwarded to the Compliance Officer and Title IX Coordinator within two (2) days.

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

- The name of Complainant and, if different, the name of the person reporting the allegation;
- The allegation, including a description of relevant incident(s), date(s), and time(s) (if known);
- The name(s) of all persons alleged to have committed discrimination or harassment, if known, or a description/identifying information if the name is not known; and,
- The name(s) or description/identifying information of all known witnesses.

If Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer and Title IX Coordinator will ask for the information in an interview. Thereafter, the Compliance Officer and Title IX Coordinator will prepare a written summary of the interview and ask Complainant to verify the accuracy of the summary by signing it.

Step 2. Within two (2) days of receiving the formal complaint, the Compliance Officer and Title IX Coordinator, or designee (the Investigator), will initiate a formal investigation to determine whether Complainant has been subjected to discrimination or harassment.

NOTE: Upon receiving a formal complaint, the Investigator will consider whether any action should be taken during the investigation to protect Complainant from further discrimination or harassment, including, but not limited to, a no-contact order or a change of schedule for Complainant or Respondent. In making such a determination, the Compliance Officer and Title IX Coordinator will consult Complainant to assess his/her reaction to the proposed action. If Complainant disagrees with the proposed change, the Investigator may nevertheless, following consultation with the Superintendent, take whatever actions s/he deems appropriate and in the best interests of Complainant, Respondent, and the integrity of the investigation.

The Compliance Officer and Title IX Coordinator will inform Respondent that a complaint has been received. Respondent will be informed of the nature of the allegations and provided with a copy of the Board's anti-discrimination and anti-harassment policy and this Administrative Regulation. Respondent will also be provided an opportunity to submit a written response to the complaint within five (5) days. Throughout the course of the process, the Compliance Officer and Title IX Coordinator will keep both parties informed of the status of the investigation and the decision-making process.

Although certain cases may require additional time, the Investigator will endeavor to complete the investigation within fifteen (15) days of receiving the formal complaint. The investigation will include:

- Interviews with Complainant and Respondent;
- Obtaining and reviewing any written statements of Complainant, Respondent, and any other witnesses;
- Interviews with other witnesses who may have information relevant to the allegations; and,
- Consideration of any relevant documents or other information presented by Complainant, Respondent, or other witnesses.

Step 3. At the conclusion of the investigation, the Compliance Officer and Title IX Coordinator will, within fifteen (15) days of receiving the formal complaint, prepare and deliver a written report to the Superintendent summarizing the information gathered during the investigation and, if applicable, the date of any report to the police. The report will also provide recommendations based on the evidence. A preponderance of the evidence standard will be followed. The Compliance Officer and Title IX

Coordinator'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 the recurrence of 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) days of receiving the Compliance Officer and Title IX Coordinator's report, the Superintendent will issue a final decision 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 will specify the additional information that is to be gathered, and the additional investigation will be completed within ten (10) days. At the conclusion of the additional investigation, the Superintendent will issue a final written decision as described above.

Filing a Complaint with the Office for Civil Rights Complainant, or any other person, 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, allegation of discrimination and harassment may 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 the Compliance Officer and Title IX Coordinator in accordance with the Board of Education's records retention and/or Student Records policy.

8008.2-AR Discrimination and Harassment – Employees

Generally Any employee who believes that s/he has been the victim of illegal discrimination or harassment, other than sexual harassment, may notify the School District's Compliance Officer and Title IX Coordinator and seek resolution of the matter through the informal or formal procedures described below.

Definitions for 8008.2-AR

“Complainant” means the employee who is the alleged victim of discrimination or harassment; except sexual harassment, which is addressed by 8008.3-AR.

“Respondent” means the person who has allegedly discriminated against or harassed Complainant.

“Investigator” means the person investigating a formal complaint of discrimination or harassment.

"Discrimination" means behavior based, in whole or in part, on Complainant's race, color, national origin, religion, sex, marital status, genetic information, age, height, weight or disability that is sufficiently severe and pervasive that it:

- Creates an intimidating, hostile, or offensive environment;
- Substantially or unreasonably interferes with Complainant's work performance, opportunities, or benefits; or,
- Otherwise adversely affects Complainant's employment;

"Harassment" means behavior that is threatening, harmful, or humiliating and so severe, pervasive, or persistent that it:

- Creates an intimidating, hostile, or offensive environment;
- Substantially or unreasonably interferes with Complainant's work performance, opportunities, or benefits; or,
- Otherwise adversely affects Complainant's employment.

Informal Complaint Resolution Procedure The informal complaint resolution procedure is a less formal option for a Complainant who believes s/he was the victim of discrimination or harassment. Resorting to the informal procedure is not required before filing a formal complaint. Moreover, at any time during the informal complaint resolution procedure, Complainant may request that the matter be moved to the formal complaint process. The informal complaint resolution procedure will not be used for complaints alleging violence.

Step 1. The Complainant may make an informal complaint, orally or in writing, to: the building administrator of the building to which the employee is assigned; the Superintendent or other central-office administrator; or the Compliance Officer and Title IX Coordinator.

All informal complaints must be reported to the Compliance Officer and Title IX Coordinator within two (2) days. The Compliance Officer and Title IX Coordinator will facilitate an informal resolution, as described below, or appoint another individual to facilitate an informal resolution.

Step 2. Depending upon the facts, circumstances, and wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- Advising Complainant how to effectively communicate the unwelcome nature of the behavior to Respondent.
- Distributing a copy of the anti-discrimination and anti-harassment policy and this Administrative Regulation to Respondent and other individuals.
- If both parties agree, the Compliance Officer and Title IX Coordinator may arrange and facilitate a meeting between the Complainant and the Respondent to work out a mutual resolution. However, such a meeting will not be held where sexual violence has been alleged.

Step 3. The Compliance Officer and Title IX Coordinator will endeavor to complete the informal complaint resolution procedure within fifteen (15) days of receiving the informal complaint. If Complainant or Respondent is dissatisfied with the results of the informal complaint resolution process, s/he may file a formal complaint.

All materials generated as part of the informal complaint resolution procedure will be retained in a single location under the control of the Compliance Officer and the Title IX Coordinator in accordance with the Board of Education's records retention policy.

Formal Complaint Resolution Procedure

Step 1. Complainant may file a formal complaint with: the building administrator of the building to which s/he is assigned; the Superintendent or other central-office administrator; or, the Compliance Officer and Title IX Coordinator. The person with whom a complaint is filed must report it to the Compliance Officer and Title IX Coordinator within two (2) days.

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

- Complainant's name and, if different, the name of the person reporting the allegation;
- The allegation, including a description of relevant incident(s), date(s) and time(s) (if known);
- The name(s) of all persons alleged to have committed discrimination or harassment, if known, or a description/identifying information if the name is not known; and,
- The name(s) or description/identifying information of all known witnesses.

If Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer and Title IX Coordinator will ask for the details in an interview. Thereafter, the Compliance Officer and Title IX Coordinator will prepare a written summary of the interview, and Complainant will be asked to verify the summary by signing it.

Step 2. Within two (2) days of receiving the formal complaint, the Compliance Officer and Title IX Coordinator, or designee (the Investigator), will initiate a formal investigation to determine whether Complainant has been subjected to discrimination or harassment.

NOTE: Upon receiving a formal complaint, the Investigator will consider whether any action should be taken during the investigation to protect Complainant from further discrimination or harassment, including, but not limited to, a change of work assignment or schedule for Complainant or Respondent. In making such a determination, the Investigator will consult Complainant to assess his/her reaction to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Investigator may nevertheless, after consulting with the Superintendent, take whatever actions he/she deems appropriate for the protection of Complainant, Respondent, and the integrity of the investigation.

The Investigator will inform Respondent that a complaint has been received. Respondent will be informed of the nature of the allegations and provided with a copy of the Board's anti-discrimination and anti-harassment policy and this Administrative Regulation. Respondent will also be informed of the opportunity to submit a written response to the complaint within five (5) days. Throughout the course of the process, the Compliance Officer and Title IX Coordinator will keep the parties informed of the status of the investigation and the decision-making process.

Although certain cases may require additional time, the Investigator will endeavor to complete the investigation within fifteen (15) days of receiving the formal complaint. The investigation will include:

- Interviews with Complainant and Respondent;
- Obtaining and reviewing any written statements of Complainant, Respondent, and any other witnesses;

- Interviews with any other witnesses;
- Relevant documents and other information presented by Complainant, Respondent, or any other witnesses.

Step 3. At the conclusion of the investigation, the Compliance Officer and Title IX Coordinator will, within fifteen (15) 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 will provide recommendations based on the evidence. The 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) days of receiving the report, 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) days. At the conclusion of the additional investigation, the Superintendent will issue a final written decision as described above.

Filing a Discrimination or Harassment Complaint with State or Federal Agencies An employee alleging discrimination 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 discrimination or 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 Compliance Officer and Title IX Coordinator in accordance with the Board of Education's records retention policy.

8008.3-AR Sexual Harassment – Employees and Students

Generally This Administrative Regulation sets forth the procedure the School District follows to investigate and resolve allegations of sexual harassment against School District employees or students. Administrative Regulations 8008.1-AR and 8008.2-AR apply to illegal discrimination and harassment on other bases.

The School District's Title IX Coordinator is responsible for implementing 8008.3-AR. The Title IX Coordinator will ensure his/her contact information is posted on the School District's website, included in the School District's annual notifications document, published in every handbook and catalogue distributed to parents and students, and conveyed to the president of every School District collective bargaining unit.

Definitions for 8008.3-AR

“Complainant” means an employee or student who is the alleged victim of conduct that could constitute sexual harassment.

“Respondent” means the person who has been reported to be the perpetrator of conduct that could constitute sexual harassment against a Complainant.

“Investigator” means a person the Title IX Coordinator has appointed to investigate allegations of sexual harassment against a Respondent.

“Sexual Harassment” means, with respect to the School District's programs and services:

- Conditioning an aid, benefit, or service on Complainant's participation in unwelcome sexual conduct;
- Unwelcome sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies Complainant equal access to the School District's programs or activities; or,
- “Sexual assault” as defined in [20 USC 1092\(f\)\(6\)\(A\)\(v\)](#), “dating violence” as defined in [34 USC 12291\(a\)\(10\)](#), “domestic violence” as defined in [34 USC 12291\(a\)\(8\)](#), or “stalking” as defined in [34 USC 12291\(a\)\(30\)](#).

Duty to Respond The School District has a duty to respond to alleged sexual harassment any time a School District employee reports an employee or student has been sexually harassed and any time any other person makes a report of sexual harassment to the Title IX Coordinator. School District employees are required to report all incidents of suspected sexual harassment to the Title IX Coordinator.

Supportive Measures. The Title IX Coordinator, upon receiving a report of sexual harassment, will promptly contact Complainant to offer supportive measures, regardless whether a formal complaint is filed. Supportive measures are non-punitive individualized services, at no cost to Complainant, intended to restore or preserve Complainant's access to the School District's programs and activities without unreasonably burdening Respondent. Supportive measures may include, but are not limited to: the Title IX Coordinator's duty to discuss options with Complainant, including explaining the process for filing a formal complaint; and, no-contact orders, counseling, course modifications, schedule changes, transfers, or increased security and monitoring. The Title IX Coordinator will take into account Complainant's wishes before implementing supportive measures.

Action to remove Respondent from the School District prior to a final decision is not a supportive measure. However, the Title IX Coordinator may, after an individualized risk assessment of Respondent takes place, temporarily remove Respondent from the School District if s/he poses an immediate threat to the physical health or safety of Complainant or any other person. In such cases, upon removal, the Title IX Coordinator will provide Respondent with notice and an opportunity to challenge the temporary removal at the earliest possible date. The Title IX Coordinator may, after consulting with the School District's chief human resources officer, place a Respondent-employee on temporary administrative leave. A temporary removal or administrative leave will end when a final decision is reached.

Formal Complaint A Complainant may file a formal complaint. The Title IX Coordinator may file a formal complaint even if Complainant declines to do so. The formal complaint will include: the names of Complainant and Respondent, or identifying information if Respondent's name is unknown; as complete a description of the alleged sexual harassment as is available, including dates, times, and places; actual and potential witnesses; actual and potential relevant documents, data, and other items; and, the signature of the student or the Title IX Coordinator.

Response to Formal Complaint and Grievance Procedure.

Generally. The Title IX Coordinator will ensure that, at every step of the Grievance Procedure: the parties are treated equitably; all information and evidence is evaluated objectively; and, there are no conflicts of interest affecting the Title IX Coordinator or any informal resolution facilitator, Investigator, Decision-Maker, or any individual resolving an appeal.

Notice. Upon receiving or filing a formal complaint, the Title IX Coordinator will issue a notice to Complainant and Respondent. The notice will include: a statement of the allegations, in sufficient detail to permit Respondent to prepare a response; a statement Respondent is presumed not responsible unless a final decision is rendered against Respondent; the parties' right to inspect the formal complaint and all evidence gathered during any investigation; the parties' right to be represented by an advisor or advocate, who may be an attorney; and, any provision in the School District's Student Code of Conduct prohibiting knowingly making a false statement or providing false evidence or information. If, during the investigation, the School District decides to investigate allegations that were not included in the original notice, the Title IX Coordinator will notify Complainant and Respondent of the additional allegations.

Dismissal. The Title IX Coordinator must dismiss a formal complaint if the allegations: do not establish sexual harassment even if they are true; did not occur in connection with the School District's programs and services; or, did not occur in the United States. The Title IX Coordinator may dismiss a formal complaint, in whole or in part, if: Complainant withdraws some or all of the allegations; Respondent's employment or enrollment in the School District ends; or, specific circumstances prevent the School District from gathering sufficient relevant evidence to reach a decision disposing of the formal complaint. The School District's Title IX Coordinator will notify Complainant and Respondent, in writing, if a formal complaint is dismissed, including an explanation for the dismissal. The Complainant may appeal the dismissal.

Informal Resolution The School District cannot informally resolve an allegation of sexual harassment before a formal complaint is filed. The allegations in a formal complaint may not be resolved informally

unless: Claimant and Respondent have been provided notice of their rights by delivery of the applicable anti-harassment policy and 8007.3-AR; and, Claimant and Respondent have voluntarily consented to informal resolution, in writing, after having been informed when informal resolution may preclude the resumption of a formal complaint investigation. Informal resolution may consist of a voluntary agreement between Claimant and Respondent, facilitated and documented by the Title IX Coordinator, or his/her designee; restorative practices, such as described at [MCL 380.1310c](#); or, facilitative mediation by an experienced mediator. Informal resolution may also be reached through other conflict resolution strategies, including arbitration. Informal resolution may not be used to resolve an allegation that a School District employee sexually harassed a student.

Investigation The Title IX Coordinator, or designee (the Investigator), will investigate a formal complaint. The burden of undertaking and completing the investigation rests on the School District. The Investigator will be appointed within two (2) days from the date the Title IX Coordinator receives or files the formal complaint. The Investigator will presume Respondent is not responsible unless a final decision against Respondent is reached. The Investigator will not require, seek, or rely on privileged information without consent of the privilege-holder.

The Investigator will notify Respondent of his/her right to file a written response to the formal complaint within five (5) days from the date Respondent received the formal complaint. Regardless whether Respondent files a written response, the Investigator will, within ten (10) days, complete an investigation that will include, but not be limited to: interviewing Complainant and Respondent and preparing interview summaries; interviewing all actual and potentially relevant witnesses identified by Complainant and Respondent, including expert witnesses, and preparing interview summaries; obtaining, to the extent they are available, all relevant documents, data, and other items identified by Claimant, Respondent, and witnesses; preparing an investigative report that fairly summarizes the relevant evidence; and, providing the investigative report to the parties simultaneously. The parties and their advisors may attend party interviews and the Investigator will provide sufficient notice to permit them to prepare. The School District will not interfere with the parties' ability to discuss the allegations or gather and present evidence, except to the extent a no-contact or similar order has been issued by the Title IX Coordinator.

The Title IX Coordinator will, upon receiving the Investigator's Report, notify the parties of their right to: submit relevant written questions to parties and witnesses, receive answers, and submit limited follow-up questions; and, after any such answers are received, file a written response to the Investigator's Report within seven (7) days from such receipt. If the Investigator declines to submit a question, s/he will provide a written explanation to the party who posed it.

The Title IX Coordinator may permit an adjournment of the investigative timelines for good cause and, in the event of an adjournment, so notify Complainant and Respondent. Separately, if Respondent is a School District employee, the Title IX Coordinator will review any applicable collective bargaining agreement and grant any required adjournment of the investigative timelines.

Decision. The Title IX Coordinator will appoint a Decision-Maker, who is not the Title IX Coordinator or Investigator. The Decision-Maker will objectively review all inculpatory and exculpatory evidence gathered during the investigation including, but not limited to, the formal complaint, Respondent's response, if any, the Investigator's entire file and investigative report, and the parties' responses to the investigative report, if any. Credibility determinations, if any, will not be based on an individual's status as Complainant, Respondent, or witness. The Decision-Maker will not hold Respondent responsible unless a preponderance of the evidence establishes Respondent sexually harassed Complainant. Regardless whether the Decision-Maker concludes Respondent is responsible, the Decision-Maker will issue a decision within ten (10) days of his/her appointment and will provide the decision to Complainant and Respondent simultaneously. The decision will include: Complainant's allegations; procedural steps taken with respect to the allegations, including notifications, interviews, site visits, and any other methods used to gather evidence; findings of fact; the application of the applicable anti-harassment policy, this 8008.3-AR, and the School District's Student Code of Conduct to the facts; and, a statement of all rationale for the result as to each allegation, including determinations of responsibility, disciplinary sanctions, whether Complainant will be provided remedies to restore or preserve his/her equal access to the School District's

education programs and activities, and the procedure and bases for appeal. Upon a finding of responsibility, sanctions for Respondent-students may range from administrative intervention to permanent expulsion. Sanctions for Respondent-employees may range from counseling to discharge. Sanctions for Respondent-Board members may range from censure to a petition to the Governor for removal from the Board of Education.

Appeal. Complainant or Respondent may appeal the Decision-Maker's decision by filing an appeal with the Superintendent within five (5) days from receipt of the decision. The Superintendent will provide notice to the opposite party if an appeal is filed, including a copy of the appeal and an opportunity to respond. The appeal must include all of the reasons the appealing party disagrees with the decision. The Superintendent will review the appeal and, based on the appeal, the decision, and the entire record upon which the decision is based, will affirm the decision, in whole or in part, or reverse the decision, in whole or in part. The Superintendent may reverse the decision, in whole or in part: based on procedural irregularity affecting the outcome, including the failure to comply with 8008.3-AR; the Decision-Maker's lack of knowledge of newly discovered evidence; or, bias or conflict of interest on the part of the Title IX Coordinator, Investigator, or Decision-Maker. The Superintendent may, if warranted, remand the decision, in whole or in part, for additional investigation by the original or a different Investigator and/or further consideration by the original or a different Decision-Maker. The Superintendent will issue his/her decision within ten (10) days of receiving the appeal or response, if any, and provide his/her decision to the parties simultaneously. The grievance process is complete and a final decision is reached when no timely appeal is taken or after the appeal process is completed.

Training The Title IX Coordinator will ensure that s/he and all informal resolution facilitators, Investigators, and Decision-Makers (including those who resolve appeals) receive the following training: the definition of sexual harassment; the scope of the School District's programs and activities; how to determine whether information and evidence is relevant, including the application of Title IX's "rape-shield" provision; the grievance process, including how to conduct an investigation, how to prepare a fair summary of evidence gathered during an investigation, how to prepare a decision, and how to resolve an appeal; and, how to serve impartially, including avoiding prejudgment of facts, conflicts of interest, and bias. The Title IX Coordinator is responsible for ensuring the School District's training and training materials are posted on the School District's website.

Confidentiality and Retaliation Except as required or permitted by law, the School District will keep confidential the identity of any individual who makes a report or complaint of sexual harassment, any individual who is identified as a potential or actual Complainant or Respondent, and any witness. Neither the School District nor any other person may illegally retaliate against an individual who has made a report or a formal complaint or has participated or refused to participate in an investigation or other proceeding under this Administrative Regulation. Retaliation includes actual and attempted threats, coercion, or discrimination.

Filing with OCR or EEOC An employee or student alleging 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>

An employee alleging sexual harassment against another employee or supervisor may also, or instead, file a complaint 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 sexual harassment may be investigated as a criminal matter. To the extent permitted by law, the School District will comply with law enforcement requests for cooperation.

Record Retention The School District will retain, for at least seven (7) years: all training materials; all reports received by the Title IX Coordinator and actions taken in response to such reports, including why any decision not to provide supportive services was not clearly unreasonable; and, all formal complaints, documents, and other items (including data) arising from formal complaints or investigations conducted pursuant to this Administrative Regulation, including investigative reports and related documents, decisions, appeals and appeal decisions, and informal resolutions.

8010-AR Digital Communications

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 and/or unreasonable 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 8008); 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 has 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 unreasonable and/or 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 8008); 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.