



ADRIAN PUBLIC SCHOOLS

Tradition of Opportunities
Future of Possibilities

Agenda

Regular Meeting
Monday, September 9, 2024
SMS, 6:00 p.m.

A. Call to Order

1. Pledge of Allegiance
2. Approval of Agenda
3. Mission Statement
4. Good News Reports
 - a. Morning Rotary weekend snack packs
5. Communications
 - a. Springbrook presentation
 - b. Resignation of Sixta Pearson, Head Start
 - c. Resignation of Zakeya Irving, Head Start

B. Recommended Action

1. Consent Agenda
 - a. Approval of August 26, 2024, Regular Minutes
 - b. New Hire
 1. Joy Decormier, Paraprofessional
 2. Lisa Howland, Paraprofessional
 3. Fall Coaches
2. Business Requiring Board Action
 - a. Approval of merit pay for BAA
 - b. Approval of merit pay for Non-Union Employees
 - c. Approval of playground repairs
 - d. Approval of Elementary riser purchase
 - e. Approval of Quality Driver's Training
 - f. Approval of new board policies

3201A, 4105a, 4105b, 5714, 5715

- h. Approval of revised board policies

5804, 5706, 5601, 5510, 5509, 5503, 5502, 5415, 5414, 5306, 5305, 5212,
5209, 5208, 5204, 5203, 5105, 5101, 4603, 4507, 4503-r, 4409, 4408, 4405-r
4403-r, 4402-r, 4401, 4228, 4207, 4206, 4109, 4107, 4105, 4014, 4102, 4101
3501AG, 3407, 3307, 3306, 3301, 3211, 3207, 3102, 3119, 2504, 2501, 2405, 2401,
2303

- i. Approval of revised board policies except the removal of “guardian.”

5806, 5711, 5707, 5701, 5507, 5506, 5420, 5416, 5411, 5409, 5407, 5405, 5309
5303, 5301, 5213, 5206a,b,c,d, 5202, 5201, 5106, 5103, 5102, 4215, 4213, 4209, 4202
4201, 3410, 3408, 3402, 3303, 3108, 3106, 3105, 2302, 2201

- j. Acceptance of Donations

3. Business Requiring Future Board Action

- a. First reading to review the Capital Expenditure threshold
- b. First reading to review a resolution for a property donation

C. Reports from the Superintendent and Staff

- a. Michelle Force

D. Future Meetings and Business

- 1. Board Committee Reports
- 2. Board Member Comments
- 3. Meeting Dates and Upcoming Events
 - ASEF Awards Night, 9-12-24, PAC
 - Homecoming, 9-13-24
 - Artalicious, 9-21-24
 - BOE Meeting, 9-23-24, B100

E. Public Comment (‘Request to Participate Form’ must be filled out and given to Angie Schaffer before Section D (Future Meetings and Business) on the agenda

F. Adjournment

In partnership with families and our community, Adrian Public Schools provides a quality education, challenging students to excel academically and inspiring them to become contributing citizens within our diverse, ever-changing society.

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Nate Parker

PURPOSE:

The resignation of Sixta Pearson.

EXPLANATION:

Under Board Policy 4223, the Superintendent is authorized to accept employee resignations or retirements on behalf of the Adrian Board of Education. Sixta has submitted her resignation from Adrian Public Schools.

RECOMMENDATION:

The Superintendent recommends that the Adrian Board of Education acknowledge Sixta Pearson's resignation effective September 6, 2024.

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Nate Parker

PURPOSE:

The resignation of Zakeya Irving.

EXPLANATION:

Under Board Policy 4223, the Superintendent is authorized to accept employee resignations or retirements on behalf of the Adrian Board of Education. Zakeya has submitted her resignation from Adrian Public Schools.

RECOMMENDATION:

The Superintendent recommends that the Adrian Board of Education acknowledge Zakeya Irving resignation effective September 3, 2024.

MINUTES OF THE REGULAR MEETING OF THE ADRIAN BOARD OF EDUCATION, AUGUST 26, 2024, ADRIAN HIGH SCHOOL, B100

MEETING CALLED TO ORDER

President Ferguson called the Adrian Board of Education meeting to order at 6:00 pm.

The Pledge of Allegiance was recited.

PLEDGE RECITED

PRESENT: Trustees: Baucher, Buku, Henagan, Solis-Gautz, and President Ferguson

ABSENT: Ballard, Marks

Moved by Solis-Gautz, supported by Buku, that the Adrian Board of Education approve the agenda.

AGENDA APPROVED

The motion carried by a 5-0 vote.

Vice President Baucher recited the District's mission statement as a reminder of its purpose and direction.

MISSION STATEMENT

Nikki Culley was recognized for her recertification with MSBO. Ms. Culley has met the requirements for renewing the Human Resource Specialist certification, which requires 90 hours of professional development established by the MSBO Board of Directors.

GOOD NEWS

The District recognized the resignations of Mary Brown, Esther Grisham, Amethyst Muck, Jazmin Bailey, and Rana Kanafani.

COMMUNICATIONS

Superintendent Parker shared with the board feedback received from the community about naming the Superintendent's conference room after Del Cochran. "Due to the overwhelming support from the community and suggestions made, Superintendent Parkere is changing his recommendation. The new recommendation is to name the press box at Maple Stadium after Mr. Cochran.

The newly elected Music Booster President, Larry Mueller, gave a brief presentation about the Music Boosters' involvement. Mr. Muller also shared ways individuals can support the Music Boosters, including the annual pie fundraiser. Larry shared that the Music Boosters are working on having a cashless option for paying at events.

Moved by Baucher, supported by Buku, that the Adrian Board of Education approve the consent agenda.

CONSENT AGENDA

The consent agenda included the following items:

- a. Minutes from August 12, 2024, Regular Meeting
- b. New Hires: Rosemary Orozco, Nicole Griffith-Lorenz, Samantha Onisko, Deanne Miller, Jenicy Villegas, Inessa Aranda, Deborah Callahan, Anthony Aiken, Amanda Burgermeister, Kallea Siemik, Jovita Torres, Alisia Hayes, Maria Arellano, Doug Ruesink

The board reviewed a resolution regarding the Building Administrative Assistant's merit pay. Dan Peña shared that the District recognizes that they go above and beyond in many areas.

BAA MERIT PAY

The board reviewed the annual non-union merit pay resolution. The District is showing its appreciation for these individuals' efforts.

**NON-UNION MERIT
PAY**

The board reviewed a quote to replace and repair the slides at Lincoln Elementary School. The replacement and repair will be paid for through the Capital Projects Fund.

**PLAYGROUND
EQUIPMENT**

The board reviewed quotes for replacing elementary stage risers. This purchase will be funded through the Capital Projects Fund and grants secured by the Fine Arts department.

STAGE RISERS

The board reviewed the Quality Driver Training Services agreement. Per the terms of the agreement, Quality Drivers Training will be granted access to a classroom at AHS, and APS students will receive segment two of the course at no cost.

**QUALITY DRIVER'S
TRAINING**

Mike Buku reported that the Finance Committee had met and discussed Capital expenditures, playground repairs, stage risers, and the Quality Drivers Training Agreement.

**FINANCE
COMMITTEE**

Assistant Superintendent Richards reviewed the District goals. The District's goals are to improve student attendance through targeted practices and activities, implement Portrait of a Graduate and Success plans, and establish professional learning communities and data protocols to improve curriculum, instruction, and student outcomes.

**REPORTS FROM THE
SUPERINTENDENT
AND STAFF**

The elementary goals are to implement the High Impact Leadership initiatives and Classroom 180, reinforce the implementation of English language arts Fountas and Pinnell, and reinforce the implementation of Strategic Math Intervention Solutions.

At the secondary level, the goals are to improve the implementation and use of Atlas Rubicon, improve student engagement, explicitly communicate learning objectives, and increase formative assessments to guide instruction.

Vice President Baucher asked, "How do you measure these goals? How do we quantify it?" Superintendent Parker stated, "There are several variables. Are the students compliant or engaged? Is the failure rate going down? Are students engaged?"

Vice President Baucher told the board he overheard parents talking while picking up his grandson from Alexander Elementary School. "It was encouraging to hear parents commenting about how great the teachers are, what great experiences their students have, and what an excellent building environment Alexander provides. Hearing parents give compliments is the District's biggest advertisement.

**BOARD MEMBER
COMMENTS**

President Ferguson gave Kuddos to First Student for the smooth first day of school transportation.

There being no further business, Vice President Baucher moved, supported by Trustee Solis-Gautz, to adjourn the meeting.

ADJOURNMENT

The motion carried by a 5-0 vote.

The meeting adjourned at 6:38 pm.

Beth Ferguson, President

Mike Buku, Secretary

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Nikki Culley

PURPOSE:

To recommend hiring a special education paraprofessional for Adrian High School.

EXPLANATION:

Deb Agnew and her interview team recommend Joy DeCormier as a paraprofessional for Adrian High School. Joy has several years of experience working with children.

RECOMMENDATION:

The HR Director recommends that Joy DeCormier be hired as a paraprofessional at Adrian High School, effective for the 2024-2025 school year.

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Nikki Culley

PURPOSE:

To recommend hiring a special education paraprofessional for Prairie Elementary.

EXPLANATION:

Deb Agnew and her interview team recommend Lisa Howland as a paraprofessional for Prairie Elementary. Lisa has several years of experience working with children.

RECOMMENDATION:

The HR Director recommends that Lisa Howland be hired as a paraprofessional at Adrian High School, effective for the 2024-2025 school year.



ADRIAN PUBLIC SCHOOLS

Tradition of Opportunities

Future of Possibilities

2024-2025 Fall Coaching Recommendations

Adrian High School

Head Football
Varsity Asst. Football
Varsity Asst. Football
Varsity Asst. Football
JV Head Football
JV Head Football
JV Asst. Football
Frosh Football
Frosh Asst. Football
Frosh Asst. Football
Head Co-Ed Cross Country
Asst. Co-Ed Cross County
Head Boys Soccer
Asst. Boys Soccer
JV Boys Soccer
Head Boys Tennis
JV Boys Tennis
Head Girls Swim
Asst. Girls Swim
Asst Girls Swim – Dive
Head Girls Volleyball
JV Girls Volleyball
JV Girls Volleyball
Frosh Girls Volleyball
Varsity Girls Golf
Girls Golf
Fall Head Cheerleading Sideline
Fall Asst. Cheerleading Sideline

Joel Przygodski
Jaleel Brown
Matthew Eichorn
Dan Lopez
Joel Musielewicz
Josh Marcum
Chris Knorr
John Roberts
Jesse Solis
Andrew Clout
Tom MacNaughton
Jay Roback
Scott Leake
Grant Wood
Scott Leake
Todd Barus
Dave Rausch
Robert Petkus
Christy Pino
Eric Powell
Margaret Timmis
Karri Butler
Jocelyn Domschot
Ashley Hofflander
Steve Moore
Greg Schoonover
Stephanie Gordon
Kenadee Marry

Adrian Springbrook Middle School

Cross Country
Cross Country 6th
Football -8th Grade
Football-8th Grade
Football-7th Grade
Football-7th Grade
Girls Volleyball 8th Grade
Girls Volleyball 7th Grade
Cheer
Asst. Cheer

Eric Emmendorfer
Richelle Carson -Emmendorfer
Paul West
Brandon Reed
Mike Sarabria
Isaiah Cavin
Tammy Francis
Alexcis Baugey
Kayla Wilson
Jayne Clymer

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Dan Peña

PURPOSE: To approve the resolution for merit pay for (BAA) Building Administrative Assistant employees for 2024-25.

EXPLANATION:

As stated in the attached resolution, "Section 1250 of the Revised School Code, as amended, requires the District to implement and maintain a method of compensation for its teachers and administrators that includes job performance and job accomplishments as a significant factor in determining compensation and additional compensation for District administrators and teachers." While merit pay is not required for Administrative Assistants, the board still has the option to approve this pay for this group and may do so through a resolution.

Merit pay for BAA-Building Administrative Assistant employees will be paid based on individuals meeting the following criteria for 2024-25:

- Effective or highly effective overall evaluation rating with no sub-categories as ineffective in 2024-25 or the prior year if the evaluation cycle is once every two years
- Successful completion of goals, one that is District and one that is Building based
- Maximum payout, or cap, per person of up to \$500
- Employed as of October 1, 2024, and June 1, 2025

RECOMMENDATION:

The Business Manager recommends that the Adrian Board of Education approve the BAA-Building Administrative Assistants merit pay resolution for 2024-25.

ADMINISTRATIVE ASSISTANTS EMPLOYEE MERIT PAY FOR 2024-25

Adrian Public Schools (the "District").

A regular meeting of the Board of Education of Adrian Public Schools was held at Adrian High School, Room B100:

on the 9th day of September, 2024, at 6:00 o'clock p.m.

The meeting was called to order by.

Present: Members, _____

Absent: Members, _____

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

WHEREAS:

1. Section 1250 of the Revised School Code, as amended, requires the district to implement and maintain a method of compensation for its teachers and administrators that includes job performance and job accomplishments as a significant factor in determining compensation and additional compensation for district administrators and teachers
2. Merit pay shall be awarded for such BAA (Building Administrative Assistant) employees listed below, meeting the following criteria for 2024-25:
 - a. Criteria for earning merit pay:
 - i. "Effective" or "highly effective" overall evaluation rating with no sub-categories as "ineffective" in 2024-25 or for those employees evaluated every other year in 2023-24
 - ii. Employee must be employed as of October 1, 2024, and June 1, 2025
 - iii. Employee must meet one District goal and one Building Level goal
 - b. The total payout of \$5,500 will be shared equally amongst those employees meeting the criteria, with a maximum of \$500 per person, paid out by the last pay in June 2025.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The board of education has reviewed the proposed merit pay in accordance with Section 1250 of the Revised School Code, as amended, and, by adopting this resolution, approves the criteria and amount identified for merit pay for the 2024-25 school year.
2. All resolutions and parts of resolutions insofar as they conflict with the procedures of this resolution be, and the same is hereby rescinded.

Ayes: Members, Trustees _____

Nays: Members _____

Resolution declared adopted.

Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of the Adrian Public School District, Michigan, hereby certifies that the foregoing is a true and complete copy of the resolution adopted by the Board of Education at a regular meeting held on September 9, 2024, the original of which resolution is a part of the Board's minutes, and further certifies that notice of the meeting was given to the public under the Open Meetings Act, 1976 PA 267, as amended.

Secretary, Board of Education

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Dan Peña

PURPOSE: To approve the resolution for merit pay for non-union employees for 2024-25.

EXPLANATION:

As stated in the attached resolution, "Section 1250 of the Revised School Code, as amended, requires the District to implement and maintain a method of compensation for its teachers and administrators that includes job performance and job accomplishments as a significant factor in determining compensation and additional compensation for District administrators and teachers." For employees with individual contracts, the board can approve merit pay through a resolution.

Merit pay for non-union employees will be paid based on individuals meeting the following criteria for 2024-25:

- Effective or highly effective overall evaluation rating with no sub-categories as ineffective in 2024-25 or the prior year if the evaluation cycle is once every two years
- Successful completion of goals where applicable
- Maximum payout, or cap, per person of up to \$500
- Employed as of October 1, 2024, and June 1, 2025

RECOMMENDATION:

The Business Manager recommends that the Adrian Board of Education approve the non-union merit pay resolution for 2024-25.

NON-UNION EMPLOYEE MERIT PAY FOR 2024-25

Adrian Public Schools (the "District").

A regular meeting of the Board of Education of Adrian Public Schools was held at Adrian High School, Room B100:

on September 9, 2024, at 6:00 p.m.

The meeting was called to order by.

Present: Members, _____

Absent: Members, _____

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

WHEREAS:

1. Section 1250 of the Revised School Code, as amended, requires the district to implement and maintain a method of compensation for its teachers and administrators that includes job performance and job accomplishments as a significant factor in determining compensation and additional compensation for district administrators and teachers
2. Merit pay shall be awarded for such non-union employees listed below, meeting the following criteria for 2024-25:
 - a. Criteria for earning merit pay:
 - i. "Effective" or "highly effective" overall evaluation rating with no sub-categories as "ineffective" in 2024-25 or for those employees evaluated every other year in 2023-24
 - ii. Employee must be employed as of October 1, 2024, and June 1, 2025
 - b. The total payout will be shared equally amongst those employees meeting the criteria, with a maximum of \$500 per person, paid out by the last pay in June 2025.
 - c. Employee classifications included are Pupil Accounting Coordinator, Accounting Assistant, Administrative Assistant to Superintendent, Administrative Assistant to Food Service, Facilities Coordinator, Help Desk Manager, Technology Specialist (two), Administrative Assistant for State & Federal Programs, School Nurse, Director of Community Recreation and Communications, Parent Involvement Coordinators, Mental Health Professionals (five), Hall Monitor (two), Adult Ed Lead Teacher, Lead Teacher – Alternative/Virtual, Adrian Community Education Center Dean of Students, and Adult Education Teacher.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Board of Education has reviewed the proposed merit pay in accordance with Section 1250 of the Revised School Code, as amended, and, by adopting this resolution, approves the criteria and amount identified for merit pay for the 2024-25 school year.
2. All resolutions and parts of resolutions insofar as they conflict with the procedures of this resolution be, and the same are hereby rescinded.

Ayes: Members, Trustees _____

Nays: Members _____

Resolution declared adopted.

Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of the Adrian Public School District, Michigan, hereby certifies that the foregoing is a true and complete copy of the resolution adopted by the Board of Education at a regular meeting held on September 9, 2024, the original of which resolution is a part of the Board's minutes, and further certifies that notice of the meeting was given to the public under the Open Meetings Act, 1976 PA 267, as amended.

Secretary, Board of Education

EXECUTIVE SUMMARY

DATE: September 9, 2024
Peña

CONTACT PERSON: Dan

PURPOSE: To approve replacing and repairing slides at the Lincoln Elementary playground structure known as “Big Red.”

EXPLANATION:

The main playground structure at Lincoln Elementary, known as “Big Red,” needs its slides replaced and repaired. The District has extensively researched replacement slides for the structure without success until recently.

Play Environments Design, located in Holland, MI, has been able to provide a quote for replacement slides and repair to current slides on the structure.

Play Environments Design is a member of the [Omnia Cooperative](#) purchasing program. Bidding is completed through the cooperative, which follows [Board Policy 3301, \(C\), \(1\), \(D\)](#). The quote provided is also under the current State of Michigan bidding threshold.

RECOMMENDATION:

The Business Manager recommends that the Adrian Board of Education approve \$19,027.91 for replacing and repairing slides on the “Big Red” playground structure at Lincoln Elementary. The replacement and repair of these slides will be paid for through the Capital Projects Fund.

EXECUTIVE SUMMARY

DATE: September 9, 2024
Peña

CONTACT PERSON: Dan

PURPOSE: To approve the replacement of the elementary stage risers.

EXPLANATION:

Alexander, Lincoln, and Michener elementary schools currently use antiquated 3-step risers that are deteriorating, cumbersome to move and store, not designed with safety rails, and do not provide adequate space for all students to be on stage for larger/combined class performances. Each building does 5-6 curricular performances throughout the year.

Prairie Elementary has steps built up to its stage that are currently used for grade-level performances. Due to limited storage, a purchase of risers is not recommended at this time.

The District has received three quotes listed below:

- Wenger Corporation-\$34,878.23
- Schools In-\$49,415.52
- School Outfitters-\$50,399.88

RECOMMENDATION:

The Business Manager recommends that the Adrian Board of Education approve \$34,878.23 for replacing the elementary stage risers. \$20,000 from the Capital Projects Fund will pay for this replacement, with the remainder through grant funding secured by the APS Fine Arts team.

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Dan Peña

PURPOSE:

To approve the Quality Driver Training Services Agreement.

EXPLANATION:

The District's current vendor of driver training services is retiring. The District has discussed with Quality Driver Training about providing driver's education courses at Adrian High School. A draft of the agreement has been shared with the Board for review. Per the terms of the agreement, Quality Driver Training will be granted access to the use of a classroom at Adrian High School for administering its driver's education courses. Currently, enrolled APS students will receive segment two of the course at no cost.

RECOMMENDATION:

The Business Manager recommends that the Adrian Board of Education approve the Quality Driver Training Services Agreement.

EXECUTIVE SUMMARY

DATE: September 9, 2024
Parker

CONTACT PERSON: Nate

PURPOSE: To approve new policies at the request of Thrun Policy Services.

EXPLANATION:

As part of our service with Thrun Policy Services, they will provide updates and new policies as needed. The following are new policies, and Thrun Policy Services has recommended that the District adopt them.

3201A, 4105a, 4105b, 5714, 5715

RECOMMENDATION:

The Superintendent recommends the Adrian Board of Education approve the new board policies.

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3201A Financial Management for Federal Awards

This Policy applies to the District's use of federal awards, subject to the Uniform Grant Guidance, 2 CFR Part 200. Policy 3301A governs procurement with federal funds.

A. The District shall implement and maintain a system of internal cash management controls that comply with the requirements of 2 CFR 200.302(b) ("Financial Management System") and provide for the following:

1. Identification in its accounts of all federal awards received and expended and the programs under which they were received;
2. Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with applicable reporting requirements;
3. Records that adequately identify the source and application of awards for federally-funded activities;
4. Effective control over and accountability for all funds, property, and other assets that must be safeguarded and only used for authorized purposes;
5. A comparison of expenditures with budget amounts for each federal award;
6. Written procedures governing federal payments, in accordance with subsection B below; and
7. Written procedures for determining the allowability of costs in accordance with subsection C below.

B. Cash Management and Federal Payments

In addition to any other written procedures the District may implement, the District shall comply with the requirements of 2 CFR 200.305 for federal payments, including:

1. The District's payment methods shall minimize the time elapsing between the receipt and disbursement of funds. The District shall request payment using forms and procedures designated by the awarding agency.
2. The Superintendent or designee may submit requests for advance payments and reimbursement (i) at least monthly when electronic fund transfers are not used and (ii) as often as deemed appropriate when electronic fund transfers are used in accordance with applicable laws.
3. Advance payments shall be limited to the minimum amounts needed and timed with the District's actual, immediate cash requirements in carrying out the

program or project. The amount and timing of advance payments must be as close as is administratively feasible to the District's actual disbursements.

4. The District must make timely payments to contractors in accordance with applicable contract provisions.
5. To the extent possible, the District must disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments.
6. Advance payments of federal awards must be deposited and maintained in insured accounts whenever possible.
7. The District must maintain advance payments of federal awards in interest-bearing accounts unless:
 - a. The District receives less than \$250,000 in federal awards per year;
 - b. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on federal cash balances;
 - c. The depository would require an average or minimum balance so high that it would not be feasible or
 - d. A foreign government or banking system prohibits or precludes interest-bearing accounts.
8. The District may retain interest earned up to \$500 per year for administrative expenses. Additional interest earned on federal advance payments deposited in interest-bearing accounts must be remitted to the Department of Health and Human Services Payment Management System through an electronic medium, either the Automated Clearing House network or a Fedwire Funds Service payment.

C. Allowability of Costs

The District shall comply with the cost principles of 2 CFR Part 200, Subpart E, as applicable, including the following general criteria for allowable costs under 2 CFR 200.403:

1. Be necessary and reasonable for the performance of the award and be allocable under the cost principles;
2. Conform to any limitations or exclusions set forth in the cost principles or in the federal award as to types or amount of cost items;
3. Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the District;

4. Be accorded consistent treatment. For example, a cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the federal award as an indirect cost;
5. Be determined in accordance with generally accepted accounting principles;
6. Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period;
7. Be adequately documented; and
8. Be incurred during the approved budget period unless the awarding agency waives such requirement.

Legal authority: 15 USC 1693, et seq.; 2 CFR Part 200, et seq.

Date adopted: September 9, 2024

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105A Pregnancy Workplace Accommodations for Employees and Applicants

The District complies with state and federal law prohibiting pregnancy discrimination. The District will provide reasonable accommodations to known limitations related to pregnancy, childbirth, or related medical conditions of a qualified employee absent an undue hardship. The District treats pregnancy or related conditions as any other temporary medical condition for all job-related purposes. For purposes of this policy, the term “employee” includes an applicant for employment where relevant.

For an employee who requires a reasonable accommodation due to a known limitation related to pregnancy, childbirth, or related medical conditions, the employee or the employee’s representative must make a proper District official (as identified in Pregnant Workers Fairness Act (“PWFA”) regulations) aware of the limitation.

Upon receipt of an accommodation request, the District will begin the interactive process with the employee to consider whether the employee is qualified under the PWFA and, if so, reasonable accommodation options consistent with the PWFA that do not cause undue hardship.

Determining whether an employee is qualified may be a two-step inquiry. First, the District will determine whether the employee can perform the essential job functions of the employee’s position with or without a reasonable accommodation. If so, the employee is qualified. If not, then the District will consider the employee to be qualified if: (1) any inability to perform an essential job function(s) is for a temporary period, (2) the essential function(s) could be performed in the near future, and (3) the inability to perform the essential function(s) can be reasonably accommodated without undue hardship.

Reasonable accommodation requests will not be granted if they cause an undue hardship, as defined by law. The District may require medical documentation supporting the requested accommodation where allowed by law because the information is necessary for assessing the accommodation request. Medical information will be kept confidential.

After considering any relevant medical information, essential job functions, and the employee’s requested accommodations, the District will, as appropriate, implement reasonable accommodations for a qualified employee that do not cause an undue hardship. The District is not obligated to adopt the employee’s specific accommodation request. The District may engage or re-engage in the interactive process as necessary.

A reasonable accommodation may include a voluntary leave of absence. If an employee has insufficient leave or insufficient accrued employment time to qualify for leave, or if the District does not maintain a leave policy applicable to the employee, the District will treat any pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee will be reinstated to the status held when the leave began or to a comparable position without

decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

An employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104. For additional information about preventing and addressing pregnancy discrimination, see Policy 3115G.

Legal authority: 42 USC 2000gg et seq.; 29 CFR 1636.1 et seq.; 34 CFR 106.57

Date adopted: September 9, 2024

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4105B Religious Workplace Accommodations for Employees and Applicants

The District complies with Title VII and state and local laws that prohibit discrimination in employment against employees or applicants for employment based on religion. The District will reasonably accommodate sincerely held religious beliefs, practices, and observances of employees and applicants for employment absent an undue hardship.

An employee or applicant for employment who requests a reasonable accommodation based on religion must promptly inform the Superintendent or designee. Upon receipt of an accommodation request, the District will meet with the employee or applicant to consider reasonable accommodation options consistent with Title VII. Reasonable accommodation requests that do not pose an undue hardship will be considered.

After considering the requested accommodation and other relevant information, the District will, as appropriate, implement reasonable accommodations that do not pose an undue hardship (as defined by law). The District is not obligated to adopt the applicant's or employee's specific accommodation request.

The District may engage or re-engage in accommodation discussions as necessary.

An applicant or employee who believes he/she has been discriminated against under this Policy must promptly file a complaint using the Employment Complaint Procedure in Policy 4104.

Legal authority: 42 USC 2000e, et seq.; *Groff v DeJoy*, 143 S Ct 646 (2023)

Date adopted: September 9, 2024

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5714 Threat Assessment and Response

The Board is committed to providing a safe environment for all members of the school community. Our commitment to security includes creating and maintaining a safe school climate and supportive culture as a foundation for preventing violence and mitigating risk. To further that commitment, the Board directs the Superintendent to develop and implement threat assessment protocols. Those threat assessment protocols must include training for individuals who administer threat assessments and framework for determining when a threat assessment should be used.

Date adopted: September 9, 2024

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5715 Student Oral Health Assessment

For a student entering the District for the first time in kindergarten or grade 1, at the time of registration or not later than the first day of school, a Parent must provide the building principal or designee with:

- a Kindergarten Oral Health Assessment Form (MDHHS-6067) certifying that the student has received a dental oral assessment within 6 months before the date of registration;
- a written statement that the Parent will ensure that the student receives a dental oral assessment administered through the Kindergarten Oral Health Assessment (KOHA) Program; or
- a written statement that the requirement violates the Parent's personal religious beliefs.

The District will not exclude the student from attendance for failure to provide the required information.

The building principal or designee will maintain dental report records and provide an annual summary to the Michigan Department of Health and Human Services no later than November 1 of each year.

Legal Authority: MCL 333.9316; MCL 333.9311

Date adopted: September 9, 2024

Date revised:

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Nate Parker

PURPOSE: To approve changes to existing policies at the request of Thrun Policy Services.

EXPLANATION:

As part of our service with Thrun Policy Services, they will update our policies as needed. The policies with recommended updates are attached.

5804, 5706, 5601, 5510, 5509, 5503, 5502, 5415, 5414, 5306, 5305, 5212, 5209, 5208, 5204, 5203, 5105, 5101, 4603, 4507, 4503-r, 4409, 4408, 4405-r, 4403-r, 4402-r, 4401, 4228, 4207, 4206, 4109, 4107, 4105, 4014, 4102, 4101, 3501AG, 3407, 3307, 3306, 3301, 3211, 3207, 3102, 3119, 2504, 2501, 2405, 2401, 2303

RECOMMENDATION:

The Superintendent recommends that the Adrian Board of Education approve updates to these policies.

Series 2000: Bylaws

2300 Board Member Conduct

2303 *Violation of Board Code of Ethics*

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

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

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

Date adopted: September 13, 2021

Date revised: August 28, 2023, September 9, 2024

Series 2000: Bylaws

2400 Board Membership and Duties

2401 *Board Member Elections*

Board members are elected by the District's electors at the District's regular election, which is held on the first Tuesday after the first Monday in November of even-numbered years.

At least 1 Board office must be on the ballot for each regular election of the District.

The Michigan Election Law governs the District's election procedures.

The District's elections are conducted by the District's election coordinator, as that term is defined by the Michigan Election Law.

Legal authority: MCL 168.301, 168.302, 168.641, 168.642c; MCL 380.1206

Date adopted: September 13, 2021

Date revised: August 8, 2023, September 9, 2024

Series 2000: Bylaws

2400 Board Membership and Duties

2405 Board Officers

Board officers will consist of a President, Vice President, Treasurer, and Secretary. The President, Vice President, and Secretary must be Board members, but the Treasurer is not required to be a Board member.

A. Election of Board Officers

1. The Board must elect a President and Vice President. The Board may also elect a Treasurer and Secretary.
2. Board officer elections will take place at an organizational meeting of the Board.
3. A candidate for a Board officer position must receive a majority vote of the Board members then serving on the Board.
 - a. If no person receives a majority vote in an initial vote, the candidates for a second vote will consist of:
 - i. the 2 persons who received the most votes; or
 - ii. if more than 2 persons are tied for the most votes received, all persons tied for most votes received; or
 - iii. if 1 person received the most votes and there is a tie for second place, the person who received the most votes and the persons tied for the second place.
 - b. The process for narrowing candidates will be repeated in subsequent voting rounds.
4. Elected Board officers will serve in that capacity until the following year's organizational meeting at which board officers are elected, unless a Board member resigns from the officer position or a Board majority votes to remove that Board member from the officer position.

B. If the Board does not elect a Secretary, the President must appoint a Board member to the vacant office. If the Board does not elect a Treasurer, the President must appoint a Board member or non-Board member to the vacant office.

C. Removal of Board Officers

The Board, by a majority vote of the members then serving, may remove a Board officer from the officer position, with or without cause.

D. Board Officer Vacancies

1. If the office of President becomes vacant, the Vice President will succeed to the office of President for the balance of that office's term.
2. If the office of Vice President or Secretary becomes vacant, the Board must promptly elect a Board member to fill that vacancy.
3. If the office of Treasurer becomes vacant, the Board must promptly elect a Board member or non-Board member to fill that vacancy.
4. A person elected or appointed to a vacant Board office will serve in that office for the balance of that office's term.

E. Assistants to the Secretary and Treasurer

1. The Board may appoint an assistant to the Secretary and an assistant to the Treasurer who are not required to be Board members.
2. The Board may remove an assistant to the Secretary or an assistant to the Treasurer by majority vote. After a removal, the Board may appoint a person to fill the vacant position.

Legal authority: MCL 380.11a

Date adopted: September 13, 2021

Date revised: August 8, 2023, August 28, 2023, September 9, 2024

Series 2000: Bylaws

2500 Board Meetings and Open Meetings Act Compliance

2501 Meetings

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

A. Notice

1. The Board must publicly post its regular meeting schedule within 10 calendar days after the Board's first meeting in each calendar or fiscal year. The notice must include the dates, times, and places of the regular meetings. If the regular meeting schedule is changed, the Board must publicly post the revised regular meeting schedule within 3 calendar days after the Board meeting at which the change was made.
2. Special meeting and rescheduled regular meeting notices must be posted at least 18 hours in advance of a special or rescheduled regular meeting.
3. Regular, rescheduled regular, and special meeting notices must be posted at the Board's principal offices. The notice, or a prominent and conspicuous link to the notice, also must be posted on the District website's homepage as required by the Open Meetings Act, if the District's website is updated at least monthly with meeting agendas or minutes.
4. Meeting notices must contain:
 - a. the name, address, and telephone number of the Board;
 - b. the time, date, and place of the meeting;
 - c. a statement where official minutes are stored and available for inspection; and
 - d. a disability accessibility notice.
5. Emergency meetings may be held without complying with the above-described notice requirements in the event of a severe and imminent threat to the health, safety, or welfare of the public, and two-thirds of the Board members elected or appointed to and serving on the Board determine that delay would be detrimental to efforts to lessen or respond to the threat. The Board will provide notice of an emergency meeting in compliance with the Open Meetings Act.
6. Public hearing notices must contain a description of the purpose(s) for which the public hearing will be conducted to the extent required by law.
7. The notice for an electronic Board meeting must comply with Policy 2501A.

B. Quorum

1. A quorum of the Board means a majority of the Board members elected or appointed to and serving on the Board, unless different quorum and voting rules are otherwise provided by law.
2. All deliberations of a quorum of the Board must take place at a meeting that is open to the public, unless closed session deliberations are permitted by law.
3. All decisions made by the Board constituting a quorum of its members must take place at a meeting that is open to the public, except as otherwise provided by the Open Meetings Act.

C. Meeting Types

1. The Board will hold its regular meetings at the dates, times, and locations specified in the District's annual notice published pursuant to the Open Meetings Act. If the notice is amended, then meetings will be held according to the amended notice.
2. Special, rescheduled regular, or emergency meetings may be called by the President, the Superintendent, or two Board members. Notice of such meetings will be provided in accordance with the Open Meetings Act.
3. The Board may, in compliance with the Open Meetings Act, hold work sessions and retreats to provide Board members and administrators with the opportunity to plan, research, and engage in discussion.
4. The Board may meet as a committee of the whole. See Policy 2505(C).

D. Closed Session

1. The Board may meet and deliberate in closed session only for 1 or more purposes authorized by the Open Meetings Act.
2. Depending on the closed session purpose(s), the Open Meetings Act may require a two-thirds roll call vote for the Board to meet in closed session. A vote to enter closed session must be made in open session.
3. Closed session meeting minutes must be kept confidential. Board members must keep matters discussed and documents received confidential unless otherwise authorized by the Board or law. See Section G, below.
4. All discussions in closed session are limited to the purpose(s) identified in the motion calling the closed session.
5. The Board will determine the non-member attendees for a closed session unless attendance is required by Policy or law.
6. No decisions will be made during a closed session.

E. Meeting Cancellation

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

F. Electronic Board Meetings and Remote Participation

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

G. Minutes

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

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

- ii. The Board must make proposed open session meeting minutes available for public inspection within 8 business days after the applicable Board meeting.
 - iii. The Board must make approved open session meeting minutes available for public inspection within 5 business days after the meeting at which the Board approved the minutes.
- b. Closed session meeting minutes
 - i. Closed session meeting minutes must be prepared and maintained separately from open session meeting minutes.
 - ii. Closed session meeting minutes will not be made available to, or be disclosed to, the public, except as required by court order.
 - iii. Closed session meeting minutes may be destroyed by the District 1 year and 1 calendar day after the approval of the minutes of the regular meeting at which the closed session minutes were approved, or any time thereafter.
 - iv. Closed session meeting minutes must include at least the following information:
 - A) the meeting date, time, and, location;
 - B) the Board members present for or otherwise participating in the meeting;
 - C) the Board members absent from the meeting; and
 - D) the purpose(s) for which the closed session meeting was held and the specific Open Meetings Act provision(s) that permitted the closed session.
- c. Open session Board meeting minutes may be published on the District's website.

H. Accommodating Board Members and Other Individuals with Disabilities

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

I. Reserved

J. Recess

A Board meeting may be recessed. A Board meeting that is recessed for more than 36 hours may only be reconvened once the notice requirements for the meeting,

as described in this Policy, have been satisfied, including special meeting or rescheduled regular meeting notice requirements, if applicable.

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

Date adopted: September 13, 2021

Date revised: August 8, 2022, August 28, 2023, September 9, 2024

Series 2000: Bylaws

2500 Board Meetings and Open Meetings Act Compliance

2504 *Public Participation at Board Meetings*

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

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

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

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

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

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

A. Definitions

1. “Electronic nicotine delivery system” includes the components, parts, and accessories of an electronic nicotine delivery system, such as e-liquids, cartridges, atomizers, cartomizers (atomizer plus replaceable fluid-filled cartridge), clearomisers, tank systems, flavors, and vials that contain e-liquids.
2. “Illegal drugs” means “controlled substances” under federal or Michigan law, anabolic steroids, human growth hormones or other performance-enhancing drugs, substances purported to be illegal, abusive, or performance-enhancing (i.e., synthetic “look-alike”) drugs, or other drugs prohibited by law.
3. “Tobacco product” means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco used in manufacturing a component, part, or accessory of a tobacco product).
4. “Use of tobacco product” means any of the following:
 - a. the carrying by a person of a lighted cigar, cigarette, pipe, other lighted smoking device, or electronic nicotine delivery system;
 - b. the inhaling or chewing of a tobacco product;
 - c. the placing of a tobacco product within a person’s mouth; or
 - d. the smoking or use of electronic vapor or other substitute forms of cigarettes, clove cigarettes, other lighted smoking devices, or other electronic nicotine delivery systems for consuming or inhaling tobacco or any other substance.

B. Smoking and Tobacco Products

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

C. Drugs

1. The District prohibits the sale, possession, distribution, dispensation, or use of illegal drugs on property owned or operated by the District and at any District-related event.
2. The District prohibits the sale, possession, distribution, dispensation, or use of any products containing cannabidiol (commonly referred to as CBD) on property owned or operated by the District and at any District-related event. The Superintendent or designee will consider exceptions to this prohibition.
3. District personnel should review Policy 4210 for the District's drug- and alcohol-free workplace policy. Students should review Policy 5206 for the student discipline policy.

D. Alcohol

1. The District generally prohibits the sale, possession, distribution, dispensation, and use of alcohol on property owned or operated by the District and at any District-sponsored event, except as otherwise provided in this Policy.
2. With the written permission of the Superintendent or designee, the District may permit the lawful sale, possession, distribution, dispensation, and use of alcohol on school property if:
 - a. the District building is used for adult education or college extension courses; or
 - b. the use or possession of alcohol is part of a generally recognized religious service or ceremony or
 - c. the use or possession is part of a non-school function. The District will require the entity utilizing school property to furnish evidence of insurance, satisfactory to the District, with the District identified as an additional insured on the policy.
3. Any person or entity with the Superintendent's or designee's permission in subsection D.2 must comply with and enforce all applicable laws and regulations and obtain any legally-required permits. See also Policy 3304.
4. District personnel should review Policy 4210 for the District's drug- and alcohol-free workplace policy.

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

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3119 *Experimental or Pilot Programs*

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

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

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

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

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

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

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

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

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

Date adopted: February 14, 2022

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3207 School Activities Fund

A. Fiduciary Funds

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

1. Activity Funds

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

2. Custodial Funds

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

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

3. Private-Purpose Trust Funds

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

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

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

B. Scholarship Funds

1. Private Trust Scholarships

An individual, estate, support group, club, company, or other donor that desires to establish a trust fund to benefit persons through scholarships must meet the criteria for a Private Trust described above.

2. Compact Scholarships

Public funds may not be used to administer scholarships, except that the District may establish and administer a scholarship fund for its students or graduates to attend a postsecondary educational institution if the fund arises from a compact between the State of Michigan and a federally-recognized Indian tribe under the Indian Gaming Regulatory Act.

Legal authority: MCL 380.11a(3), 380.11a(14); MDE *Michigan Public School Accounting Manual (Bulletin 1022)*; GASB Statement No. 84, *Fiduciary Activities*

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3200 Finance and Borrowing

3211 *Post-Issuance Tax Compliance*

A. Policy

Federal tax law requires that issuers of outstanding tax-exempt or tax credit debt obligations (“Obligations”) comply with certain post-issuance requirements in the Internal Revenue Code (IRC) and Treasury Regulations. Obligations include, but are not limited to, tax-exempt bonds, refunding bonds, tax credit bonds, installment and lease purchase agreements, lines of credit, state aid notes, and tax anticipation notes.

B. Policy Implementation

To preserve the tax-exempt or tax credit status of the Obligations and to comply with federal tax law after Obligations have been issued, the Board authorizes the Superintendent or designee to establish administrative guidelines in connection with Obligations to comply with federal tax law.

C. Designation of Debt Compliance Officer

The District’s chief business official will be the debt compliance officer responsible for implementing this Policy (“Debt Compliance Officer”). In the absence of a chief business official, the Superintendent or designee will serve as the Debt Compliance Officer until a replacement Debt Compliance Officer is assigned. The Superintendent will ensure that a person serves in this position at all times. If the District contracts with a third party for business services, including another school district, the Superintendent or designee remains responsible for the oversight of the third-party Debt Compliance Officer.

D. Responsibilities of Debt Compliance Officer

The Debt Compliance Officer will be responsible for administration and oversight of post-issuance tax compliance requirements and other provisions of this Policy related to the District’s Obligations, including implementation and compliance with remedial action procedures outlined below. The Debt Compliance Officer’s responsibilities will include:

1. Overseeing and managing compliance with federal rules and regulations applicable to post-issuance tax compliance for all outstanding Obligations from the date of issuance through the date of maturity of such Obligations, including any refunding Obligations related to the original issuance of debt;
2. Consulting with bond counsel, financial advisors, and other professionals about non-compliance, if any, and required remedial actions as necessary;

3. Maintaining written records of expenditures and investments of Obligations in accordance with subsection G;
4. Supervising and ensuring timely filings of reports and forms required by state and federal agencies related to Obligations;
5. Providing written documentation and other requested disclosures, including to the District's bond counsel, financial advisors, and other professionals, upon request;
6. Monitoring arbitrage, yield restriction, and rebate requirements under IRC Section 148. This duty includes monitoring compliance with 6-month, 18-month, or 2-year spending exceptions, as applicable; and
7. Monitoring all record retention requirements and oversee compliance with record retention requirements set forth in this Policy.

E. Internal Written Procedures and Protocols

1. The Debt Compliance Officer will develop written internal controls and procedures related to post-issuance tax compliance that address at least the following:
 - a. Identifying and reporting non-compliance, including protocols for contacting bond counsel and financial advisors;
 - b. Monitoring compliance with arbitrage, yield restriction, and rebate requirements under IRC Section 148; and
 - c. Monitoring and tracking the use of bond-financed or refinanced assets, including identifying non-compliance and taking appropriate remedial action in accordance with Treasury Regulation 1.141-12.
2. Internal procedures and controls will provide for detailed written guidelines to be used for the purpose of identifying potential non-compliance. If non-compliance is confirmed, the Debt Compliance Officer will take immediate action to report and resolve non-compliance in accordance with the District's internal procedures and federal law and regulations.

F. Periodic Compliance Review

1. Annual Review. The Debt Compliance Officer will conduct an annual review of District records related to outstanding Obligations to ensure that such records, including tax documentation, are adequately maintained.
2. Periodic Review. The Debt Compliance Officer will review and update District records, including tax documentation, related to an Obligation upon the occurrence of any of the following events:
 - a. The retirement, defeasance, or refunding of an Obligation; and

- b. Upon the sale, re-purposing, change in use, or refinancing of property purchased with outstanding Obligations that remain outstanding.

G. Record Retention

The District will maintain detailed written records of all expenditures and investments of Obligations for the life of the Obligation, which will be maintained until final maturity. With respect to bond issues, the District will maintain records of all expenditures and investments for the life of the bonds, including any subsequent refunding bonds, plus 3 years.

H. Training and Education

The District will provide, at its cost, training for the Debt Compliance Officer. The Debt Compliance Officer will complete training at least annually. Annual training may be provided to additional personnel who assist the Debt Compliance Officer.

Legal Authority: IRC 148; Treasury Regulation 1.141-12

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3301 Purchasing and Procurement

This Policy applies to all purchases of materials, supplies, and equipment. Purchases acquired through lease financing are governed by this Policy, but true leases (i.e., rental agreements) are not.

A. Responsibility for Purchasing

The District's administration, under the Superintendent's supervision, may purchase items for the District, subject to Policy 2202 subsection C and any other parameters established by the Board.

B. When Competitive Bidding is Required

1. The District must competitively bid the purchase of an item or group of items costing an amount equal to or greater than the then-current state bid threshold published annually by MDE.
2. The District does not need to competitively bid a purchase if competitive bidding is not required by law.
3. The District will not artificially segregate purchases into smaller orders to avoid the bid threshold.

C. Bidding Procedure

1. The District may competitively bid a purchase using 1 or more of the following methods:
 - a. Requesting written price quotations from at least 3 known and practical vendors of an item;
 - b. Distributing a request for proposals to at least 3 known and practical vendors of an item;
 - c. Posting a request for proposals on the District's website or any other website that regularly informs vendors of bid opportunities;
 - d. Selecting a contract awarded to a winning bidder under a bid process operated by a reputable bid cooperative if the District determines, after reasonable due diligence, that the bid procedure used by the bid cooperative was fair and open, resulted in a bid award to the lowest responsible bidder, and the contract price is comparable to current market rates for the purchased item; or

- e. Any other process, in the Superintendent's or designee's discretion, that is likely to result in at least 3 known vendors providing bids for the item sought, regardless of whether at least 3 bids are actually received.
2. Each bidder responding to a request for proposals must certify that it is not an Iran-linked business as defined by MCL 129.312.
3. Awarding Bids
 - a. If competitive bidding is required by law, any contract must be awarded by the Board to the lowest responsible bidder.
 - b. In determining bidder responsibility, the District may take 1 or more of the following into account:
 - The District's experience with the bidder;
 - Others' experience with the bidder;
 - The bidder's history of satisfactory performance or questionable litigation, protests, or disputes;
 - The bidder's capitalization and solvency;
 - The length of time the bidder has been engaged in its business;
 - The recommendation of the District's professional consultants; and
 - Any other factor consistently and lawfully applied.
 - c. In any bid procedure, the District reserves the right to reject any or all bids or waive any informalities or irregularities in the bid process.
4. Michigan-Based Business Preference
 - a. The District may give up to a 10% preference to a bidder that is a Michigan-based business as defined by MCL 18.1268.
 - b. The Michigan-based business preference will not apply if federal funds are used for the purchase.

D. Purchases Using State Aid Act Funds

1. The District will not use state aid to purchase foreign goods or services if American goods or services are available, competitively priced, and of comparable quality.
2. The District will give a preference to goods or services manufactured or provided by Michigan businesses if competitively priced and of comparable quality.

3. The District will give a preference to goods or services manufactured or provided by Michigan businesses owned and operated by veterans if competitively priced and of comparable quality.

E. Purchases Using Federal Funds

Purchases made with federal funds and subject to the federal Uniform Grant Guidance are also governed by Policy 3301A.

Legal authority: 2 CFR 200.1 et seq.; MCL 129.311 et seq.; MCL 380.1274; MCL 388.1764c

Date adopted: September 13, 2021

Date revised: February 14, 2022, August 8, 2022, September 9, 2024

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3306 Construction Bidding

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

A. When Competitive Bidding is Required

1. The District must competitively bid all labor and material for a Construction Project if the project cost exceeds the then-current state bid threshold published annually by MDE (the "Bid Threshold").
2. The District does not need to competitively bid a:
 - Construction Project costing less than the Bid Threshold;
 - contract for repair in emergency situations;
 - repair normally performed by District employees; or
 - professional consultant contract.

B. Bidding Procedure

1. If competitive bidding is required, the District must follow the bidding procedure prescribed by Revised School Code Section 1267 and award contracts to the lowest responsible bidder.
2. To determine whether a bidder is a responsible bidder, the District may consider the factors enumerated in Policy 3301 subsection C.3.b.
3. If competitive bidding is not required, the District may use any lawful means to procure contracts.
4. Each bidder must certify that it is not an Iran-linked business as defined by MCL 129.312.
5. If federal or state prevailing wage requirements apply, project specifications must include the schedule of minimum rates to be paid to each relevant class of construction mechanic or laborer. If state prevailing wage requirements apply, the schedule of minimum rates must also be printed on bid forms.

C. Alternates

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

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

D. Michigan Business Preference

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

E. Construction Bidding Using State Aid Act Funds

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

F. Construction Bidding Using Federal Funds

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

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

Date adopted: September 13, 2021

Date revised: August 8, 2022, September 9, 2024

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3307 Construction Administration

This Policy sets forth procedures and requirements for District building and site improvements. Construction bidding requirements appear in Policy 3306.

A. Plan Review

1. Before commencing construction, the District, or an authorized agent on the District's behalf, will submit project plans and specifications to the Michigan Bureau of Construction Codes Plan Review Division.
2. Alternatively, the District may submit the plans and specifications to the applicable local building department if the Board and the municipality's governing body have properly certified that full-time code officials, inspectors, and plan reviewers registered under the Skilled Trades Regulation Act will conduct plan reviews and inspections. In that situation, the District must also submit the plans and specifications to the Bureau of Fire Safety.
3. Reserved
4. Before the District commences new construction or major renovation of a school building or athletic facility, the Superintendent or designee will consult with the law enforcement agency that will be the first responder for that building or facility about safety issues.

B. Professional Consultants

1. If the total cost of a school building construction project will be \$15,000 or more:
 - a. a Michigan-licensed architect or professional engineer must prepare the plans and specifications; and
 - b. a qualified person or firm must supervise construction as provided in MCL 388.851.
2. The District may hire a construction manager for any project. If the construction manager also performs construction, either directly or by assuming responsibility for the work of other contractors (e.g., construction manager as constructor):
 - a. the construction manager may not supervise such construction under MCL 388.851; and
 - b. the District must still bid the project as required by law.

C. Payment and Performance Bonds

1. For all contracts described in MCL 129.201 that exceed \$50,000, the principal contractor must procure performance and payment bonds in accordance with law.
2. Unless the Superintendent or designee determines otherwise, the District requires payment and performance bonds to be 100% of the contract sum.
3. The responsibility for procuring payment and performance bonds rests solely with the contractor. The District has no duty to ensure that a contractor has procured a payment or performance bond.

D. Prevailing Wage

1. Bid materials, project specifications, and contract documents must comply with applicable federal and state law prevailing wage requirements.
2. The responsibility for paying prevailing wage rates rests solely with the contractor. The District has no duty to ensure that a contractor has paid prevailing wage rates.

Legal authority: 40 USC 3141, et seq.; MCL 129.201 et seq.; MCL 339.6001 et seq.; MCL 380.1263, 380.1264; MCL 388.851 et seq.; MCL 408.1101, et seq.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4101 Non-Discrimination

A. Equal Employment Opportunity

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

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

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

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

- Americans with Disabilities Act of 1990 (ADA), which prohibits discrimination against qualified persons with disabilities in employment, public service, public accommodations, and telecommunications;
- Pregnancy Discrimination Act of 1978, which prohibits discrimination based on pregnancy, childbirth, or related medical conditions;
- Pregnant Workers Fairness Act (PWFA), which requires covered employers to provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause an undue hardship.
- Genetic Information Non-Discrimination Act of 2008 (GINA), which prohibits discrimination based on genetic information as to health insurance and employment;
- Michigan Elliott-Larsen Civil Rights Act of 1976 (ELCRA), which prohibits discrimination based on race, color, national origin, age, sex, pregnancy, sexual orientation, gender identity or expression, religion, height, weight, or marital status;
- Michigan Persons with Disabilities Civil Rights Act of 1976 (MPDCRA), which prohibits discrimination against qualified persons based on disability that is unrelated to that person's ability to perform the duties of a particular position or genetic information; and
- Michigan Equal Pay Act, which prohibits discriminatory wage practices based on sex.

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

- Family and Medical Leave Act of 1993 (FMLA), which requires covered employers to provide up to 12 work weeks of unpaid, job-protected leave to eligible employees for certain family, military, and medical reasons, and up to 26 work weeks to care for a covered service member with a serious injury or illness;
- Michigan Paid Medical Leave Act of 2018 (PMLA), which provides eligible employees paid medical leave for certain reasons;
- Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), which provides job protection and reemployment rights to individuals who voluntarily or involuntarily leave employment to undertake military service, including military reservists and National Guard members called to duty;

- Public Employment Relations Act of 1947 (PERA), which prohibits a public employer from discriminating against an employee based on membership or non-membership in a labor organization;
- Fair Labor Standards Act of 1938 (FLSA), which establishes minimum wage, overtime pay, record keeping, and youth employment standards affecting employees; and
- Michigan Whistleblower Protection Act of 1980, which protects employees who report a violation or suspected violation of state, local, or federal law and employees who participate in hearings, investigations, or court actions.

B. Reporting Requirements

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

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

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

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

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

C. Employment Discrimination Compliance Training

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

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

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

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

37.2101 et seq.; MCL 423.201 et seq.; MCL 750.556; 34 CFR 106.1 et seq.

Date adopted: September 13, 2021

Date revised: August 28, 2023, September 9, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4102 *Anti-Harassment*

A. Policy Statement

Employees will have the opportunity to work in an atmosphere free from unlawful harassment as defined by state, federal, and local laws.

The District will promptly and thoroughly investigate complaints alleging unlawful harassment and take appropriate action, including discipline, against any person found to have engaged in unlawful harassment.

B. The District's procedures for investigating unlawful harassment are contained in Policy 3115-3115H.

C. Reporting Requirements

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

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

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

Legal authority: 20 USC 1681 et seq.; 29 USC 621 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1 et seq.; MCL 37.1101 et seq., 37.2101 et seq.; MCL 380.1300a

Date adopted: September 13, 2021

Date revised: August 8, 2023, August 28, 2023, September 9, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4104 Employment Complaint Procedure for Allegations Implicating Civil Rights

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

A. Initiating a Complaint

1. A Board member, employee, or employment applicant who believes he/she has been the subject of Unlawful Discrimination, harassment or Retaliation, must timely file a complaint, preferably within 10 business days of the alleged or suspected violation or when the reporter obtained knowledge of the alleged or suspected violation, with the Employment Compliance Officer or applicable coordinator listed in Policy 3115B.
2. A complaint of Unlawful Discrimination, including harassment or Retaliation, may be made verbally or in writing. The complaint will be memorialized on Form 3115-F-1.

B. Investigation Procedures

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

C. Reports to State or Federal Administrative Agencies

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

Michigan Department of Civil Rights Capitol Tower Building
110 W. Michigan Avenue, Suite 800
Lansing, MI 48933
Phone: 517-335-3165
Fax: 517-241-0546
TTY: 517-241-1965
Email: MDCR-INFO@michigan.gov

Equal Employment Opportunity Commission Patrick V. McNamara Building
477 Michigan Avenue - Room 865
Detroit, MI 48226
Phone: 800-669-4000
Fax: 313-226-4610
TTY: 800-669-6820
Email: info@eeoc.gov

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

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

Date adopted: September 13, 2021

Date revised: February 27, 2023, August 28, 2023, September 9, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4107 Military Leave

The District complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA), Michigan's Military Leaves Reemployment Protection Act (MLRPA), and Michigan's Public Employees Entering Armed Forces Act (MPEEAFA). The term "military service" as used in this Policy includes the "uniformed services" as defined in the USERRA, "service" as defined in the MLRPA, and "military duty" as defined in the MPEEAFA.

Military service also includes service and training in the Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, applicable reserve forces, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service, and other categories of persons designated by the U.S. President in times of war.

In qualifying circumstances, eligible full- and part-time employees may take leave related to military service and are entitled to reemployment and other rights during and at the conclusion of military leave. Military leave is unpaid, but employees may use accrued applicable paid leave for all or a portion of their military leave in accordance with a collective bargaining agreement or individual employment contract.

A. Employee Notice and Eligibility

1. Advance notice of military service is required, unless that service prevents advance notice or notice is otherwise unreasonable or impossible.
2. Employees are eligible for military leave when called to provide military service, whether voluntary or involuntary.
3. Military leave may be taken for the purpose of active duty, active duty training, inactive duty training, full-time National Guard duty, examinations to determine fitness for duty, funeral honors duty, duty related to the National Disaster Medical System, or any other activity authorized by law.

B. Reemployment Rights

1. Employees returning from military leave are entitled to prompt reemployment pursuant to conditions in the law.
2. Employees may be disqualified from reemployment when: (a) discharged dishonorably or for bad conduct; (b) separation from military service is considered "other than honorable" by the applicable military branch; (c) dismissal occurs via court martial or by order of the U.S. President; or (d) the employee is dropped from the military service rolls because of an unauthorized absence from military service or imprisonment.

3. The District may deny reemployment after military leave if the District's circumstances have changed to make reemployment impossible or unreasonable.

C. Reemployment Positions

An employee's reemployment position upon returning from military leave depends on the length of the employee's military service, advancement if the employee had remained continuously employed, the employee's qualifications, and other factors described in the law.

D. Pay and Rights Upon Reemployment

1. Upon reemployment, an employee receives seniority and other rights and benefits determined by seniority that the employee had attained on the date that military leave began, plus the additional seniority and rights and benefits that the employee would have attained if the employee had remained continuously employed. An employee is entitled to any other rights and benefits not determined by seniority as are generally provided by the District to other employees having similar seniority, status, and pay when taking a non-military leave.
2. Upon reemployment, an employee's eligibility calculation for leave under the FMLA will assume that the employee worked for the District during the period of military leave.
3. Upon reemployment, an employee may not be discharged except for a reason constituting just cause for a period of up to 1 year after reemployment from military leave depending on the length and type of military service.

E. Benefits

1. If an employee commencing military leave has coverage under a District-provided group health benefit plan, the employee may (at the employee's expense) elect to continue coverage for the employee, the employee's spouse, and/or the employee's dependents, subject to conditions in the law.
2. If an employee's health insurance coverage is terminated consistent with the law, upon reemployment, the employee (and the employee's spouse and dependents) is immediately eligible for reinstatement of health insurance coverage.

F. Notice and Complaints

1. Notice of employee rights under the USERRA will be posted in an appropriate location.
2. The District will not retaliate or take adverse action against an employee based on the employee's exercise of rights under the law.

3. An employee must immediately contact the Employment Compliance Officer(s) if the employee believes the District has violated the law or this Policy. The District will investigate the complaint pursuant to Policy 4104.

Legal authority: 38 USC 4301 et seq.; MCL 32.271 et seq.; MCL 35.351 et seq.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4109 Break Time for Nursing Mothers

Each time an employee needs to express breast milk during the 1-year period after the child's birth, the District will provide reasonable break time for this purpose in a place, other than a bathroom, that is shielded from view and free from intrusion by co-workers and the public or additional time may be granted for appropriate cause as determined by the Superintendent or designee. For non-exempt employees, break time for expressing breast milk will be unpaid unless the employee is not completely relieved from duty during the entirety of the break, or the employee uses paid break time to which the employee is otherwise entitled under an applicable collective bargaining agreement, individual employment contract, or employee handbook. A longer accommodation may be available under the Pregnant Workers Fairness Act.

Legal authority: 29 USC 218d; 34 CFR 106.57

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4206 Employment Contracts

Professional Staff, Administrators/Supervisors, and the Superintendent, as defined in Policies 4401, 4501, and 4601, will be employed pursuant to an individual employment contract and any applicable collective bargaining agreement. Non-Exempt Staff, as defined in Policy 4301, will be employed at-will unless an applicable collective bargaining agreement or individual employment contract specifies another standard of employment security.

Employment contracts will comply with applicable laws and regulations. The President or Superintendent or designee, as applicable, should consult with Board legal counsel about contract terms and requirements to ensure compliance with state and federal law.

A. Authority

The President is authorized to execute the Superintendent's contract on behalf of the Board upon Board approval of the contract. Teacher contracts must be approved by the Board and signed on behalf of the District by a majority of the Board, the President and Secretary, or the Superintendent or designee. The Superintendent is authorized to execute employment contracts for Non-Exempt Staff and temporary and substitute employees on the Board's behalf or upon Board approval, where necessary.

B. General Requirements

Individual employment contracts required or permitted under this Policy may contain at least the following, as applicable to the category of employment:

1. employee name;
2. term of employment;
3. annual salary or hourly rate;
4. merit pay and annual evaluation for teachers and required administrator;
5. job title;
6. number of work days and general hours of work;
7. certification and licensing requirements;
8. benefits (health insurance, leave time, etc.);
9. reduction in force and recall;
10. discipline, discharge, and transfer during the contract term;

11. a provision prohibiting an Administrator from engaging in conduct involving moral turpitude and a provision allowing the Board to void the contract if the Administrator violates the moral turpitude provision;
12. date and employee signature;
13. date and signature of authorized District representative;
14. an appeal process concerning the evaluation process and rating received as required by Revised School Code Sections 1249 (K-12 certified teachers of record) and 1249b (instructional administrators and the Superintendent); and
15. other terms as necessary to serve the District's interests or that are legally required.

C. Specific Requirements

Professional Staff, Administrator, and Superintendent contracts must comply with the following, as applicable:

1. Superintendent

The contract term will not exceed 5 years, as required by Revised School Code Section 1229.

2. Administrators

For Administrators subject to Revised School Code Section 1229, the contract term will not exceed 3 years and the contract will automatically terminate if the Administrator does not hold the required certification. The Administrator will not have tenure in the administrative position.

The Superintendent or designee will ensure that Administrator contracts are consistent with any applicable collective bargaining agreement. The term "Administrator" includes instructional Supervisors and Directors.

3. Non-Instructional Supervisors or Directors

Unless otherwise required by law, Non-Instructional Supervisors or Directors are not required to hold an Administrator certificate and may be subject to an individual employment contract for up to 3 years.

4. Professional Staff

The Superintendent or designee will ensure that all Professional Staff contracts are consistent with any applicable collective bargaining agreement. Individual teacher contracts will comply with Revised School Code Section 1231. If a teacher seeks appointment to an extracurricular position, the District may enter into a separate written contract for the extracurricular position.

D. Collective Bargaining Agreements

The Board, with the Superintendent or designee, will determine who will represent the Board in labor negotiations. The designated negotiator(s) may sign tentative agreements during bargaining; however, the final agreement is subject to ratification by the Board. Collective bargaining agreements may be reviewed by legal counsel before bargaining begins.

Legal authority: MCL 380.11a(3), 380.601a(1), 380.623(1)(b), 380.634, 380.1229, 380.1231, 380.1246, 380.1249, 380.1249b

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4207 Third-Party Contracting

This Policy must be implemented consistent with Policy 1101. Unless prohibited because of a collective bargaining agreement and to the maximum extent permitted by law, the Board or designee may contract with third parties as determined by the Board.

Any selected third-party contractor must fully comply with Policies 2202 and 4205(C).

Legal authority: MCL 380.11a(3)

Date adopted: September 13, 2021

Date revised: February 12, 2024, September 9, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4228 No Expectation of Privacy

Employees have no expectation of privacy in connection with their use of District property and equipment. The District reserves the right to search District property, equipment, and technology issued or provided for the employee's use during the employee's District employment, including but not limited to the employee's office, desk, files, computer, or locker. Inspections may be conducted at any time at the District's discretion. A search of an employee's personal effects will comply with federal and state constitutional protections, laws, and regulations.

Legal Authority: U.S. Const, amend. IV

Date adopted: August 28, 2023

Date revised: September 9, 2024

Series 4000: District Employment

4400 Professional Staff

4401 Definition

A. General

Professional Staff primarily perform work that requires advanced knowledge or work that is intellectual in nature, consistent with the FLSA's definition of "professional." The Professional Staff member's area of expertise is related to learning or comes from prolonged course of study, including teachers and Non-Teaching Professionals, but excluding Administrators/Supervisors (as defined under Policy 4501) and the Superintendent (as defined under Policy 4601).

B. Teachers

Teachers are professional persons who provide or direct instruction to students and must be appropriately qualified and certified for the assigned teaching position, consistent with federal and state law and District Policies. Each teacher shall maintain required qualifications and certification as a condition of that teacher's continued employment.

A classroom teacher employed by the District must: (1) have a valid Michigan teaching certificate or authorization to teach under the Revised School Code; and (2) be assigned by the District to deliver direct instruction to students as a teacher of record.

A teacher must promptly notify the Superintendent or designee, in writing, if the teacher's certification or authorization expires, is revoked, or nullified. Failure to provide this written notice, whether willfully or negligently, may result in discipline, including discharge.

C. Non-Teaching Professionals

Non-Teaching Professionals are "other Professional Staff" who are not teachers and who meet the professional exemption under the FLSA, such as counselors (i.e., those counselors who are not certified teachers), social workers, teacher consultants, behavior specialists, speech pathologists (i.e. who are not certified teachers), physical or occupational therapists, nurses, and psychologists. A Non-Teaching Professional is not required by law to hold a teaching certificate or authorization for the assigned duties. Each Non-Teaching Professional must be qualified and certified as required by the Board or federal and state law. Each Non-Teaching Professional must maintain those qualifications and certifications as a condition of that person's continued employment.

A Non-Teaching Professional must promptly notify the Superintendent or designee, in writing, if the person's certification, license, or endorsement expires, is revoked,

or nullified. Failure to provide this written notice, whether willfully or negligently, may result in discipline, including discharge.

Legal authority: 29 USC 201 et seq.; MCL 38.81 et seq.; MCL 380.1231, 380.1233, 380.1233b, 380.1236, 380.1237

Date adopted: September 13, 2021

Dated revised: August 8, 2022, September 9, 2024

Series 4000: District Employment

4400 Professional Staff

4402 Placement

This Policy must be implemented consistent with Policy 1101.

- A. Teacher as Defined by Revised School Code Section 1249 (K-12 certified teachers of record).

The appropriate placement of effective teachers is an essential component in promoting student academic growth, educational outcomes, and quality educational services. The Superintendent or designee may make teacher placement decisions at their discretion consistent with this Policy.

Placement includes, but is not limited to, assignment, transfer, or the filling of a position with current staff or newly hired teachers. For vacant positions see Paragraph C (Vacancy).

Placement does not include reduction in force or recall decisions governed by Policy 4405.

1. Consistent with Revised School Code Section 1248, teacher placement decisions shall be based on the following clear and transparent factors:
 - a. Staffing the curriculum with the most effective, certified, and qualified teachers to instruct the applicable courses, grades, and school schedule.
 - b. Appropriate certification, approval, or authorization for all aspects of the assignment. The certification, approval, or authorization, as applicable, will be determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations.
 - c. Teacher placement decisions must be made based on teacher effectiveness criteria established in Revised School Code Section 1249 and Policy 4403.
 - d. Teacher placement decisions will be guided by the following criteria:
 - i. Retaining the most effective teachers who are certified (or otherwise approved or authorized) and qualified to instruct the courses within the curriculum, academic level(s), and department(s).
 - ii. Teachers must be properly certified, approved, or authorized for all aspects of their assignments. The teacher's certification, authorization, or approval status will be:

- A) Determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations; and
- B) Based on documentation on file with the Superintendent's office.
 - 1) A teacher must maintain valid certification, approval, or authorization, as applicable, and is responsible for filing a copy of the certificate, approval, or authorization with the Superintendent's office in compliance with Revised School Code Section 1532.
 - 2) If a teacher petitions for nullification of the teaching certificate or any endorsement, the teacher must promptly provide written notice of that petition to the Superintendent's office.
- iii. In addition, teachers must be fully qualified for all aspects of their assignments, as determined by the Board, based on documentation on file with the Superintendent's office, including:
 - A) Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;
 - B) Credentials needed for District, school, or program accreditation;
 - C) District-provided professional development, training, and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment and is integrated into instruction;
 - D) Relevant special training, other than professional development or continuing education as required by state or federal law, and integration of that training into instruction in a meaningful way;
 - E) Disciplinary record, if any;
 - F) Length of service in a grade level(s) or subject area(s);
 - G) Recency of relevant and comparable teaching assignments;
 - H) Previous effectiveness ratings;
 - I) Attendance and punctuality;
 - J) Rapport with colleagues, parents, and students;
 - K) Ability to withstand the strain of teaching;
 - L) Compliance with state and federal law; and

M) Other relevant factors as determined by the Superintendent or designee.

- e. Length of service may be considered as a tiebreaker if a teacher placement decision involves 2 or more teachers and all other factors distinguishing those teachers from each other are equal.

B. Placement of Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

If a collective bargaining agreement governs the employment of Non-Teaching Professionals or teachers not subject to Revised School Code Section 1249, the Superintendent or designee will comply with the applicable language on placement.

If a collective bargaining agreement or individual employment contract does not address the placement of Non-Teaching Professionals or teachers not subject to Revised School Code Section 1249, the Superintendent or designee is authorized to place those employees at their discretion.

C. Vacant Positions

1. Vacancies may be posted consistent with Policy 4205. The Superintendent or designee determines when a vacancy exists. Generally, a vacancy is an unassigned, open position or a newly created position which the District intends to permanently fill.
2. Vacancies may be filled by a certified and qualified internal or external candidate consistent with this Policy. The Superintendent or designee has full discretion to assign Professional Staff or contractors to cover employee absences consistent with business necessity and operational needs.

Legal authority: MCL 380.11a, 380.601a, 380.1248, 380.1249

Date adopted: September 13, 2021

Dated revised: February 12, 2024 (effective 7-1-24), September 9, 2024

Series 4000: District Employment

4400 Professional Staff

4403 Performance Evaluation

Performance evaluations are essential to provide quality educational services and to measure competency. This Policy does not diminish the Board's authority or ability to non-renew a professional staff member's contract at the end of the contract's term, consistent with applicable statutes, collective bargaining agreements, Policies, and individual employment contracts. This Policy must be implemented consistent with Policy 1101.

A. Teachers as Defined by Revised School Code Section 1249 (K-12 certified teachers of record)

Teachers will be evaluated pursuant to a performance evaluation system consistent with Revised School Code Section 1249 and the Teachers' Tenure Act. This performance evaluation system will include, as appropriate, the following:

1. a year-end evaluation process that meets statutory standards;
2. an evaluation tool that incorporates components required by law, including:
 - a. locally agreed-on student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
 - b. the teacher's performance; and
 - c. objective criteria.
3. an individualized development plan (IDP) with performance goals developed by the evaluator in consultation with the teacher and recommended training designed to improve the teacher's effectiveness for:
 - a. all probationary teachers;
 - b. teachers rated minimally effective or ineffective during the 2023-24 school year;
 - c. teachers rated needing support or developing; or
 - d. at the evaluator's discretion when performance deficiencies are noted.
4. classroom observations of at least 15 minutes each which include, at a minimum, a review of the teacher's lesson plan, the state curriculum standard used in the lesson, and pupil engagement, with appropriate written feedback and a post-observation meeting between the teacher and the school administrator conducting the observation to discuss those items;
5. a mid-year progress report, if required by law, which aligns with the teacher's individualized development plan, includes specific performance goals

developed by the evaluator, and any recommended training identified by the evaluator;

6. a year-end performance evaluation effectiveness rating, of effective, developing, or needing support;
7. tenured teachers rated as highly effective or effective on the 3 most recent consecutive year-end evaluations may be evaluated triennially, but if the teacher is not rated as effective on one of the triennially year-end evaluations, the teacher must receive year-end evaluations;
8. a mentor for teachers rated developing or needing support or for teachers in the first year of probation;
9. opportunity for a tenured teacher rated needing support on a year-end evaluation to request a review consistent with Revised School Code Section 1249;
10. a tool approved by MDE, a modified MDE tool, or a local evaluation tool if adopted in compliance with Revised School Code Section 1249 and corresponding regulations;
11. website posting of required information for the evaluation tool;
12. training on the evaluation tool for teachers and evaluators as required by law; and
13. other components that the Superintendent or designee deems relevant, important, or in the District's best interests.

If a tenured teacher is rated ineffective or needing support on 3 consecutive year-end evaluations, the teacher must be discharged consistent with due process. The District is not precluded from discharging a teacher at other times as provided by the Teachers' Tenure Act.

If a teacher receives an unevaluated rating, the teacher's rating from the school year immediately before the designation must be used.

B. Non-Teaching Professionals Subject to the Teachers' Tenure Act

The performance evaluation system for a Non-Teaching Professional with a teaching certificate subject to the Teachers' Tenure Act must include multiple observations. An IDP will be developed during the employee's probationary period. Except during the probationary period, which must include annual evaluations, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.

The Superintendent or designee also has discretion to implement an IDP if performance deficiencies are noted, regardless of the employee's effectiveness rating.

To the extent required by law, a tenured Non-Teaching Professional subject to the Teachers' Tenure Act rated as needing support may request a review consistent with Revised School Code 1249.

C. Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

For Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249, the Superintendent or designee will evaluate the employee's performance at intervals determined by the Superintendent or designee, except annual evaluation will be performed during the employee's probationary period. The Superintendent or designee has discretion to select and use an evaluation tool that serves the District's best interests.

An IDP may be established at the Superintendent's or designee's discretion.

Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1233b, 380.1248, 380.1249; 380.1249a(2); MCL 423.215

Date adopted: September 13, 2021

Date revised: August 8, 2022, February 12, 2024 (effective July 1, 2024), September 9, 2024

Series 4000: District Employment

4400 Professional Staff

4405 *Reduction in Force and Recall*

This Policy must be implemented consistent with Policy 1101.

- A. Reduction in Force and Recall for Teachers as Defined by Section 1249 (K-12 certified teachers of record)

When making program and staffing decisions resulting in the elimination of a teaching position or the recall of a teacher to a vacant teaching position, the Board will retain the most effective classroom teachers who are certified and qualified to instruct courses within the applicable curriculum, academic levels, and departments. The Board has the exclusive right to determine the size of the teaching staff based on curricular, fiscal, and other operating conditions. To the extent that the determinations involve Revised School Code Section 1248 requirements, the clear and transparent procedures of this Policy guides the implementation of that statute.

1. General Provisions

- a. The Superintendent is responsible, acting within the approved budget, for establishing the number and nature of teaching assignments to implement the approved curriculum. If the Superintendent determines that insufficient funds are budgeted for the existing teaching staff or that a reduction in teaching staff is necessary due to program, curricular, or other operational considerations, the Superintendent will recommend to the Board the teaching positions to be reduced.
- b. Reduction in force and recall decisions must be made based on teacher effectiveness criteria established in Revised School Code Section 1249 and Policy 4403.
- c. Decisions about the reduction and recall of teachers will be guided by the following criteria:
 - i. Retaining the most effective teachers who are certified (or otherwise approved or authorized) and qualified to instruct the courses within the curriculum, academic level(s), department(s), and school schedule(s). A probationary teacher rated as effective or highly effective on the teacher's most recent annual year-end performance evaluation is not subject to displacement by a tenured teacher solely because the other teacher is tenured under the Teachers' Tenure Act.
 - ii. Teachers must be properly certified, approved, or authorized for all aspects of their assignments. The teacher's certification, authorization, or approval status will be:

- A) Determined by the Revised School Code, MDE's Teacher Certification Code, MDE's Rules for Special Education Programs and Services, and other applicable statutes and regulations; and
- B) Based on documentation on file with the Superintendent's office.
 - 1) A teacher must maintain valid certification, approval, or authorization, as applicable, and is responsible for filing a copy of the certificate, approval, or authorization with the Superintendent's office in compliance with Revised School Code Section 1532.
 - 2) If a teacher petitions for nullification of the teaching certificate or any endorsement, the teacher must promptly provide written notice of that petition to the Superintendent's office.
- iii. In addition, teachers must be fully qualified for all aspects of their assignments, as determined by the Board, based on documentation on file with the Superintendent's office, including:
 - A) Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;
 - B) Credentials needed for District, school, or program accreditation;
 - C) District-provided professional development, training, and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment and is integrated into instruction;
 - D) Relevant special training, other than professional development or continuing education as required by state or federal law, and integration of that training into instruction in a meaningful way;
 - E) Disciplinary record, if any;
 - F) Length of service in a grade level(s) or subject area(s);
 - G) Recency of relevant and comparable teaching assignments;
 - H) Previous effectiveness ratings;
 - I) Attendance and punctuality;
 - J) Rapport with colleagues, Parents, and students;
 - K) Ability to withstand the strain of teaching;
 - L) Compliance with state and federal law; and

- M) Other relevant factors as determined by the Superintendent or designee.
- iv. Teachers must provide the District with current information and documentation supporting the teacher's certification and qualifications.
 - A) Reduction and recall decisions will be based on the teacher's certification and qualifications in the District's records at the time of the decision.
 - B) A laid off teacher must maintain current contact information (address, phone, and email address) with the Superintendent's office.
 - C) Failure to maintain current contact information may negatively impact the teacher's recall.
- v. Teacher reductions and recalls are by formal Board action.
- vi. Before the Board authorizes a teacher reduction, the Superintendent or designee will notify, in writing, the affected teacher of an opportunity to respond, either in person or in writing, to the proposed reduction.
- vii. The Superintendent or designee will provide written notice of Board reduction in force or recall decisions to each affected teacher.
- viii. A teacher's length of service with the District or tenure under the Teachers' Tenure Act will not be the sole factor in reduction in force and recall decisions.
- d. Teacher reduction in force decisions will be implemented by the following:
 - i. If 1 or more teaching positions are to be reduced, the Superintendent will first identify the academic level(s) or department(s) affected by the reduction. Among those teachers who are certified, approved, or authorized and qualified to instruct the remaining curriculum within the affected academic level(s) or department(s), selection of a teacher(s) for reduction in force will be based on the factors set forth in this Policy.
 - ii. Teachers within the affected academic level(s) or department(s) who are certified and qualified for the remaining positions will be retained consistent with the factors set forth in this Policy.
 - iii. When a teaching position is identified for reduction and there exists a concurrently vacant teaching position for which the teacher in the position to be reduced is both certified and qualified, and the teacher has received an overall rating of at least effective on that teacher's most recent year-end performance evaluation, that teacher may be assigned to the vacant position consistent with Policy 4402 unless the Superintendent or designee determines that the District's educational interests would not be furthered by that assignment.

- iv. If more than 1 teacher whose position has been identified for reduction is certified and qualified for a concurrently vacant teaching assignment, the Superintendent or designee will fill the vacancy consistent with Policy 4402, unless the Superintendent determines that the District's educational interests would not be furthered by that assignment.
- v. If the reduction or recall decision involves more than 1 teacher and multiple teachers and all factors distinguishing those teachers from each other are equal, the Board may approve and implement a tiebreaker mechanism using a discrete part(s) of the evaluation system. For example, if the reduction or recall decision involves more than one teacher and all factors distinguishing those teachers from each other are equal, the teacher with the higher year-end effectiveness score reflected in the [insert Board preference] portion of the evaluation will have preference for reduction or recall, as applicable. If this year-end effectiveness score is also tied, seniority (as established by the most recent seniority list for the bargaining unit to which the tenured teachers belong or, if none exists, the District's records) will determine preference for reduction or recall.

At least 30 calendar days' notice of reduction in force will be provided, absent extenuating circumstances.

2. Teacher Recall Process

- a. A teacher is eligible for recall under this Policy for 24 months from the date the District implemented the reduction in force.
- b. The Superintendent will first identify the academic level(s) or department(s) where a teaching vacancy exists.
- c. Before or in lieu of initiating the recall of a laid-off teacher, the Superintendent may reassign teachers to fill vacancies in accordance with Policy 4402.
- d. After or in lieu of any reassignment of existing teaching staff, the Superintendent may take either of the following actions to fill a vacancy:
 - i. Recall the laid-off teacher who is certified and qualified for the vacancy, provided the teacher was rated at least effective. If more than 1 laid-off teacher is certified and qualified for recall to a vacant teaching assignment, the Superintendent or designee will fill the vacancy consistent with Policy 4402; or
 - ii. Post the vacancy and consider all applicants if the Superintendent determines that:
 - A) the District's educational interests would not be furthered by recalling an otherwise eligible laid-off teacher who meets the certification and

qualification standards for the position, considering the factors in Policy 4402; or

B) no teacher on layoff meets the certification and qualification requirements for the position as otherwise stated herein.

- e. The Superintendent or designee will provide written notice of the Board's recall decision to any recalled teachers and will establish the time within which a teacher must accept recall to preserve the teacher's employment rights.
- f. A laid-off teacher who is offered an interview for a vacancy and who fails to appear at that interview forfeits all rights to recall and continued employment.
- g. A laid-off teacher who is recalled and fails to accept recall by the time designated in the recall notice, or who does not report for work by the deadline specified in the recall notice after filing a written acceptance of recall with the Superintendent, will forfeit all rights to recall and continued employment unless the Superintendent, in the Superintendent's sole discretion, has extended the time limit in writing.

If a collective bargaining agreement or individual employment contract governs reduction in force or recall, the Superintendent or designee will adhere to the applicable language.

B. Reduction in Force and Recall of Non-Teaching Professionals and Teachers Not Subject to Revised School Code Section 1249

For Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249 who are governed by a collective bargaining agreement, the Superintendent will implement the collective bargaining agreement's standards and procedures that pertain to reduction in force or recall when recommending a reduction in force or recall to the Board.

If no collective bargaining agreement exists, or if an existing agreement does not address reduction in force or recall of Non-Teaching Professionals and teachers not subject to Revised School Code Section 1249, the Superintendent will recommend a reduction in force or recall among those employees using the same standards and procedures as set forth in this Policy for teachers.

C. Unemployment Compensation

A Professional Staff employee who is laid off and who is paid unemployment compensation chargeable to the District during the summer immediately following a reduction in force and who is recalled on or before the beginning of the next school year will be paid according to an annual adjusted salary rate such that the employee's unemployment compensation received plus the adjusted annual salary

rate will be equal to the annual rate of salary the employee would have earned for the school year had the employee not been laid off.

Legal authority: MCL 38.71 et seq.; MCL 380.11a, 380.601a, 380.1248, 380.1249, 380.1532; MCL 423.215

Date adopted: September 13, 2021

Date revised: August 8, 2022, February 12, 2024 (effective July 1, 2024), September 9, 2024

Series 4000: District Employment

4400 Professional Staff

4408 Termination

This Policy must be implemented consistent with Policy 1101.

A. Probationary Teachers

For purposes of this Policy, the “termination” of a probationary teacher occurs when the probationary teacher is discharged during the term of an existing individual employment contract between the probationary teacher and the Board. Discontinuation of a probationary teacher’s employment at the expiration of an individual employment contract is not termination for purposes of this Policy and is addressed separately in Policy 4409.

The Board may terminate a probationary teacher for misconduct, inappropriate behavior, performance that is not effective, or for any other lawful reason at any time.

The Superintendent or designee may recommend the termination of a probationary teacher to the Board. The recommendation will include the reason(s) for the proposed termination.

Probationary teachers recommended for termination by the Superintendent or designee will be provided advance notice of the allegations; an opportunity for a hearing in closed or open session before the Board; and the time, date, and location of the Board hearing.

B. Tenured Teachers

The Superintendent or designee may recommend the termination of a tenured teacher by filing tenure charges with the Board. The Board will consider whether to proceed on the tenure charges or modify the charges. A tenured teacher may be terminated for a reason that is not arbitrary or capricious.

The tenured teacher may challenge the Board’s decision to discharge or demote the teacher by timely filing an appeal with the State Tenure Commission.

C. Non-Teaching Professionals and Teachers not subject to the Teachers’ Tenure Act (preschool, GSRP, or other teachers if they did not serve a probationary period under the Tenure Act)

Unless otherwise provided by a collective bargaining agreement or individual employment contract, a Non-Teaching Professional or teacher who is not subject to the Teachers’ Tenure Act may be terminated by the Board for any reason that is not arbitrary or capricious, subject to due process.

The Superintendent or designee may recommend the termination of a Non-Teaching Professional or teacher to the Board. The recommendation will include the reason(s) for the proposed termination.

Non-teaching professionals or teachers recommended for termination by the Superintendent or designee will be provided advance written notice of the allegations, an opportunity for a hearing in closed or open session before the Board, and the time, date, and location of the Board hearing.

Legal authority: MCL 38.83(2), 38.101, 38.121

Date adopted: September 13, 2021

Date revised: February 12, 2024, September 9, 2024

Series 4000: District Employment

4400 Professional Staff

4409 Non-Renewal

For purposes of this Policy, “non-renewal” of a probationary teacher refers to the discontinuation of the employment relationship between the Board and a probationary teacher at the expiration of the probationary year following the process set forth in the Teachers’ Tenure Act.

Teachers must serve a probationary period as required by the Teachers’ Tenure Act. A probationary teacher’s contract may be non-renewed for performance-based reasons or any other lawful reason.

This Policy must be implemented consistent with Policy 1101.

A. Probationary Period

1. A probationary teacher rated developing or needing support may be subject to non-renewal consistent with the Teachers’ Tenure Act. To attain tenure, a probationary teacher must be rated effective (after July 1, 2024) or highly effective (before July 1, 2024) on the teacher’s 3 most recent year-end annual performance evaluations and serve at least 4 full school years. A teacher’s probationary period may extend, or the probationary teacher may be nonrenewed, if the teacher does not receive 3 consecutive effective ratings during the probationary period.

For a teacher who previously held tenure in another Michigan public school district, the teacher is subject to a 2-year probationary period, unless the Board acts to reduce the teacher’s probationary period. The Board may make such a reduction if it determines that it is in the District’s best interest considering factors such as the teacher’s employment history; certifications, approvals, or authorizations; experience in subject matter or grade level; professional development, training, and academic preparation; and any other relevant factors as determined by the Board.

2.

- a. Non-Teaching Professionals who are not subject to the Teachers’ Tenure Act are subject to 4 years of probationary service and may be non-renewed or terminated at-will by the Board; and
- b. After 4 years, the non-probationary Non-Teaching Professional may be non-renewed or terminated for any reason that is not arbitrary or capricious, subject to due process.

B. Non-renewal

1. Probationary teacher non-renewal is subject to the non-renewal procedures specified in the Teachers' Tenure Act. This Policy will be implemented consistent with that statute.
 2. Before non-renewing a probationary teacher, the probationary teacher must receive written notice of the Superintendent's or designee's recommendation for non-renewal and the time, date, and place of the Board meeting at which the Board will consider the recommendation. The recommendation for non-renewal will state the reason(s) for the recommendation and may include supporting documentation.
 3. The probationary teacher must receive written notice of Board action to non-renew the teacher's contract at least 15 calendar days before the end of the school year (June 30) except as provided in subsection 4 below. If the teacher is hired after the beginning of the school year, notice of non-renewal must be received at least 15 calendar days before the teacher's anniversary date of hire.
 4. For a teacher who previously held tenure in another Michigan public school district, the teacher must receive written notice of non-renewal at least 60 calendar days before the completion of the probationary period.
- C. The probationary teacher will be provided an opportunity to address the Board in open or closed session and respond to the Superintendent's or designee's recommendation to non-renew.
- D. The Board must take action in open session on the recommendation to non-renew the probationary teacher.
- E. The probationary teacher must be served with written notice of the Board's action non-renewing the teacher's employment and a copy of the Board action within the timeframe required by the Teachers' Tenure Act. The non-renewal notice will specify that a probationary teacher has the right to appeal the timeliness or legal effect of a notice of non-renewal. The appeal must be filed with the State Tenure Commission within 20 calendar days after the probationary teacher's receipt of the notice of non-renewal. A copy of the Teachers' Tenure Act should also be included with the notice.
- F. Teachers who are not subject to the Teachers' Tenure Act may be non-renewed at the discretion of the Board for any lawful reason subject to an applicable collective bargaining agreement or individual employment contract.

Legal authority: MCL 38.81 et seq., 38.91 et seq.

Date adopted: September 13, 2021

Date revised: February 12, 2024 (effective July 1, 2024), September 9, 2024

Series 4000: District Employment

4500 Administrators/Supervisors

4503 Performance Evaluation

Performance evaluations of Administrators are an essential element of providing quality educational services and measuring an employee's competency. This Policy does not alter the Board's authority or ability to terminate an Administrator's employment during the term of an individual employment contract or to non-renew an Administrator's contract at the end of the contract's term. This Policy must be implemented consistent with Policy 1101.

A. Building Level and Central Office Instructional Administrators

The Superintendent or designee will ensure that building level and central office Administrators who are regularly involved in instructional matters are evaluated consistent with a performance evaluation system under Revised School Code Sections 1249 and 1249b. This performance evaluation system will include, if appropriate, the following:

1. an annual evaluation process that meets statutory standards and is based on objective criteria;
2. an annual evaluation by the Superintendent or designee, unless the Administrator qualifies for a biennial evaluation. This paragraph does not preclude more frequent Administrator evaluations as determined necessary by the Superintendent or designee;
3. an individualized improvement plan if the Administrator is rated developing or needing support or if performance deficiencies are noted;
4. student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
5. an evaluation and feedback provided in writing with an overall effectiveness rating of effective, developing, or needing support;
6. dismissal of an Administrator rated ineffective or needing support on 3 consecutive evaluations;
7. opportunity for an Administrator rated needing support to request a review and appeal consistent with Revised School Code 1249b;
8. a mentor for an Administrator for the first 3 years in which the Administrator is in a new administrative position;
9. a midyear progress report each year that the administrator is evaluated that includes specific performance goals for the remainder of the year and any recommended training identified by the evaluator;

10. for a building level administrator's evaluation, the evaluator will visit the school building where the administrator works, review the building level school administrator's school improvement plan, and observe classrooms with the administrator to collect evidence of school improvement plan strategies being implemented and the impact the school improvement plan has on learning;
11. an evaluation tool approved by the MDE, a modified MDE tool, or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;
12. website posting of required information pertaining to the evaluation tool;
13. appropriate training for evaluators; and
14. other components that the Superintendent or designee deems relevant, important, or in the District's best interest.

The Administrator's individual employment contract will include an appeal process concerning the evaluation process and rating received.

B. Non-Instructional Administrators, Supervisors, and Directors

The Superintendent or designee may evaluate Non-Instructional Administrators, Supervisors, and Directors based on the appropriate evaluation instrument as determined by the Board and consistent with any applicable collective bargaining agreement or individual employment contract. An individual improvement plan may be implemented to remediate and enhance employee performance.

Legal authority: MCL 380.11a, 380.601a, 380.1249, 380.1249b

Date adopted: September 13, 2021

Date revised: August 8, 2022, February 12, 2024(effective July 1, 2024), September 9, 2024

Series 4000: District Employment

4500 Administrators/Supervisors

4507 Termination

For purposes of this Policy, “termination” refers to a proposed action to discharge or permanently discontinue the employment of an Administrator, Supervisor, or Director during the term of an individual employment contract. Non-renewal at contract expiration is not a termination under this Policy and is addressed in Policy 4508.

Unless otherwise provided by an applicable collective bargaining agreement or individual employment contract, an Administrator, Supervisor, or Director may be terminated for any lawful reason. Off-duty conduct may result in termination if it adversely impacts the District and is not a legally protected activity.

The applicable collective bargaining agreement or individual employment contract will set forth the procedure for terminating an Administrator, Supervisor, or Director. If the applicable collective bargaining agreement or individual employment contract does not set forth a procedure, then the Superintendent or designee will provide written charges in support of the recommendation for discharge and notice of the Board hearing date, time, and location, to the Administrator, Supervisor, or Director in advance of a Board meeting on the charges. The employee may request a hearing in closed session, but the Board’s decision on the termination recommendation must be made in open session. If the employee requests a hearing, the employee has the right to bring legal counsel or another representative of the employee’s choice (at the employee’s expense) to hear and contest the evidence supporting the termination recommendation and to submit evidence in support of the employee’s retention.

The Board resolution or written correspondence identifying the reason(s) for the Board’s decision on termination will be placed in the employee’s personnel file.

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

Legal authority: MCL 38.71 et seq.; MCL 380.1229(2), 380.1229(3)

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 4000: District Employment

4600 The Superintendent

4603 *Performance Evaluation*

Performance evaluations for the Superintendent are an essential element of providing quality educational services and measuring job performance and effectiveness. This Policy does not diminish the Board's authority or ability to either terminate the Superintendent's employment during the term of the Superintendent's employment contract or to non-renew the Superintendent's contract at its expiration.

The Board will ensure that the Superintendent is evaluated based on a performance evaluation system described in Revised School Code Sections 1249 and 1249b and the individual employment contract. The evaluation may include, where appropriate or required by law, the following components:

- A. an annual evaluation process that meets statutory standards and is based on objective criteria;
- B. an annual evaluation by the Board, unless the Superintendent qualifies for a biennial evaluation, provided that this does not limit the Board's right to conduct more frequent evaluations where deemed appropriate by the Board;
- C. an improvement plan if the Superintendent is evaluated as developing or needing support, or otherwise at the Board's discretion;
- D. student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
- E. an evaluation and feedback provided in writing with an overall effectiveness rating of effective, developing, or needing support;
- F. dismissal of a Superintendent rated ineffective or needing support on 3 consecutive evaluations;
- G. a midyear progress report for each year that the Superintendent is evaluated that includes specific performance goals for the remainder of the year and any recommended training identified by the Board;
- H. a tool approved by the MDE, a modified MDE tool, or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;
- I. opportunity for a Superintendent rated needing support to request a review consistent with the procedure for other administrators under Revised School Code 1249b;
- J. website posting of required information pertaining to the evaluation tool;
- K. providing appropriate training for Board members; and

- L. other components that the Board deems relevant, important, or in the District's best interests.

The Superintendent's individual employment contract will include an appeal process concerning the evaluation process and rating received.

The Board, in its discretion, may provide periodic scheduled feedback about the Superintendent's performance.

Legal authority: MCL 380.11a, 380.601a, 380.1249, 380.1249b

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5101 Student Expression

The District will balance student speech and expression rights with its responsibility to provide a safe, orderly learning environment.

Students may not engage in speech or expressive conduct that would materially and substantially interfere with or disrupt school operations, including school activities and educational programming. An actual disruption is not required before school officials may regulate student speech or impose discipline if they can reasonably forecast a substantial and material disruption or interference with school operations.

Students may be disciplined for speech or expressive conduct that: is materially and substantially disruptive or that school officials can reasonably forecast will create a substantial disruption; is obscene, sexually explicit, indecent, or lewd; promotes the use of or advertises illegal substances; incites violence; contains “fighting words” or constitutes a true threat of violence; constitutes hate speech or symbols, including, but not limited to, swastikas or Confederate flags; involves a student walkout; incites a violation of law, Board Policy, or rule; or is not constitutionally protected. Administrators will evaluate student speech on a case-by-case basis, including the location, context, and nexus to the school, before imposing discipline.

Student activism is subject to the above standards.

As used in this Policy, “fighting words” are words that tend to provoke a violent response amounting to a breach of the peace.

Legal authority: U.S. CONST. amend. I; Const 1963, art I, § 5; *Tinker v Des Moines Indep Community Sch Dist*, 393 US 503 (1969)

Date adopted: September 13, 2021

Date revised: August 8, 2022, September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5105 Collaboration with Outside Entities

The District may, from time to time, collaborate with outside entities to offer programming to students. Nothing in these Board Policies, including, without limitation, protocols for student searches and seizures, student discipline, interrogation of students, and seclusion and restraint, may be interpreted to interfere with any rule, regulation, or policy imposed by an outside entity with which the District cooperates or collaborates, except as otherwise prohibited by law.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5203 Hazing

Hazing is prohibited. Hazing is an intentional or reckless act directed against a student that endangers the student's physical or mental health or safety that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization, activity, team, or social group. This Policy applies regardless of a student's consent, permission, or assumption of risk. Any student who engages in hazing may be subject to discipline.

Hazing includes, but is not limited to:

- physical brutality or punishment (e.g., whipping, beating, striking, branding, or placing a harmful substance on a student's body);
- physical activity that subjects a student to an unreasonable risk of harm or that adversely affects a student's physical or mental health or safety (e.g., sleep deprivation, exposure to the elements, confinement in a small space, or undressing or exposing a student);
- consumption of food, liquid, alcohol, drugs, or other substance that subjects a student to an unreasonable risk of harm or that adversely affects a student's physical or mental health or safety;
- an activity that induces, causes, or requires a student to commit a crime or an act of hazing;
- intentional humiliation or embarrassment of a student;
- detention or seclusion of a student; and
- other activities that subject a student to an unreasonable risk of harm or that adversely affect a student's physical or mental health or safety.

Legal authority: MCL 750.411t

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5204 Student Appearance and Dress Code

Student dress, cleanliness, or personal appearance that is a threat to the safety, health, or welfare of students or others; violates any statute or Policy 5101; or substantially disrupts the educational environment or that school officials reasonably forecast will substantially disrupt the educational environment, is grounds for remedial or disciplinary action. The Superintendent or designee will develop and publish specific dress code regulations consistent with the law and this Policy.

Legal authority: MCL 37.2101 et.seq.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5208 Student Acceptable Use and Internet Safety Policy

Student use of District technology is a privilege, not a right, and is governed by Policy 3116 and the applicable acceptable use agreement. As part of its Internet Safety Policy the District must implement the rules and procedures identified in Policy 3116. A student's failure to comply with Policy 3116 and the applicable acceptable use agreement may result in discipline or loss of technology privileges.

Students have no expectation of privacy in or right to continued use of District technology resources.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5209 Student Use of Cell Phone and Electronic Communication Devices

Students may use cell phones or other electronic devices while at school, so long as they do so safely, responsibly, and respectfully, and comply with all other school rules while using the devices.

Students are personally and solely responsible for the security of their cell phones and other electronic devices. The District is not responsible for theft, loss, or damage of any cell phone or other electronic device.

Students may not use cell phones or other electronic devices while they are in locker rooms, restrooms, or any other area in which others may have a reasonable expectation of privacy.

Taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal photographs, video, audio, or other similar data, whether by electronic data transfer or otherwise (including via cell phone or other electronic device), may constitute a crime under state or federal law. A student engaged in any of these activities at school, at a school event, or on school-provided transportation, may be subject to discipline pursuant to this Policy and the student code of conduct. A student engaged in any of these activities outside of school may be disciplined if the student's activities substantially disrupt or negatively affect the school environment.

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

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

Legal authority: MCL 380 .1303(2)

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5212 *Registered Sex Offenders - Students*

Inclusion on the state's sex offender registry alone is not a sufficient basis to exclude a student from school. The District reserves the right, consistent with Policy 5411 and applicable law, to determine the educational placement of a student who is listed on the state's sex offender registry.

For a student who is listed on the state's sex offender registry, the building principal may establish a safety plan, which may include excluding the student from extracurricular activities.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5305 Schools-of-Choice

The Board will annually determine whether the District will accept schools-of-choice students who reside in the same ISD in which the District is located, who reside within an ISD contiguous to the ISD in which the District is located, or both. If the Board determines that schools-of-choice students will be accepted for enrollment, the Board will establish the grades, schools, and programs in which they may enroll and the number of schools-of-choice students the District will accept for each open grade, school, or program.

If the Board determines that the District will accept schools-of-choice students, the Superintendent or designee will ensure that applicable provisions of state law are followed, including, without limitation:

- A. publishing the grades, schools, and programs for which the District will accept schools-of-choice applicants;
- B. establishing an application period of at least 15 and no more than 30 calendar days if the Board has limited the number of schools-of-choice students who may enroll in a grade, school, or program;
- C. selecting students who may enroll in the following manner:
 - 1. the Superintendent or designee must give preference to an applicant who resides in the same household as a student already enrolled in the District;
 - 2. the Superintendent or designee may refuse to enroll a student who has been suspended from another school in the preceding 2 years or who has ever been expelled from another school or convicted of a felony;
 - 3. the Superintendent or designee will require that schools-of-choice students meet the same criteria that a resident student must meet to enroll in a grade or specialized/magnet school or program;
 - 4. if the Board determines that limited spots are available and, if, after applying the enrollment preferences and exclusions described in this Policy, there are more applicants than spots available in a particular grade, school, or program, the Superintendent or designee will select students based on a random draw lottery;
 - 5. except as otherwise stated in this Policy, the Superintendent or designee may not make enrollment decisions based on any other factors.
- D. following all notice and timeline requirements;

- E. allowing a student who has enrolled as a schools-of-choice student to continue to enroll in the District until the student graduates, enrolls in another school, drops out of school, or is expelled from school;
- F. requesting records from a student's previous school.

Before enrolling a student who resides outside of the ISD in which the District is located and who has been identified as a child with a disability under the Individuals with Disabilities Education Act, the Superintendent or designee will attempt to enter into a cost-sharing agreement with the student's resident district. If the District and the student's resident district fail to reach a cost-sharing agreement, the student will not be enrolled in the District.

If the District receives a request from another school for records about a resident student's schools-of-choice application, the Superintendent or designee will promptly respond to the request.

The Superintendent or designee may pursue all available legal options, including referral to law enforcement, against any person who provides false or misleading information on a schools-of-choice application.

Students not eligible to enroll pursuant to this Policy may only enroll consistent with Policy 5303.

Legal authority: MCL 388.1705, 388.1705c

Date adopted: September 13, 2021

Date revised: August 8, 2022, September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5306 Foreign Students

All resident students, regardless of immigration or visa status, who otherwise meet Policy 5303's requirements, may enroll in the District. The District does not discriminate against students based on immigration or visa status.

A student's failure to comply with federal laws, regulations, and guidance may negatively impact the student's immigration or visa status.

A student with an F-1 visa who enrolls in the District in compliance with federal law must reimburse the District the full, unsubsidized per capita cost of providing education at the District for the period of the student's attendance.

A student with a J-1 visa who is sponsored by a formal student exchange program may enroll in the District without paying tuition if the student's host family resides in the District and the student otherwise meets the requirements of state and federal law and Policy 5303.

Nothing in this Policy should be construed to require the District to facilitate a student's visa.

All students are subject to Board Policies, rules, laws, behavioral expectations, and applicable student codes of conduct.

Legal authority: 8 USC 1184(m); MCL 380.1401; *Plyler v Doe*, 457 US 202 (1982); OAG, No. 6316, p 151 (September 25, 1985)

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5414 Completion Certificates

In lieu of a traditional high school diploma, the Board recognizes 3 completion certificates. Completion certificates are only available to students who are unable to satisfy District and state graduation requirements. A student who earns a completion certificate may participate in commencement and all other District graduation ceremonies and events to the same extent, and subject to the same rules, as students who have earned a traditional high school diploma. Receipt of a completion certificate does not terminate a student's right to a free appropriate public education under the Individuals with Disabilities Education Act.

A. Certificate of Academic Competence

The Board will award a Certificate of Academic Competence to a student who earns 4 high school credits and who demonstrates college or career readiness through the Michigan Merit Examination or on a recognized career-readiness assessment, such as the Compass or WorkKeys assessment. A Certificate of Academic Competence is not a high school diploma and is intended for students who are not able to successfully complete the Michigan Merit Curriculum but who have demonstrated the requisite academic skills to be successful in a college or vocational trades program.

B. Certificate of Vocational Readiness

The Board will award a Certificate of Vocational Readiness to a student who completes 4 years of high school and who has demonstrated through a special education or career and technical education program the ability to perform work-related tasks. A Certificate of Vocational Readiness is not a high school diploma and is intended for students who are not able to successfully complete the Michigan Merit Curriculum or to earn a Certificate of Academic Competence but who have demonstrated the requisite job-related skills to successfully enter the workforce, with or without accommodation.

C. Certificate of Attendance

The Board will award a Certificate of Attendance to a student who completes 4 years of high school. A Certificate of Attendance is not a high school diploma and is intended for those students who are not able to successfully complete the Michigan Merit Curriculum, earn a Certificate of Academic Competence, or earn a Certificate of Vocational Readiness.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent Involvement

5415 *Summer School*

The District may offer a summer school program to provide additional educational opportunities for students who need remedial instruction, credit recovery, or enrichment experiences. Students enrolled in summer school are subject to Board policies, rules, laws, behavioral expectations, and applicable student codes of conduct.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5502 *Student Government*

The purpose of student government is to provide students with leadership opportunities and experience in the representative democratic process.

Students may elect officers and representatives, conduct meetings, and engage in approved activities and functions designed to be beneficial to the student body.

A student government organization must be supervised by a staff member. A student government organization's charter, constitution, or bylaws will be subject to review and approval by the Superintendent or designee.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5503 *Bulletin Boards and Other Student Postings*

Space may be provided within school buildings or on school electronic media for students and student organizations to post notices related to student groups. The following general limitations apply:

- A. All postings will be subject to the review and approval of the appropriate building administrator or designee. Students may not post material containing any statement or expression that is libelous, obscene, or vulgar; violates Board policy, including the student code of conduct; promotes illegal substances (including, but not limited to, substances that are illegal for minors to possess or consume); or is otherwise unsuitable for or disruptive to the school environment.
- B. All postings must identify the student or the student organization responsible for posting the notice.
- C. The building principal or designee may remove any approved posted material after a reasonable time, as determined in the building principal's or designee's discretion.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5509 *Public Appearances of School Groups*

The Board permits student groups to appear/perform at public events, subject to the following requirements:

- A. activity advisors must secure the permission of the building principal or designee before booking a student group at a public event;
- B. activity advisors are discouraged from booking student groups to perform on more than 1 school night (Sunday-Thursday) per week;
- C. student groups may not be required to perform at a political rally or event;
- D. student groups may not be required to perform at religious ceremonies; and
- E. a student's failure to comply with Board Policy, the student code of conduct, and any other applicable rules or behavioral expectations during public appearances may result in disciplinary action and exclusion from future appearances at public events.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5510 Student-Initiated, Non-Curricular Clubs

Students may voluntarily form clubs that are not directly related to the curriculum. Membership in a student-initiated, non-curricular club must be open to all interested and eligible District students, and the club may not refuse membership to a student based on any protected classification under state or federal law.

Students seeking to create a student-initiated, non-curricular club must first obtain approval from the building principal. If the building principal denies approval, the students seeking to create the club may submit a written appeal to the Superintendent or designee within 5 school days after the denial. The Superintendent or designee must make a decision on the appeal within 15 school days after receiving the appeal. The appeal decision is final.

Student-initiated, non-curricular clubs may not conduct activities on school property without prior permission from the building principal. Student initiated, non-curricular clubs are permitted to meet on school property only before or after the school day, or during lunch periods; they are not permitted to meet during instructional time. Meetings may not materially and substantially interfere with the orderly conduct of the school's educational activities or violate any Policy or state or federal law.

The District may assign a staff member to be present in a supervisory, but not participatory, capacity at meetings or activities of student-initiated, non-curricular clubs. Persons not affiliated with the District may not direct, conduct, control, or regularly attend meetings or activities of student-initiated, non-curricular clubs.

No public funds may be expended on behalf of the student-initiated, non-curricular clubs covered by this Policy except for the incidental cost of meeting space.

The District will comply with all applicable laws related to student-initiated, non-curricular clubs, including but not limited to the provisions of the Equal Access Act and the Boy Scouts of America Equal Access Act, and will not discriminate against or deny access to clubs or other groups protected by the applicable laws.

Legal authority: 20 USC 4071; 20 USC 7905; MCL 380.1299

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5601 *Special Education*

Eligible students with disabilities under the Individuals with Disabilities Education Act (IDEA) are entitled to a free appropriate public education through an individualized education program. The District will follow state and federal law and applicable rules and regulations in identifying, locating, evaluating, and educating students with disabilities.

IDEA-eligible students are protected from discrimination under state and federal law, including Section 504 of the Rehabilitation Act, as outlined in Policy 5603.

Legal authority: 20 USC 1400 et seq.; 34 CFR Part 300; MCL 380.1701 et seq.; MARSE R 340.1701 et seq.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5804 *Work Permits*

The building principal or designee will issue student work permits in accordance with state law.

Legal authority: MCL 409.104

Date adopted: September 13, 2021

Date revised: September 9, 2024

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Nate Parker

PURPOSE: To approve changes to existing policies at the request of Thrun Policy Services.

EXPLANATION:

As part of our service with Thrun Policy Services, they will update our policies as needed. The policies with recommended updates are attached.

5806, 5711, 5707, 5701, 5507, 5506, 5420, 5416, 5411, 5409, 5407, 5405, 5309
5303, 5301, 5213, 5206a,b,c,,d, 5202, 5201, 5106, 5103, 5102, 4215, 4213, 4209, 4202
4201, 3410, 3408, 3402, 3303, 3108, 3106, 3105, 2302, 2201

RECOMMENDATION:

The Superintendent recommends that the Adrian Board of Education approve language updates except for the removal of the word "guardian."

Series 2000: Bylaws

2200 Board Powers

2201 Board Powers/General Powers

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

A. Expressly Conferred Powers

1. The Board will establish and maintain the grades, schools, programs, and departments it deems necessary, which may include grades Pre-K through 12, and may provide lifelong education, adult education, community education, training, enrichment, and recreation programs.
 - a. The Board may educate persons by:
 - i. directly operating 1 or more public schools as defined in Revised School Code Section 5(6); and/or
 - ii. causing public education services to be provided for students through an agreement, contract, or other cooperative agreement with another public entity.
 - b. The Board will:
 - i. ensure that each public school within the District is accredited or certified by the State Superintendent as having met or exceeded established standards;
 - ii. ensure that the requirements of Revised School Code Sections 1204a (annual reports), 1277a (disaggregation of data by gender for school improvement planning purposes), 1278 (core academic curriculum), and 1280 (accreditation) are met for any consortium program in which the District participates;
 - iii. ensure each student in grades 8-12 is provided with information on college-level equivalent courses;
 - iv. determine the length of the school year;
 - v. select, approve, and purchase textbooks as defined under Revised School Code Section 1421;
 - vi. administer state-required standardized tests;

- vii. adopt a Parent/guardian involvement plan; and
 - viii. adopt, implement, and annually make available to MDE a copy of a 3 to 5-year school improvement plan and continuing school improvement process for each school in the District in compliance with Revised School Code Section 1277.
2. The Board will provide for the safety and welfare of students while at school or a school-sponsored activity or event, and while traveling to or from school or a school-sponsored activity or event, as required by law.
 3. The Board may acquire, construct, maintain, repair, renovate, dispose of, or convey school property, facilities, equipment, technology, or furnishings as it deems appropriate, within applicable legal parameters.
 4. The Board may hire, contract with, schedule, supervise, or terminate employees, independent contractors, and other persons or entities to carry out District powers. The Board may defend and indemnify its employees and Board members to the extent authorized by law.
 5. The Board may receive, account for, invest, or expend public school money; borrow money and pledge public school funds for repayment; and qualify for state school aid and other public or private money from local, regional, state, or federal sources.
 6. The Board delegates to the Superintendent the authority to take action in circumstances not authorized by Board action or Policy when required to effectively maintain the District's day-to-day operations. The Superintendent should (a) promptly inform the Board of the action taken and the need for taking expedited action; and (b) report the action to the Board at the Board's first meeting after the Superintendent takes such action.

B. Limitations on Powers

1. The Board will not use money received from any source to unlawfully aid or maintain any private, denominational, or other nonpublic, pre-elementary, elementary, or secondary school. The Board may provide transportation, auxiliary services, and nonessential elective classes for students attending nonpublic schools to the extent permitted by law.
2. The Board will use public funds, including state school aid allocations, tax revenue, and bond proceeds only for designated purposes.
3. The Board will not permit a fraternity, sorority, or other secret society to operate in the District. See Policy 5511.
4. The Board will not award a high school diploma to a student unless the student meets the requirements of Revised School Code Sections 1278a and 1278b.

C. Authority

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

Legal Authority: Const 1963, art 8, §2; MCL 380.5(6), 380.11a, 380.1146, 380.1153, 380.1216, 380.1217, 380.1277, 380.1278a, 380.1278b, 380.1280, 380.1280a, 380.1282, 380.1284, 380.1294, 380.1321, 380.1322, 380.1421, 380.1422, 380.1472, 380.1804, 380.1807, 380.1816; MCL 388.1766b; MCL 691.1408; Mich Admin Code R 340.281, 340.282 (transportation services for nonpublic school children), 340.291-.295 (auxiliary services for nonpublic school children); *Tavener v Elk Rapids Rural Agric Sch Dist*, 341 Mich 244 (1954)

Date adopted: September 13, 2021

Date revised: February 14, 2022, September 9, 2024

Series 2000: Bylaws

2300 Board Member Conduct

2302 Board Code of Ethics

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

A. Each Board member will:

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

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

B. A Board member will *not*:

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

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

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

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3105 *Visitors and Volunteers*

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

A. Visitors

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

B. Volunteers

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

- a. A volunteer may only drive a District vehicle with approval of the Superintendent or designee and in compliance with all applicable laws. For purposes of this subsection B.4, a “District vehicle” is a vehicle owned or leased by the District, including a school bus, and a “private vehicle” is any vehicle that is not a District vehicle.
- b. Except in an emergency, before a student rides in a private vehicle, the driver must have permission from the student’s Parent/guardian to transport the student to or from the school or applicable event. Permission must be in writing if the driver is using a vehicle with a manufacturer’s rated seating capacity of 11 or more passengers.
- c. For events where the District oversees and coordinates transportation (e.g., class field trip), District personnel, an approved volunteer, or a student’s Parent/guardian may transport students to and from a school or school-sponsored event in a private vehicle with the Superintendent or designee’s approval.
- d. A volunteer driver must:
 - hold a valid driver’s license appropriate for the vehicle;
 - if required by law, hold a valid chauffeur’s license; and
 - for a private vehicle, provide to the Superintendent or designee’s satisfaction proof of insurance, and lawful registration and proof of the vehicle’s lawful registration upon request.
- e. A volunteer driver is responsible for any loss, damage, cost, and liability related to the driver’s operation of a District vehicle or private vehicle.

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

Date adopted: September 13, 2021

Date revised: August 8, 2022, September 9, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

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

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

A. General Rules

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

B. Internal Support Groups

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

C. External Support Groups

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

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

D. Violations

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

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

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

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3100 General Operations

3108 Service Animals

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

A. Definition

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

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

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

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

B. Admission of Service Animals

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

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

C. Inquiries

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

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

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

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

D. Charges, Fees, and Liability

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

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

E. Care and Supervision of Service Animal

The person with a disability or the service animal's handler is responsible for the care and supervision of the service animal at school, including, toileting, feeding,

grooming, veterinary care, and exercising. The District is not responsible for supervising or otherwise caring for a service animal unless required by law.

F. Control of Service Animal

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

G. Exclusion of Service Animal

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

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

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

H. Allergies

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

I. Denial of Access and Grievance

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

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

J. Non-Service Animals

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

Legal authority: 28 CFR 35.136; MCL 287.291

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3303 Gifts and Donations

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

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

A. Accepting Donations

1. Donations must be lawful and support an educational purpose.
2. Donations accepted by the District will become public funds or public property unless an exception is provided under applicable law.
3. The Board authorizes the Superintendent or designee to accept Donations of personal property on behalf of the Board with an estimated fair market value of \$199.00. The Board retains authority, in its discretion, to accept Donations of personal property exceeding \$200.00.
4. The Board must approve all Donations of real property, regardless of value.
5. Donations accepted by the District will be used for any specific purpose identified by the donor provided the purpose is lawful and consistent with the District’s interests and objectives. A donor may identify the specific purpose of the Donation and any other lawful conditions using Form 3303-F.
6. Except as required by law, the District does not have an obligation to replace a Donation that is lost, destroyed, or becomes obsolete.

B. Reserved

C. Scholarships are governed by Policy 3207.

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

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

Date adopted: September 13, 2021

Date revised: August 28, 2023, September 9, 2024

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3402 Drills, Plans, and Reports

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

A. Emergency Drills

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

B. Cardiac Emergency Response Plan

The Board will develop, adopt, and provide for annual review a cardiac emergency response plan as required by law. Beginning in the 2025-26 school year, the Board will integrate the cardiac emergency response plan into the protocols of the local emergency response system and emergency response agencies. Beginning in the 2025-26 school year, all high school athletic coaches must be certified in CPR and use of an AED by the American Red Cross, the American Heart Association, or a comparable organization approved by MDE.

C. Drinking Water Management Plan

By January 2025, the Board will develop, adopt, update, implement, and make available upon request a Drinking Water Management Plan as required by law.

D. Cooperation

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

E. Safety and Emergency Plans

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

F. Reporting Incidents of Crime

Each building principal will collect and update information at least weekly on incidents of crime in the applicable building. At least annually, the Board will post information on its website about incidents of crime in the District and will make this information available to Parent/guardians on a per-building basis. Within 24 hours after an incident occurs, the Superintendent or designee will report to the Michigan State Police crimes and attempted crimes identified in MCL 380.1310a(2).

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

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3408 Firearms and Weapons

The District is a weapon-free school zone. Except as otherwise permitted by Policy or required by applicable law, a person may not possess a weapon on District property. See also Policy 5206. Each person on District property must also comply with the federal Gun-Free School Zones Act.

A. As used in this Policy:

1. An “antique firearm” means that term as defined by MCL 750.237a.
2. A “firearm” means any weapon that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
3. “Pistol” means that term as defined by MCL 28.421.
4. “District property” means:
 - a. a building, playing field, or property used for school purposes to impart instruction to students or used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses; and
 - b. a vehicle used by the District to transport students to or from a place described in subsection A.4.a above.
5. A “weapon” means a firearm, pneumatic gun, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles, or any other object used, intended, or represented to inflict serious bodily injury or property damage.

B. Permitted Uses

The following persons may possess a weapon on District property:

1. A peace officer as defined by law or those persons listed in MCL 28.425o(5);
2. A student’s Parent/guardian licensed to carry a concealed pistol may carry a concealed pistol (but no other weapons) while in a vehicle if the Parent/guardian is dropping the student off at, or picking the student up from, the student’s school;
3. A person with permission from the Superintendent or designee to possess a firearm (but no other weapons) within any lawful parameters established by the Board;

4. Reserved

5. A person licensed to carry a concealed pistol may possess a pistol but is only allowed to open carry;

6. Reserved

7. Reserved

C. Violations

1. Students and District personnel with knowledge that a person is in violation of this Policy should immediately report the violation to the building principal or designee.

2. Violation of this Policy will result in discipline of students, employees, and contractors, up to and including expulsion or termination, removal from District property, and referral to law enforcement.

Legal authority: 18 USC 921; 18 USC 922(q); MCL 28.425f, 28.425o; MCL 750.237a

Date adopted: September 13, 2022

Date revised: September 9, 2024

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3410 *Opioid Antagonist*

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

A. Emergency Preparedness

1. The Superintendent or designee will obtain opioid antagonists, as authorized by law.
2. An opioid antagonist maintained by a school may only be administered to a person who is believed to be having an opioid-related overdose on school grounds by:
 - a. a licensed registered professional nurse employed or contracted by the District; or
 - b. a District employee appropriately trained in accordance with state law.

B. Notice and Reporting

The building principal or designee will:

1. contact 911 if a student is believed to be having an opioid-related overdose;
2. promptly notify the Parent/guardian of a student to whom an opioid antagonist has been administered and document all actual and attempted notices. The District will encourage the Parent/guardian to seek treatment for the student from a substance use disorder services program; and
3. document all instances of opioid antagonist administration at school.

Legal authority: MCL 15.671 et seq.

Date adopted: September 13, 2021 (formerly 5706)

Date revised: September 9, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4201 Employee Ethics and Standards

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

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

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

A. Employee Ethical Conduct

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

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

10. maintaining consistent and reliable work attendance, unless excused by the employee's supervisor or the Superintendent or designee, as applicable;
11. engaging in activities or behaviors that enhance the operational and instructional environment;
12. professionally communicating with students, Parent/guardians, colleagues, Board members, and community members, including through electronic means;
13. Completing time and effort reporting under 4201-AG.
14. abiding by professional, ethical, and licensing standards established by relevant governmental agencies, professional licensing boards, and professional associations, including the Michigan State Board of Education; and
15. self-reporting a criminal charge and plea or conviction, as required by law.

B. Conflict of Interest

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

1. soliciting or accepting anything of value (such as a gift, loan, contribution, or reward), other than compensation received from the District in exchange for services provided to the District, that would influence the employee's judgment when performing the employee's duties;
2. using public funds to purchase alcoholic beverages, jewelry, gifts, fees for golf, or any item the purchase of which is illegal, except as consistent with and permitted by Policy 3205 and Revised School Code Section 1814;
3. using or authorizing the use of the employee's public employment or any confidential information received through public employment to obtain personal, professional, political, or financial gain other than compensation received from the District in exchange for services provided to the District for the employee or a member of the employee's immediate family, or a business with which the employee is associated;
4. using or authorizing the use of District personnel, resources, property, or funds under the employee's care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or using those items for personal, professional, political, or financial gain;
5. providing private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration, except as permitted by Policy 4214;

6. engaging in any activity of a sexual or romantic nature with another employee(s) or contractor(s) that the employee supervises, unless the individuals are engaged to be married, married, or cohabitating;
7. engaging in any activity of a sexual or romantic nature on school property or at school-sponsored events;
8. directly or indirectly supervising, making, or contributing to an employment decision pertaining to a relative or significant other, or relative of a relative or significant other (as defined by Policy 4213); and
9. engaging in any other activity that promotes an employee's financial and pecuniary interests over those of the District.

C. Student Fraternization

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

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

1. communicating about alcohol use, drug use, or sexual activity when the discussion is not appropriately related to a specific aspect of the curriculum or the employee's duties;
2. providing drugs, alcohol, tobacco, e-cigarettes, or other items students cannot possess under the District's Student Code of Conduct;
3. commenting about matters involving sex, using double entendre, or making sexually suggestive remarks with no appropriate educational purpose;
4. displaying sexually inappropriate images, materials, or objects;
5. offering or soliciting sexual advice, whether written, verbal, or physical;
6. engaging in any activity of a sexual or romantic nature, including following graduation where the relationship arises out of an employee-student relationship;
7. inappropriate kissing;
8. inappropriately intruding on a student's personal space, such as by touching unnecessarily, moving too close, or staring at a portion of the student's body;

9. communicating directly or indirectly (e.g., by phone, email, text messaging, or social media) on a matter that does not pertain to school unless the employee obtained prior parental consent. Electronic communications with students generally are to be sent simultaneously to multiple recipients and not just to one student except when the communication is clearly school related and inappropriate for persons other than the individual student to receive (e.g., grades);
10. permitting a specific student to engage in conduct that is not permitted or tolerated from other students;
11. inappropriately discussing with a student the student's personal issues or problems that should normally be discussed with a Parent/guardian or counselor unless the employee is the student's family member;
12. inappropriately giving a student a personal gift;
13. allowing a student to live in the employee's residence without prior Parent/guardian consent unless the student is the employee's family member, a foreign exchange student placed with the employee, or if the employee serves as the student's foster parent or legal guardian;
14. giving a student a ride in the employee's vehicle without appropriate authorization;
15. taking a student on an activity outside of school without first obtaining the express permission of the student's Parent/guardian and a District administrator;
16. inviting a student to the employee's home or residence without first obtaining the express permission of the student's Parent/guardian;
17. going to a student's home when the student's Parent/guardian or an adult chaperone is not present unless the employee is the student's family member; or
18. engaging in any other conduct which undermines the special position of trust and authority between a District employee and a student.

D. Abuse and Neglect

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

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

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

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

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

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

Date adopted: September 13, 2021

Date revised: August 8, 2022, September 9, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4209 Abortion Referrals and Assistance

A District official, Board member, or District employee shall not refer a student for an abortion or assist a student with obtaining an abortion. This prohibition does not apply to a person who is the Parent/guardian of that student.

Legal Authority: MCL 380.11as

Date Adopted: September 13, 2021

Date Revised: September 9, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4213 *Anti-Nepotism*

A. General

Employment decisions motivated by nepotism, as defined below, are prohibited to avoid conflicts of interest, favoritism, and lost productivity. Employment decisions will be based on qualifications, experience, and other legitimate business reasons. This Policy applies to all categories of employment including regular, temporary, and part-time classifications.

B. Definitions

1. "Nepotism" means favoritism in the workplace based on a relationship with a relative or significant other.
2. "Relative" means a spouse, child, Parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, niece, nephew, or corresponding in-law, step, or adopted relative.
3. "Significant others" means (1) persons engaged to be married, (2) persons involved in a romantic or personal relationship, or (3) persons who are cohabitating.

C. Employment Decisions

The District may employ relatives and significant others in the absence of nepotism. In making employment decisions, including hiring, placement, supervision, directing work, promoting, compensating, evaluating, and disciplining employees who are a relative or significant other, an employee should:

1. disclose the existence of any relationships subject to this Policy to the Superintendent or designee;
2. avoid conflicts of interest, as defined in Policy 4201, and any appearance of a conflict of interest; and
3. avoid favoritism and any appearance of favoritism.

An employee's relative or significant other should not be hired to work in any position in which the Board or designee concludes a conflict of interest or the appearance of a conflict of interest may exist. Relatives and significant others are permitted to work at the District provided one does not report directly to, supervise, evaluate, or manage the other. The Superintendent may make exceptions to this Policy when in the District's best interest with prompt notice to the Board.

Supervisors and subordinates who become relatives or significant others while employed may be subject to transfer, reassignment, or other action based on the need for compliance with this Policy.

Legal authority: MCL 380.11a, 380.601a

Date adopted: September 13, 2021

Date revised: August 8, 2022, August 26, 2024

Series 4000: District Employment

4200 Employee Conduct and Ethics

4215 District Technology and Acceptable Use

The Board provides students, employees, volunteers, and other authorized users access to the District's technology resources, including its computers and network resources, for educational and other District purposes, in a manner that encourages responsible use. Any use of technology resources that violates federal and state law is prohibited.

Employees have no expectation of privacy when using the District's technology resources. Information and records on the District's network may be subject to disclosure under the Freedom of Information Act, and the District may monitor or access employees' electronic files, as deemed necessary.

Employees must not use District technology resources to record students, Parent/guardians, or District personnel or to record a non-public meeting, unless performed for a legitimate educational purpose. The recording must be authorized by a supervisor or Policy. Unauthorized recording or dissemination of a recording may be subject to discipline, including discharge.

Employees must not use a password other than their own to access District technology resources unless authorized by a supervisor. Employees must protect their password(s) from being used by others. An employee will be responsible for any misuse if the employee failed to adequately secure their password(s).

District technology resources are provided for District-related services. Employees must minimize personal use of District technology resources and are prohibited from using those resources when doing so interferes with the employee's job responsibilities or District operations.

Requests for District records must be promptly directed to the FOIA Coordinator under Policy 3501. Only authorized employees may disclose District records to third parties unless otherwise permitted by law.

Employees must not permit students to engage in non-instructional computer games, movies, videos, and activities during the work or school day, unless authorized by a supervisor.

Employees must not download unauthorized software or applications.

Employees must immediately notify the District's technology department of any unauthorized access to, misuse of, or interference with the District's technology resources.

Employees must abide by Policy 3116 pertaining to District Technology and Acceptable Use, including complying with the Children's Internet Protection Act and executing an Acceptable Use Agreement.

Legal authority: 47 USC 254; MCL 397.606

Date adopted: September 13, 2021

Date revised: August 26, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5102 Lockers

Lockers are District property and may be made available for student use. Lockers are assigned to students on a temporary basis, and District administration may revoke a student's locker assignment at any time. The District retains ownership of lockers notwithstanding student use.

Students have no expectation of privacy in their lockers. The building principal or designee may inspect lockers without any particularized suspicion or reasonable cause and without advance notice. Upon the building principal or designee's request, law enforcement may help search lockers.

During a locker search, student privacy rights will be respected for any items that are not illegal or against Board Policy.

The Board directs the Superintendent to include this Policy in the student code of conduct and to distribute it to Parent/guardians.

Legal authority: MCL 380.1306

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5103 Search and Seizure

School officials may search a student and the student's belongings if they have reasonable suspicion that the search will reveal contraband or evidence of a violation of law, Board Policy, or rule. In rare cases, school officials may conduct a search without reasonable suspicion if there is an imminent threat of physical harm or death.

A reasonable suspicion search must be justified at its inception and reasonable in its scope. A search is justified at its inception when school officials have reasonable grounds to suspect that the search will uncover contraband or evidence of a violation of law, Policy, or rule. A search is reasonable in scope when the measures used are reasonably related to the search objectives and are not excessively intrusive in light of the student's age and sex and the nature of the infraction.

School officials are not required to have reasonable suspicion to search lockers or other District property. See Policy 5102.

The District may use detection dogs to search for contraband on District property consistent with Policy 3107.

A breath alcohol test is a search and may be administered upon reasonable suspicion that a student has consumed or is under the influence of alcohol. For voluntary, noncurricular school activities (e.g., school dances), suspicionless breath alcohol tests may be administered for student health and safety purposes if students and their Parent/guardians have been provided advance written notice.

Strip searches are prohibited.

The building principal or designee will turn over to law enforcement any confiscated dangerous weapons, as defined in Policy 5206. For all other confiscated contraband and evidence, the building principal or designee may turn the item over to law enforcement or store it in a secure place at school until a disciplinary hearing.

This Policy does not apply to any outside entity that may require drug or breath alcohol testing as a condition of participation. See Policy 5105.

Legal authority: MCL 380.1306, 380.1313(2)

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5106 *Transgender Students*

The Board recognizes that transgender students, nationally and in Michigan, are targeted with physical violence and experience a hostile school environment more frequently than their peers. A supportive environment that acknowledges and affirms a student's gender identity is a protective factor that improves health and educational outcomes.

The Board supports protecting the rights of all students to self-identify and use the name, pronouns, and facilities that correspond with their gender identity. The Board prohibits unlawful discrimination, bullying, and harassment on the basis of sex, which includes sexual orientation and gender identity or expression, or gender-based stereotypes.

A. Unlawful Discrimination, Harassment, and Bullying

If a District employee receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice that a student has experienced discrimination, harassment, or bullying in violation of this Policy, the staff member must promptly report the alleged misconduct pursuant to the District's unlawful discrimination and harassment policies.

If a student receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice there has been an incident of discrimination, harassment, or bullying in violation of this Policy, the student is encouraged to promptly report such incident pursuant to the District's unlawful discrimination and harassment policies.

Complaints alleging unlawful discrimination, harassment, or bullying in violation of this Policy must be handled pursuant to the District's unlawful discrimination and harassment policies.

B. Initial Notification

The person best suited to determine a student's gender identity is the individual student. A student will not be required to present legal or medical documentation of a gender transition when the student notifies the District of the student's gender identity, preferred name, or preferred gender pronouns.

Once a student or the student's Parent/guardian notifies the District of the student's gender identity, the District will meet with the student and the student's Parents, as appropriate, to discuss whether the student requires any accommodations or supports at school and how any needed supports will be communicated to staff and students. The District will ensure that all staff engage in reasonable and good faith efforts to address the student by the student's preferred name and preferred gender pronouns.

The nature and type of supports the student may need at school may vary depending on the student's age, grade level, abilities, family situation, and other factors. Any determination made about accommodations and supports for the student at school will take into account the student's preferences, the Parent(s)'s preferences, as appropriate, input from staff, applicable legal standards, and the most recent guidance from the U.S. Department of Education and the Michigan State Board of Education.

A student may not have informed Parent/guardians of the student's gender identity. In that situation, disclosure to a student's Parent/guardians should be carefully considered on a case-by-case basis. Administrators should involve the school counselor or social worker and consider the health, safety, and well-being of the student, as well as the school's responsibility to keep Parents informed, before making any disclosure.

C. Student Records

Upon request, if a student's gender identity requires changes to student records, the District will make the appropriate changes, regardless of whether the student has "transitioned", sought a legal name change, or taken other legal or medical action. This includes, but is not limited to, updating the District's information systems, email addresses, class rosters, transcripts, and diplomas.

The District will comply with reasonable requests to amend a former student's secondary educational records, including diplomas and transcripts, after graduation, to ensure that those requesting records (e.g., college admissions office or potential employers) will only see the name and gender marker corresponding to the student's stated gender identity.

D. Student Privacy

A student's birth name and sex assigned at birth, or the fact that those differ from the student's preferred name and preferred gender pronouns is confidential information that constitutes personally identifiable information under the Family Educational Rights and Privacy Act. The District will ensure that any information relating to a student's gender identity or gender expression is kept confidential in accordance with applicable state, local, and federal privacy laws.

E. Restroom and Locker Room Access

Student requests to use facilities like restrooms and locker rooms consistent with a student's gender identity will be addressed by the District on a case-by-case basis consistent with state and federal law and guidance.

Alternative and non-stigmatizing options, like gender-neutral or single-user restrooms will be made available to all students who request them.

F. Staff Training

The District will incorporate training on this Policy into the District's training on responding to and investigating unlawful discrimination and harassment. The Superintendent or designee will ensure that District personnel are notified of mandatory training sessions.

Legal authority: MCL 37.2102, 37.2402; MCL 380.1310b; 20 USC 1232g; 20 USC 1681 et seq.; 20 USC 7151; 34 CFR 106.1 et seq.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5201 Investigations, Arrests, and Other Law Enforcement Contact

The Board desires to maintain a positive working relationship with law enforcement agencies while protecting student rights and educational needs.

“Law enforcement officer” means a county sheriff or deputy sheriff; an officer of a city, village, or township police department; a city, village, or township marshal; a constable; a Michigan State Police officer; a federal law enforcement officer; an investigator of the state Department of Attorney General; a U.S. Immigration and Customs Enforcement (ICE) agent; a Federal Bureau of Investigations (FBI) agent; or any other person who has the legal authority to investigate criminal activity or to effectuate an arrest.

A. Student Records

District personnel may only share personally identifiable information from a student’s education record with law enforcement officers pursuant to Policy 5309 and state and federal law.

B. Reporting to Law Enforcement

A District administrator may contact a law enforcement officer any time the administrator suspects criminal activity; activity that threatens the health or safety of a student; or activity that disrupts or potentially disrupts the school environment.

C. School Related Criminal Activity

School related criminal activity is alleged or suspected criminal activity that occurs on school grounds, at a school-sponsored activity or athletic event, or in a vehicle owned or used by the District.

Law enforcement officers may contact and question students at school about school-related criminal activity as provided below.

A law enforcement officer must notify the building principal or designee before questioning a student at school. The building principal or designee must request the law enforcement officer’s identification before allowing the student to be questioned.

The building principal or designee will make reasonable attempts to contact a student’s Parent/guardian before the student is questioned by law enforcement. If the student is 18 years or older or is emancipated, the building principal will make reasonable attempts to contact the student’s Parent/guardian, if requested by the student. If a Parent/guardian cannot be reached after reasonable attempts, the student may be questioned only if the law enforcement officer identifies emergency circumstances requiring immediate questioning. A building principal or designee

will be present for the questioning. The student will be questioned in a private room and out of sight of others as much as practicable.

The law enforcement officer is responsible for advising the student of all applicable rights, including the right against self-incrimination.

If at any time the building principal or designee believes that the law enforcement officer's questioning is being conducted in an inappropriate manner, the building principal or designee will request that the questioning cease.

D. Non-School Related Criminal Activity

Unless specifically authorized by law, a law enforcement officer may not question a student at school about non-school related criminal activity without Parent/guardian consent or an appropriate warrant or court order.

E. Taking a Student into Custody

A law enforcement officer seeking to take a student into custody must contact the building principal or designee. If practicable, the building principal or designee will request that the law enforcement officer provide a copy of the warrant, written Parent/guardian consent, court order, or other document authorizing the officer to take the student into custody. If the law enforcement officer takes a student into custody, the building principal or designee will obtain and record the officer's name, badge number, and law enforcement agency; the date, time, and reason for the arrest; and the location to which the student is reportedly being taken.

Whenever practicable, a student should be taken into custody in a manner that minimizes observation by others and disruption to the educational environment.

When a law enforcement officer removes a student from school, the building principal or designee will take immediate steps to notify the student's Parent/guardian about the student's removal and the location to which the student is reportedly being taken, except when a student has been taken into custody as a victim of suspected child abuse or neglect.

The building principal or designee will promptly notify the Superintendent any time a law enforcement officer seeks or demands to question a student, take a student into custody, or remove a student from school.

F. Child Abuse and Neglect

This Policy does not govern child abuse and neglect investigations. See Policy 5701.

Nothing in this Policy limits the authority of District personnel to question a student about suspected misconduct or investigate suspected misconduct at school.

Legal authority: MCL 380.11a

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5202 Unlawful Discrimination, Harassment, and Retaliation Against Students

The District prohibits unlawful discrimination. “Unlawful Discrimination” includes unlawful harassment and retaliation, unless specifically stated otherwise. The District will investigate all allegations of Unlawful Discrimination and will take appropriate action, including discipline, against any person who, following an investigation, is determined to have engaged in Unlawful Discrimination.

Complaints alleging Unlawful Discrimination, harassment, and Retaliation against a student will be investigated using the process outlined in Policies 3115-3115H.

The identities of the District’s Title IX Coordinator, Section 504 Coordinator, and Civil Rights Coordinator are listed in Policy 3115B.

A. Student Handbooks

The Superintendent or designee will include in student handbooks a statement explaining the District’s policy against Unlawful Discrimination, including unlawful harassment and Retaliation. This statement must include an explanation of types of Unlawful Discrimination, examples of harassment, reporting requirements, and consequences as described in this Policy.

B. Reporting Requirements

District personnel must immediately report incidents of alleged Unlawful Discrimination, including incidents that District personnel witness or about which they receive reports or information, regardless of whether the incidents are verbal, visual, or physical, and whether the incidents also constitute harassment, bullying, or hazing.

District personnel who witness an act of Unlawful Discrimination must intervene immediately, unless circumstances would make intervention dangerous. A person who is unable to intervene should promptly attempt to find another person who is able to intervene, contact a building administrator, or contact law enforcement, as the situation requires.

Any student who witnesses an act of Unlawful Discrimination is encouraged to report it to District personnel. No student will be retaliated against based on any report of suspected Unlawful Discrimination. A student may also anonymously report an incident of Unlawful Discrimination. The District will investigate anonymous reports to the extent possible pursuant to Policies 3115-3115H. Minor students do not need Parent/guardian permission to file a Complaint or participate in the Grievance Procedure described in Policies 3115-3115H.

C. Office for Civil Rights

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

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

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

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

Date adopted: September 13, 2021

Date revised: August 28, 2023, September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206 *Student Discipline*

A. Student Discipline - Generally

The Board is committed to providing students and staff with a safe learning environment free from substantial disruption. Consistent with this commitment, the District may discipline students who engage in misconduct, up to and including suspension or expulsion from school.

The District will take steps to effectively discipline students in a manner that minimizes out-of-school suspensions and expulsions. The District will comply with applicable laws related to student discipline, including the consideration of specific factors and possible use of restorative practices.

B. Applicability

This Policy applies to student conduct that occurs:

1. on District property;
2. at a school-sponsored or school-related event;
3. on a school bus or vehicle;
4. while traveling to or from school, including at a bus stop; and
5. at any other time or place if the conduct has a nexus to the school, substantially disrupts the school environment, or as permitted by law.

C. Student Code of Conduct

The Superintendent or designee will develop, regularly update, and annually publish a student code of conduct in all student handbooks. The student code of conduct must:

1. identify offenses that may result in discipline;
2. identify possible disciplinary consequences for each offense, which may, if appropriate, include suspension or expulsion;
3. be consistent with applicable state and federal laws and Board Policies; and
4. include a copy of Policy 5206E entitled "Suspension from Class, Subject, or Activity by Teacher."

D. Definitions

For purposes of this Policy:

1. “suspend” or “suspension” means a disciplinary removal from school for less than 60 school days;
2. “expel” or “expulsion” means a disciplinary removal from school for 60 or more school days;
3. “restorative practices” means practices that emphasize repairing the harm to the victim and the school community caused by a student’s misconduct; and
4. “Mandatory 7 Factors” means the following:
 - a. the student’s age;
 - b. the student’s disciplinary history;
 - c. whether the student has a disability;
 - d. the seriousness of the behavior;
 - e. whether the behavior posed a safety risk;
 - f. whether restorative practices are a better option; and
 - g. whether lesser interventions would address the behavior.

E. Restorative Practices

Before suspending or expelling a student (except a student who possesses a firearm in a weapon-free school zone), teachers, administrators, and the Board must first determine whether restorative practices would better address the student’s misconduct, recognizing the Board’s objective of minimizing out-of-school suspensions and expulsions. Likewise, teachers, administrators, and the Board must consider whether restorative practices should be used in addition to the suspension or expulsion. Restorative practices, which may include a victim-offender conference, should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, harassment, and cyberbullying.

All victim-offender conferences must be conducted consistent with state and federal law and Policies. No student who claims to be the victim of unlawful harassment may be compelled to meet with the alleged perpetrator of the harassment as part of a restorative practice.

F. Discretionary Suspension or Expulsion

Under Michigan law, a suspension of 10 or fewer school days is presumed to be reasonable. A suspension of more than 10 school days or an expulsion is, in most circumstances, presumed not to be justified. Before imposing a suspension or an expulsion, administrators or the Board must consider the Mandatory 7 Factors.

1. Building Administrators - 10 or fewer days

The Board delegates to all building administrators the authority to suspend a student for up to 10 school days consistent with the student code of conduct.

A building administrator may also suspend a student for up to 10 school days pending further investigation and possible further disciplinary consequences, including a longer-term suspension or expulsion.

Before exercising this authority, the building administrator must consider the Mandatory 7 Factors.

Additionally, before suspending a student for any length of time, the building administrator must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

2. Superintendent - Less than 60 school days

The Board delegates to the Superintendent the authority to suspend a student for less than 60 school days consistent with the student code of conduct. Before exercising this authority, the Superintendent must consider the Mandatory 7 Factors.

Any time the Superintendent finds that a suspension of more than 10 school days is warranted, the Superintendent must base the rationale on the Mandatory 7 Factors and explain the rationale in writing.

Additionally, before suspending a student for any length of time, the Superintendent must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

3. Board - Suspension or Expulsion

The Board may suspend or expel a student for an offense consistent with the student code of conduct.

Before exercising this authority, the Board must consider the Mandatory 7 Factors.

Any time the Board finds that a suspension of more than 10 school days or expulsion is warranted, the Board must base the rationale on the Mandatory 7 Factors and explain the rationale in writing.

Before exercising this authority, the Board must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

G. Criminal Sexual Conduct – Discretionary Suspension or Expulsion

If a student commits criminal sexual conduct, as defined in Revised School Code Section 1311, against another student enrolled in the District and expulsion is not mandatory under Policy 5206 H.3, the District may suspend or expel the student even if the student has not been criminally charged, subject to consideration of the Mandatory 7 Factors.

Before exercising this authority, the District must provide the student due process as described in Policy 5206A. If the student is a student with a disability, the student's discipline is also subject to Policy 5206B.

H. Mandatory Suspension or Expulsion

Building principals and other administrators must refer all incidents that may result in a mandatory suspension or expulsion to the Superintendent or designee for transmission to the Board. As explained below, the Board recognizes that in some circumstances it may choose not to suspend or expel a student. Nothing in this section may be construed as limiting the Board's discretion to suspend or expel a student for any offense that the student code of conduct identifies as possibly resulting in suspension or expulsion.

1. Possession of a Dangerous Weapon

a. Possession of a Firearm

If a student possesses a firearm in a weapon-free school zone, the Board will permanently expel the student unless the student demonstrates, in a clear and convincing manner, at least one of the following:

- the student was not possessing the firearm to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- the student did not knowingly possess the firearm;
- the student did not know or have reason to know that the firearm constituted a "dangerous weapon"; or
- the student possessed the firearm at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

If a student demonstrates one of the above circumstances in a clear and convincing manner and the student has not been previously suspended or expelled from school, the Board will not expel the student unless the Board finds that, based on the circumstances, expulsion is warranted.

b. Possession of a Dangerous Weapon (Other than a Firearm)

If a student possesses a dangerous weapon (other than a firearm) in a weapon-free school zone, the Board will consider whether to permanently

expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Board is not required to expel a student for possession of a dangerous weapon (other than a firearm) if the student demonstrates, in a clear and convincing manner, at least one of the following:

- the student was not possessing the instrument or object to use as a weapon or to deliver, either directly or indirectly, to another person to use as a weapon;
- the student did not knowingly possess the weapon;
- the student did not know or have reason to know that the instrument or object constituted a “dangerous weapon”; or
- the student possessed the weapon at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

If a student demonstrates one of the above circumstances in a clear and convincing manner and the student has not been previously suspended or expelled from school, the Board will not expel the student unless the Board finds that, based on the circumstances, expulsion is warranted.

c. Applicable Definitions for Dangerous Weapon Offense

“Weapon-free school zone” means school property and a vehicle used by a school to transport students to or from school property.

“School property” means a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses.

“Dangerous weapon” means a firearm, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.

“Firearm” means (i) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (ii) the frame or receiver of any such weapon; (iii) any firearm muffler or firearm silencer; or (iv) any destructive device. “Firearm” does not include an antique firearm, as defined by 18 USC § 921.

“Destructive device” means (i) any explosive, incendiary, or poison gas (including a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device); (ii) any type of weapon (other than a shotgun or a shotgun shell that the Attorney General finds is

generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (iii) any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled.

d. Additional Procedures for Dangerous Weapon Expulsion

The Superintendent or designee must ensure that if a student is expelled for possession of a dangerous weapon, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for possession of a dangerous weapon to the county department of social services or the county community mental health agency and notify the student's Parent/guardian (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion. The Superintendent or designee must also make a referral to local law enforcement and contact the student's Parent/guardian immediately any time a student is found to have brought a dangerous weapon to school or possessed a dangerous weapon at school, at a school related activity, or in a school vehicle. If a District official confiscates a dangerous weapon, the District official will give the dangerous weapon to law enforcement and will not release the dangerous weapon to any other person, including the legal owner.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for possession of a dangerous weapon may not enroll in the District.

2. Arson

If a student commits arson as defined in Revised School Code Section 1311, in a school building or on school grounds, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for committing arson, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for committing arson to the county department of social services or the county community mental health agency and notify the student's Parent/guardian (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for committing arson may not enroll in the District.

3. Criminal Sexual Conduct

If a student commits criminal sexual conduct as defined in Revised School Code Section 1311, in a school building or on school grounds, or pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another student enrolled in the District, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for committing criminal sexual conduct, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for committing criminal sexual conduct to the county department of social services or the county community mental health agency and notify the student's Parent/guardian (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311(6), a student expelled by another district or public school academy for committing criminal sexual conduct may not enroll in the District.

4. Physical Assault

a. Physical Assault Against Employee, Volunteer, or Contractor

If a student in grade 6 or above commits a physical assault at school against an employee, volunteer, or contractor and the victim reports the physical assault to the Board or to a school administrator or, if the victim is unable to report the assault, another person makes the report on the victim's behalf, the Board will consider whether to permanently expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

The Superintendent or designee must ensure that if a student is expelled for physically assaulting an employee, volunteer, or contractor, the student's permanent record reflects the expulsion. The Superintendent or designee must refer a student who is expelled for physically assaulting an employee, volunteer, or contractor to the county department of social services or the county community mental health agency and notify the student's Parent/guardian (or the student, if the student is at least age 18 or is an emancipated minor) of the referral within 3 calendar days of the expulsion.

Unless reinstated pursuant to Revised School Code Section 1311a(5), a student expelled by another district or public school academy for physically assaulting an employee, volunteer, or contractor may not enroll in the District.

b. Physical Assault Against Another Student

If a student in grade 6 or above commits a physical assault at school against another student and the physical assault is reported to the Board or to an administrator, the District will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

A resident student in grade 6 or above who is currently expelled by another district or public school academy for committing a physical assault against another student may request to enroll in the District. The Superintendent or designee will consider the request along with any information the Superintendent or designee determines relevant. The Superintendent or designee may either grant or deny the request. The Superintendent's decision is final.

c. Applicable Definitions for Physical Assault

- i. "Physical assault" means intentionally causing or attempting to cause physical harm to another through force or violence.
- ii. "At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

5. Bomb Threat or Similar Threat

If a student in grade 6 or above makes a bomb threat or similar threat directed at a school building, other District property, or at a school-related event, the District will consider whether to suspend or expel the student or to impose a less severe penalty after first considering the Mandatory 7 Factors.

A resident student in grade 6 or above who is currently expelled by another district or public school academy for making a bomb threat or similar threat may request to enroll in the District. The Superintendent or designee will consider the request along with any information the Superintendent or designee determines relevant. The Superintendent or designee may either grant or deny the request. The Superintendent's decision is final.

I. Victims of Alleged Sexual Assault

The District will not expel a student or suspend a student for more than 10 days for an action the student took immediately preceding, immediately following, or that could reasonably be tied to an incident in which the student was sexually assaulted or an incident in which the student reports being sexually assaulted, an incident where another person witnesses and reports the student's sexual assault, or an incident for which school officials receive credible information that the student was sexually assaulted. This subsection does not apply if:

- The student is convicted of, pleads guilty or responsible to, or is adjudicated responsible for aggravated assault, assault with intent to commit murder,

assault with intent for great bodily harm, assault with intent to maim, attempted murder, homicide, manslaughter; or criminal sexual conduct;

- The student commits an act described in Section H.1 through H.3 of this Policy;
- A Title IX investigation conducted pursuant to Policies 3115-3115H concludes by clear and convincing evidence that the report of sexual assault was false; or
- The Board or the Superintendent determines, after considering the Mandatory 7 factors, that a longer-term suspension or expulsion is warranted.

In determining whether to suspend a student described in this section, the District will consider the recommendations of the District's Title IX Coordinator, as applicable.

J. Statewide School Safety Information Policy (SSSIP) & Law Enforcement Reporting

The Superintendent or designee must notify law enforcement when required by the SSSIP and make all other reports and provide all other notifications required by the SSSIP or any state or federal law. Nothing in this Policy limits the ability of a school administrator to contact law enforcement at any other time.

K. Educational Programming During Suspension or Expulsion

Except as otherwise required by law or as provided in this Policy, a student who has been suspended or expelled may not be on school property, attend classes or other school functions, or participate in extracurricular activities during the student's suspension or expulsion without written permission from the Superintendent or designee. District personnel may assist students who have been suspended or expelled to explore alternative means, as allowed by law, to earn credit and to complete coursework during the period of the student's suspension or expulsion.

Legal authority: 18 USC 921; 20 USC 1401 et seq., 7151; 29 USC 705, 794-794b; MCL 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1310e, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206B Student Discipline - Students with Disabilities

The District will follow all applicable state and federal laws related to disciplining students with disabilities. Students with disabilities are entitled to all due process protections afforded to other students pursuant to Policy 5206A. For students with disabilities, the additional procedures and protections in this Policy also apply.

A. Change of Placement

On the date on which the District decides to: (1) expel a student with a disability; (2) remove a student with a disability for more than 10 consecutive school days; (3) remove a student with a disability for more than 10 cumulative school days in the same school year if a pattern of removals exists; or (4) place a student with a disability in an interim alternative educational setting (explained below), the District will notify the student's Parent/guardian of that decision, will provide the Parent/guardian a copy of applicable procedural safeguards, and will conduct a manifestation determination review (MDR) within 10 school days.

B. Manifestation Determination Review

The MDR team, which includes the Parent/guardian and relevant members of the student's IEP or Section 504 Team, will determine whether the student's conduct was a manifestation of the student's disability.

1. Conduct Was a Manifestation

If the conduct was a manifestation of the student's disability, the District must immediately return the student to the placement from which the student was removed unless the Parent/guardian and the District agree to change the placement or the student is placed in an interim alternative educational setting for up to 45 school days (see section C).

For a student with an IEP, if the conduct was a manifestation of the student's disability, the District must either: (1) conduct a functional behavioral assessment (unless one was previously conducted) and implement a behavior intervention plan for the student; or (2) if a behavior intervention plan was already developed, review and modify the behavior intervention plan to address the conduct at issue.

If the conduct was a manifestation because the District failed to implement the student's IEP or 504 Plan, the District must take immediate steps to remedy the implementation failure.

2. Conduct Was Not a Manifestation

If the conduct was not a manifestation of the student's disability, the District may proceed with the suspension or expulsion by adhering to the due process requirements in Policy 5206A.

If the student has an IEP, the District must, as appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan or other behavioral modifications for the student to prevent the behavior from recurring.

C. Interim Alternative Educational Setting ("IAES")

The District may remove a student with a disability who engages in any of the following conduct to an IAES for not more than 45 school days, even if the conduct is a manifestation of the student's disability:

1. carrying a weapon to or possessing a weapon at school, on school premises, or to or at a school function;
2. knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance, while at school, on school premises, or at a school function; or
3. inflicting serious bodily injury upon another person while at school, on school premises, or at a school function.

For purposes of this section only, a "weapon" means a device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury. A "weapon" does not include a pocket knife with a blade of less than 2½ inches in length.

No student with a disability may be removed to an IAES without first receiving the due process rights afforded under Policy 5206A.

If the student has an IEP, the District must, as appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan or other behavioral modifications for the student to prevent the behavior from continuing.

D. Dangerous Students

The District may remove a dangerous student from school as permitted by law. District administrators must follow all state and federal laws governing the removal of dangerous students with disabilities.

E. Services During Disciplinary Removal or IAES

A student who is eligible for services under the Individuals with Disabilities Education Act (IDEA) who is expelled or suspended for more than 10 school days during a school year or placed in a 45-school day IAES is entitled to receive programs and services, although in a setting other than the regular school setting, that are sufficient to enable the student to participate in the general education

curriculum and to progress toward meeting the goals contained in the student's IEP.

F. Students Not Yet IDEA Eligible

A student who is not currently identified as a student with a disability under the IDEA is entitled to the rights and procedures provided to students with disabilities if the District had knowledge that the student was a student with a disability before the misconduct occurred. The District is deemed to have knowledge that a student was a student with a disability only if: (1) the student's Parent/guardian expressed concern in writing to a school administrator that the student needed special education or related services; (2) the student's Parent/guardian requested a special education evaluation; or (3) the student's teacher or other District personnel expressed specific concerns about a pattern of behavior demonstrated by the student to the District's special education director or to other supervisory personnel. The District will not be deemed to have knowledge that the student was a student with a disability if: (1) the student's Parent/guardian refused to allow the District to evaluate the student; (2) the student's Parent/guardian refused special education for the student; or (3) the student was previously evaluated and determined to not be a student with a disability.

This Policy does not provide a comprehensive description of the disciplinary rights and procedures due to students with disabilities. District administrators must ensure that the rights of students with disabilities are protected and all procedures applicable to students with disabilities are followed as required by the IDEA, Section 504 of the Rehabilitation Act, state law, and Board Policy.

Legal authority: 20 USC 1401 et seq., 7151; 29 USC 705, 794-794b; MCL 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted: August 28, 2023

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206C Student Discipline - Reinstatement Following Expulsion

The District will consider a petition for reinstatement from an expelled student or the Parent/guardian consistent with this Policy and Revised School Code Sections 1311 and 1311a.

A. Reinstatement Following Mandatory Permanent Expulsion

The Parent/guardian of a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a firearm or threatening another person with a dangerous weapon may file a petition for reinstatement 60 school days or later from the date of the expulsion. The Board, in its discretion, may reinstate a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a firearm or threatening another person with a dangerous weapon no sooner than 90 school days after the expulsion date.

The Parent/guardian of a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a dangerous weapon but not for possessing a firearm or threatening another person with a dangerous weapon, or who was expelled for committing arson or criminal sexual conduct, may file a petition for reinstatement at any time. The Board, in its discretion, may reinstate a student who was in grade 5 or below at the time of expulsion and who was expelled for possessing a dangerous weapon (unless the possession was of a firearm or involved threatening another person with a dangerous weapon) or for committing arson or criminal sexual conduct no sooner than 10 school days after the expulsion date.

The Parent/guardian of a student (or student, if emancipated or at least 18 years old) who was in grade 6 or above at the time of expulsion and who was expelled for (1) possessing a dangerous weapon; (2) committing arson; (3) criminal sexual conduct pursuant to Policy 5206 H.3 (mandatory expulsion) or (4) physically assaulting an employee, volunteer, or contractor, may file a petition for reinstatement 150 school days or later from the date of the expulsion. The Board, in its discretion, may reinstate a student who was in grade 6 or above at the time of expulsion and who was expelled for (1) possessing a dangerous weapon; (2) committing arson; (3) criminal sexual conduct pursuant to Policy 5206 H.3; or (4) physically assaulting an employee, volunteer, or contractor, no sooner than 180 school days after the expulsion date.

The Parent/guardian (or the student, if emancipated or at least 18 years old) must prepare and submit the reinstatement petition. The Superintendent or designee will provide a reinstatement petition form, upon request, for the Parent/guardian or student to use. The Board may request that the Parent/guardian or the student attach additional relevant information to the reinstatement petition.

The Board will appoint a reinstatement committee, consisting of two board members, one administrator, one teacher, and one Parent/guardian of a current District student to consider a reinstatement petition no more than 10 school days after receiving a reinstatement petition. The Superintendent must prepare and submit information to the reinstatement committee about the circumstances surrounding the student's expulsion and any factors supporting and not supporting reinstatement.

The reinstatement committee must convene not later than 10 school days following its appointment to: (1) review the reinstatement petition and supporting documentation submitted by the Parent/guardian or the student; (2) review the information submitted by the Superintendent; and (3) submit to the Board a written recommendation whether the Board should unconditionally reinstate the student, conditionally reinstate the student, or deny reinstatement to the student based on consideration of all of the following factors:

1. the extent to which reinstatement would create a risk of harm to other students or District personnel;
2. the extent to which reinstatement would create a risk of District liability or individual liability for the Board or District personnel;
3. the student's age and maturity;
4. the student's school record before the incident that caused the expulsion;
5. the student's attitude concerning the incident that caused the expulsion;
6. the student's behavior since the expulsion and the student's prospects for remediation; and
7. if the petition was filed by a Parent/guardian, the degree of cooperation that the Parent/guardian has provided the student and the degree of cooperation the Parent/guardian can be expected to provide the student if the student is reinstated.

Before making its recommendation, the reinstatement committee may request that the student and the Parent/guardian appear in person to answer questions. If the committee recommends that the student be conditionally reinstated, the committee must include in its written recommendation to the Board a list of recommended conditions.

At or before its next regularly scheduled meeting following receipt of the reinstatement committee's recommendation, the Board will consider the recommendation and make a final decision to unconditionally reinstate the student, conditionally reinstate the student, or deny reinstatement. The Board may require a student, and if the petition was filed by a Parent/guardian, the Parent/guardian, to agree in writing to specific conditions to reinstatement, including, without limitation, a behavior contract, completion of an anger management program, a

“last-chance” agreement, counseling, drug treatment, or a psychological evaluation. The District is not obligated to provide or to pay for any reinstatement condition imposed by the Board. Upon request of the District, Parent/guardians (or the student, if emancipated or at least 18 years old) will provide verification that the conditions were satisfied. The Board’s decision to unconditionally grant, conditionally grant, or deny the reinstatement petition is final.

If the Board denies reinstatement, the Parent/guardian or student may not file another petition for reinstatement until 180 school days after the date of the denial, unless the Board specifies otherwise at the time of denial.

If the Board establishes different or additional reinstatement terms or procedures at the time of expulsion pursuant to Revised School Code Section 1310d, those terms or procedures will apply in lieu of or in addition to the procedures above.

B. Reinstatement Following Discretionary Permanent Expulsion

Unless otherwise expressly authorized by the Board at the time of a permanent expulsion, a student expelled for reasons other than those resulting in a mandatory permanent expulsion under Policy 5206 may not petition the Board for reinstatement until at least 150 school days after the date of the expulsion, and the student may not be reinstated until at least 180 school days after the date of the permanent expulsion. Upon receipt of a timely reinstatement petition, the Board will review and consider the petition at its next regularly scheduled meeting. The Board will also review and consider any information submitted by the Parent/guardian or student and the Superintendent or designee in either support of or opposition to the petition. The Board may unconditionally grant, conditionally grant, or deny the reinstatement petition. The District is not obligated to provide or to pay for any reinstatement condition imposed by the Board. Upon request of the District, Parent/guardians (or students who are emancipated or at least 18 years old) will provide verification that the conditions were satisfied. The Board’s decision to unconditionally grant, conditionally grant, or deny the reinstatement petition is final. If the Board denies reinstatement, the Parent/guardian or student may not file another petition for reinstatement until at least 180 school days after the date of the denial, unless the Board specifies otherwise at the time of denial.

Legal authority: 18 USC 921; 20 USC 1401 et seq.; 20 USC 7151; 29 USC 705, 794-794b; MCL 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206D Student Discipline - Enrollment Following Misconduct at Another Public or Nonpublic School

To the extent permitted by law, the District may deny enrollment to a student who engaged in misconduct in another public or nonpublic school and who seeks to enroll in the District either: (1) before the previous school imposes disciplinary consequences for the misconduct; or (2) while the student is suspended or expelled from the previous public or nonpublic school. The Superintendent or designee must refer the student to the Board if, under the student code of conduct, the student's misconduct in the previous public or nonpublic school would result in a long-term suspension or expulsion from that institution and, in the Superintendent's or designee's opinion, the student's enrollment in the District would jeopardize the safety or welfare of the District or substantially disrupt District operations. The Board will hold a pre-enrollment hearing following the Superintendent's or designee's referral to consider whether the student may enroll and, if so, any conditions on enrollment. The Board will consider any information submitted by the Parent/guardian or student and the Superintendent in either support of or opposition to the student's enrollment.

This Policy does not apply to students seeking to enroll who are expelled for any of the following offenses:

- A. possession of a firearm or other dangerous weapon;
- B. arson;
- C. criminal sexual conduct pursuant to Policy 5206 H.3;
- D. physical assault on an employee, contractor, or volunteer if student is in grade 6 or above;
- E. physical assault of another student if student is in grade 6 or above; and
- F. a bomb threat or similar threat if student is in grade 6 or above.

Legal authority: MCL 380.11a, 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted: September 9, 2024

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5213 *Personal Protection Orders Against Students*

If a student obtains a personal protection order against another student in the same building, either student's Parent/guardian should notify the building principal and provide a copy of the order. The building principal or designee may work with the families to change class schedules, lockers, lunch assignments, or bus assignments of either student. While the District will seek to work collaboratively with both families, the District will not enforce a personal protection order to which the District is not a party.

The existence of a personal protection order does not diminish a student's rights under state or federal law.

The existence of a personal protection order alone is not a sufficient basis to exclude a student from school. The District reserves the right, consistent with Policy 5411, to determine the educational placement of a student who is the subject of a personal protection order.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5301 *Compulsory Attendance, Absenteeism, and Truancy*

A. Required Attendance

Every person residing in the District who has legal or actual charge or control of a child who is of mandatory attendance age must ensure that the child regularly attends a public or private school or is receiving a home-school education unless the child has satisfied District graduation requirements or is otherwise exempt from Michigan's compulsory attendance requirements.

B. Mandatory Attendance Age

A child who is or will turn 6 years old before December 1 of the current school year and who has not turned 18 years old is of mandatory attendance age.

C. Exceptions

A Parent/guardian of a child who is at least 16 years old may provide the District with written notice that the child has permission to stop attending school. Upon receipt of the written notice, the child will be exempt from this Policy.

D. Excused Absences

The following absences will be considered excused if they are confirmed by communication to the school from the student's Parent/guardian:

- the student's physical or mental illness (verification from a physician, physician assistant, or nurse practitioner is required after 4 consecutive days of absence for illness);
- severe weather;
- medical appointments for the student;
- death or serious illness of the student's family member;
- attendance at a funeral, wedding, or graduation;
- appearance at court or for other legal matters;
- observance of religious holidays of the student's own faith;
- college planning visits; and
- personal or family vacations.

E. Excessive Absenteeism and Truancy

When a student has 5 unexcused absences in any term or semester the building principal or designee will provide written notice to the student's Parent/guardian encouraging the student's regular daily attendance and explaining the truancy process.

If the Superintendent or designee determines that a student is repeatedly absent from school without valid excuse, is failing, or has behavior problems, and attempts to confer with the student's Parent/guardian have not been successful, the Superintendent or designee may request the attendance officer who has jurisdiction in the District to send notice to the Parent/guardian requiring the Parent/guardian to meet with District personnel to discuss the matter.

When a student is absent more than 9 days per school year and at least 4 of those days are not valid excused the building principal or designee will notify the attendance officer who has jurisdiction in the District. Once notified, the attendance officer will investigate each case of nonattendance and will take all other steps permitted and required by law.

The building principal or designee may impose additional consequences for excessive absenteeism, consistent with the student handbook or published grading procedures.

Legal authority: MCL 380.1561 et seq.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5303 *Student Enrollment and Withdrawal*

A. Student Enrollment

The District will enroll a student who is:

- a legal resident of the District or otherwise entitled by Michigan law to enroll in the District;
- under court jurisdiction and is placed in foster care if the Department of Health and Human Services or a child placing agency determines that the child should be enrolled in the District, regardless of residency;
- eligible to enroll as a schools-of-choice student under these Policies and Michigan law;
- the resident of another district with the consent of the resident district if, in the Superintendent's discretion, the student should be enrolled;
- the resident of another district as permitted and authorized by law if, in the Superintendent's discretion, the student should be enrolled;
- homeless, if the student has a right to enroll in the District pursuant to applicable law and Policy 5307;
- the child of a custodial Parent/guardian assigned to active-duty military service if the child's noncustodial Parent/guardian or person serving *in loco parentis* for the child resides in the District and the child's custodial Parent/guardian has provided a legally valid power of attorney;
- approved as a foreign exchange student pursuant to Policy 5306;
- a legal resident of a district that has contracted with the District for the student's educational services; or
- legally entitled to attend the District on a part-time basis.

The District may independently verify a student's residency status or eligibility for enrollment. The Superintendent or designee may pursue all available legal options, including referral to law enforcement, against any person who provides false or misleading enrollment information.

A person enrolling a student must provide the following within 30 calendar days after enrollment:

- a copy of the student's birth certificate; or
- other reliable proof of the student's identity and age and an affidavit explaining the inability to produce a copy of the student's birth certificate.

If the required documentation is not timely provided, the District will, after providing 30 calendar days' notice to the person enrolling the student, refer the matter to local law enforcement. The District will immediately report to law enforcement any affidavit that appears inaccurate or suspicious.

As a condition of enrollment, a person enrolling a student must provide documentation of the student's required immunizations or a valid immunization waiver pursuant to Policy 5713. Failure to submit the required documentation will result in the student's exclusion from school.

The District will, consistent with Policy 5714, request the student's oral health assessment information during the enrollment process for students enrolling for the first time in kindergarten or first grade.

Within 14 calendar days after a transfer student enrolls, the building principal or designee must send a written request to the student's previous school requesting a copy of the student's school record.

A student who is or will be 20 years old on September 1 of the school year, or who has earned a high school diploma or GED, may not enroll in or continue to attend school in the District, except for a student with a disability, a student enrolling in an approved adult education or dropout recovery program, or when otherwise required by law.

Except for a student with a disability or a student enrolling in an approved early childhood program, a student who will not be 5 years old on December 1 of the school year may not enroll in or attend school in the District without the Superintendent's express written permission.

A student's placement, including building assignment and grade level, will be determined pursuant to Policy 5411.

B. Student Withdrawal

The District will disenroll a student upon receipt of either written notice from a Parent/guardian of intent to withdraw or a records request from another school. If at the time of receipt of a notice of disenrollment there are pending disciplinary proceedings against the student involving potential suspension or expulsion, the District may elect to complete those proceedings.

Legal authority: MCL 380.1135, 380.1147, 380.1148, 380.1148a

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5309 Student Records and Directory Information

The District may collect, retain, use, and disclose student education records consistent with state and federal law.

A. Definitions

1. An “education record” is a record directly related to a student that the District or its agents maintain, except that an education record does not include:
 - a. records kept in the maker’s sole possession that are used as a personal memory aid and that are not accessible or revealed to any person except a temporary substitute for the maker;
 - b. records maintained by a law enforcement unit of the District, as defined by the Family Educational Rights and Privacy Act (FERPA), if the record was created for a law enforcement purpose;
 - c. records relating to a student who is at least 18 years old that are created or maintained by a psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity that are created or maintained only for the student’s treatment (exclusive of remedial educational activities or educational activities that are part of the District’s instructional program) and that are disclosed only to persons providing treatment (except that the records may be personally reviewed by a physician or other appropriate professional of the student’s choice);
 - d. records created or received by the District after a person is no longer a student in the District and that are not directly related to the person’s attendance as a student in the District;
 - e. grades on peer-graded papers or assignments before they are collected or recorded by a teacher; or
 - f. records relating to a person employed by the District that are maintained in the normal course of business, relate only to the person’s employment, and are not available for any other purpose. Records relating to a person employed as a result of that person’s status as a student are, however, “education records.”
2. “Personally identifiable information” means a student’s name; the name of a student’s Parent/guardian/guardian or family member; the student’s address or the address of a family member; a personal identifier, such as the student’s social security number, student number, or biometric record; other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; other information that alone or in combination is linked or

linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

3. "Directory information" is the information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates the following as directory information
 - a. student names, addresses, and telephone numbers;
 - b. photographs and videos depicting a student's participation in school-related activities and classes;
 - c. date and place of birth;
 - d. major field of study;
 - e. grade level;
 - f. enrollment status (e.g., full-time or part-time);
 - g. dates of attendance (e.g., 2023-2027);
 - h. participation in officially recognized activities and sports;
 - i. weight and height of athletic team members;
 - j. degrees, honors, and awards received; and
 - k. the most recent educational agency or institution attended.

The Board further designates District-assigned student email addresses as directory information for the limited purposes of: (1) facilitating the student's participation in and access to online learning platforms and applications; and (2) inclusion in internal school and District email address books.

B. Collection and Retention of Records

School officials may collect and retain information about the District's students that is reasonably necessary for the District to perform its role as a public school district, including, without limitation, student work samples, assessments, evaluations, surveys, health and medical information, immunization records, birth certificates, proof of residence, proof of achievements and awards, behavior records, investigation reports, incident reports, attendance records, all records necessary for the District to satisfy state or federal legal obligations, and any record necessary for the District to prove that a student was accurately counted in membership for state aid and grant purposes.

The Superintendent or designee will ensure that all student records are retained consistent with the Records Retention and Disposal Schedule for Michigan Public Schools and Policy 3502 and that reasonable steps (including, without limitation, physical or technological controls) are taken to protect education records, including those stored electronically, from inadvertent or unauthorized disclosure.

C. Right to Inspect and Review Education Records

Parent/guardian/guardians may inspect and review their minor child's education records, regardless of custody status, unless a court order specifically provides otherwise.

Parent/guardian/guardians may also inspect and review the education records of an "eligible student" if the student is considered a dependent under Internal Revenue Code Section 152. An "eligible student" means a student who is at least 18 years old, an emancipated minor, or a student enrolled in a postsecondary institution. Eligible students have the right to inspect and review their own education records.

The District will make arrangements for a Parent/guardian/guardian or eligible student to inspect and review the student's education records within a reasonable time from receiving a request and not more than 30 calendar days from the date of the request or, if the student whose records are requested is a child with a disability as defined by the Individuals with Disabilities Education Act, before any Individualized Education Program Team meeting, resolution meeting, or due process hearing.

D. Right to Request Explanation or Interpretation of Student Education Records

A Parent/guardian/guardian or eligible student may request, in writing, an explanation or interpretation of a student's education records. School officials will respond to any reasonable request.

E. Right to Request Amendment of Education Records

A Parent/guardian/guardian or eligible student may request that a student's education record be amended if the Parent/guardian/guardian or eligible student believes the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights. The Superintendent will develop administrative guidelines explaining the process by which a Parent/guardian/guardian or eligible student may request an amendment to the student's records and that the Parent/guardian/guardian or eligible student has the right to a hearing if the District refuses the request.

F. Disclosure of Education Records to School Officials

A school official may receive and review personally identifiable information from a student's education record only if the school official has a legitimate educational interest in the information. A school official has a "legitimate educational interest"

if the record review is necessary for the school official to perform an administrative, supervisory, or instructional task as assigned by the District or to perform a service or benefit for the student or the student's family. For purposes of this Policy, a "school official" is any person employed by the District. The Board further designates the following persons and entities as "school officials":

1. a person or company with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, medical consultant, or online educational service provider or vendor);
2. a contractor, consultant, volunteer, or other party to whom the Board has outsourced a service or function otherwise performed by District employees (e.g., a therapist, a school resource officer, an employee of an intermediate school district, or an authorized information technology specialist);
3. a Parent/guardian/guardian or student serving on an official committee, such as a disciplinary, reinstatement, or grievance committee; and
4. a person, including a volunteer, who is assisting another school official in performing the official's duties.

The above-identified persons and entities must: (a) perform institutional services or functions for which the District would otherwise use its own employees, (b) be under the direct control of the District as to the use and maintenance of education records, and (c) be subject to the requirements of FERPA regulations governing the use and re-disclosure of personally identifiable information from education records.

The Superintendent or designee will adopt procedures, including physical and technological controls, to ensure that only those school officials with a legitimate educational interest may access personally identifiable information from a student's education records.

G. Disclosure of "Directory Information"

Except as otherwise stated in this Policy, school officials may disclose "directory information" without the prior written consent of a Parent/guardian/guardian or eligible student unless the Parent/guardian/guardian or eligible student specifically notifies the District that the Parent/guardian/guardian or eligible student does not consent to the disclosure of the student's directory information for 1 or more of the uses for which the District would commonly disclose the information.

The District will provide Parent/guardian/guardians and eligible students with a Directory Information Opt Out Form, listing all uses for which it commonly discloses student directory information. The form will allow the Parent/guardian/guardian or eligible student to elect not to have the student's directory information disclosed for 1 or more of the listed uses. Upon receipt of a completed Directory Information Opt Out Form, school officials may not release the student's directory information for any of the uses selected on the form.

The Superintendent or designee will provide the Directory Information Opt Out form to all Parent/guardian/guardians or eligible students within the first 30 days of the school year. The form will also be made available at a Parent/guardian/guardian's or eligible student's request at any time during the school year. If the Parent/guardian/guardian or eligible student does not return the form, the District may release directory information as permitted by law. The Directory Information Opt Out form will be kept on file for 1 year.

To ensure that directory information is not improperly used, the Superintendent or designee may require that a person requesting directory information execute an affidavit stating that, if disclosed, the directory information will not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

The District will not disclose a student's or Parent/guardian/guardian's phone number or address or the Parent/guardian/guardian's employment address to another person who is the subject of a court order that prohibits disclosure of the information if the District has received a copy of the order. The District will not disclose a confidential address, phone number, or email address in violation of the Address Confidentiality Program Act if the student or the student's Parent/guardian/guardian notifies the District that the student or the student's Parent/guardian/guardian has obtained a participation card issued by the department of attorney general.

H. Disclosure of Education Records to Another School

School officials may release or disclose personally identifiable information contained in a student's education record without the consent of the Parent/guardian/guardian or eligible student to another school or post-secondary institution in which the student seeks or intends to enroll, is enrolled, or from which the student receives services, if the disclosure is related to the student's enrollment or transfer.

I. Tagged Records and Record Transfers

Upon notification by a law enforcement agency that a student under age 17 is missing, the building principal or designee will tag the student's record in a manner that will alert both District and ISD personnel that the student is considered missing. Within 7 calendar days after receiving notice from a law enforcement agency that a student is no longer considered missing, the building principal or designee will remove the tag from the student's record.

Within 30 calendar days after receiving a request from a school in which a student has enrolled, the building principal or designee will forward the student's education records to the requesting school unless the student's record has been tagged as described in this Policy. If the record has been tagged, the building principal or designee will not forward the student's education records to the requesting school and will notify law enforcement.

J. Disclosure to a For-Profit Business Entity

School officials will not sell or otherwise provide any personally identifiable information that is part of a student's education records to a for-profit business entity, except as follows:

1. an employee or agent of a business entity acting as a "school official" as defined in this Policy;
2. pursuant to a management agreement between a public school academy and an educational management organization;
3. as necessary for standardized testing; or
4. as necessary to a person who is providing educational or educational support services to the student pursuant to a contract with the school.

K. Disclosure of Education Records in Response to Subpoena/Court Order

To the extent consistent with state law, including the nondisclosure requirements of Revised Judicature Act Section 2165, school officials may release or disclose personally identifiable information contained in a student's education records without the consent of the Parent/guardian/guardian or eligible student upon receipt of a court order or lawfully issued subpoena requiring disclosure of the information. To the extent permitted or required by law, before complying with a court order or subpoena, school officials must notify the Parent/guardian/guardian or eligible student, in writing, that the District intends to comply with the court order or subpoena.

L. Disclosure of Education Records in Other Circumstances

Except as provided in this Policy, the District and its employees and agents are prohibited from disclosing personally identifiable information from a student's education records without the written consent of a Parent/guardian/guardian or eligible student unless the disclosure is otherwise permitted or required by law, including, without limitation, if the disclosure is:

- necessary because of a health or safety emergency;
- to authorized state or federal officials;
- in connection with a student's application for or receipt of financial aid;
- made for purposes of conducting a study for or on behalf of an educational agency or institution;
- to an accrediting organization;
- concerning a registered sex offender; or
- to a representative of a child welfare agency for a foster child.

A school official may not disclose personally identifiable information from a student's education records unless disclosure is consistent with the requirements of state and federal law, including FERPA.

M. Disclosure Logs

The Superintendent or designee will maintain, to the extent required by law, a log of those persons to whom personally identifiable information from a student's education records has been disclosed. The record will identify the student whose information was disclosed, the person or entity who requested or received the information, the information that was disclosed, the date the Parent/guardian/guardian or eligible student provided written consent (if necessary for the disclosure), a legitimate reason for the disclosure, and any other information required by law.

Subject to the limitations below, a Parent/guardian/guardian or eligible student may request, in writing, information related to disclosure of personally identifiable information by the District. This information includes:

- the specific personally identifiable information that was disclosed by the District;
- the name and contact information of each person, agency, or organization to which the District disclosed the student's personally identifiable information; and
- the legitimate reason that the person, agency, or organization had in obtaining the personally identifiable information.

The District is not required to provide information about the disclosure of personally identifiable information if the personally identifiable information is:

1. provided to MDE or CEPI;
2. provided to the eligible student or the student's Parent/guardian/guardian;
3. provided to an intermediate school district providing services pursuant to a written agreement;
4. provided by an intermediate school district to a school district or to a public school academy in which the pupil is enrolled or to a school district or public school academy providing services to the pupil pursuant to a written agreement;
5. provided to a person, agency, or organization with the written consent of the eligible student or the student's Parent/guardian;

6. provided to a person, agency, or organization in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction;
7. provided as necessary for standardized assessments that measure the student's academic progress and achievement;
8. covered by the District's Directory Information Opt Out Form, unless the Parent/guardian or eligible student has signed and submitted the Opt Out Form.

N. Video Recordings

A video recording that is directly related to a student may be an "education record" (e.g., when it is maintained to document student conduct or misconduct, unless it is maintained by a law enforcement unit and used solely for a law enforcement purpose). The Superintendent or designee will determine, on a case-by-case basis, upon receipt of a request for the video's disclosure, whether a particular video is an "education record" and whether it contains "personally identifiable information" about a student. If the Superintendent or designee determines that a video recording is an "education record," its disclosure and the rights of Parent/guardians and eligible students to inspect and review the video recording are governed by this Policy, applicable laws, and relevant state and federal guidance.

O. Disclosure of Records to Law Enforcement

Nothing in this Policy limits a school official's right or duty under state law or pursuant to the Statewide School Safety Information Policy to contact law enforcement to report possible criminal activity. A school official may not, however, disclose personally identifiable information from a student's education records to law enforcement without the prior written consent of a Parent/guardian or eligible student unless disclosure is otherwise permitted or required by state or federal law (e.g., in response to a health or safety emergency or a court order or subpoena).

If a school official reports possible criminal activity of a student with a disability as defined by the Individuals with Disabilities Education Act, the school official must transmit a copy of the student's special education records and disciplinary records to the authorities to whom the crime is reported in a manner consistent with FERPA (i.e., with prior written consent or a lawful exception to consent). Except for disclosures in response to a health or safety emergency, school officials must seek written consent to transmit the records of a student with a disability immediately after reporting the student's potential criminal activity to authorities.

P. Disclosure of Information to Military Recruiter

The District will provide recruiters of the Armed Forces of the United States with at least the same access to the high school campus and to directory information as is provided to other entities offering educational or employment opportunities to those students, as required by state and federal law. "Armed Forces of the United

States” means the armed forces of the United States and their reserve components and the United States Coast Guard.

The Directory Information Opt Out Form must include the option to opt out of the disclosure of the student’s directory information to recruiters of the Armed Forces of the United States. Upon receipt of a written “opt out,” school officials may not release the student’s directory information to recruiters of the Armed Forces of the United States. The District may charge a fee, not to exceed the actual costs of copying and mailing the requested directory information, to recruiters of the Armed Forces of the United States, to the same extent it charges other organizations.

Q. Annual Notice Requirements

The Superintendent or designee will send an annual notice to Parent/guardians and eligible students notifying them of the following:

1. the right to inspect and review their student’s education records;
2. the right to seek amendment of their student’s education records, the process for requesting amendment, and applicable hearing procedures;
3. the identity of designated “school officials” and the definition of “legitimate educational interest”;
4. the definition of “directory information” and notice that their student’s directory information may be disclosed without consent unless the Parent/guardian or eligible student opts out of allowing disclosure;
5. the District’s practice to disclose a student’s education records, including disciplinary records, to another school or post-secondary institution in which the student seeks or intends to enroll or is enrolled;
6. the right to consent to the disclosure of personally identifiable information from a student’s education record before its disclosure, unless a nonconsensual disclosure is otherwise authorized by law;
7. the right to opt out of disclosure of directory information to recruiters for Armed Forces of the United States and their service academies;
8. the right to file a complaint with the U.S. Department of Education alleging that the District violated FERPA; and
9. the right to obtain a copy of the Board’s policies and administrative regulations about student records.

Legal authority: 20 USC 1401 et seq., 1232g, 7165, 7908; 26 USC 152; 34 CFR Part 99, 300; MCL 15.243(2); MCL 380.1134-1136, 380.1137a, 380.1279g; MCL 600.2165; MCL 722.30; MCL 780.855, 780.871; *Records Retention and Disposal Schedule for Michigan Public Schools*

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/guardian Involvement

5405 Title I Parent/guardian and Family Engagement Policy

An Engagement Policy will be jointly developed and distributed to Parent/guardians and family members of participating students and the local community in an understandable format, and to the extent practicable, in a language the Parent/guardians can understand. An annual evaluation of the Engagement Policy's content and effectiveness will be used to design evidence-based strategies for more effective parent/guardian involvement, to revise the Engagement Policy, and to remove barriers to participation. The Engagement Policy will be reviewed annually at a meeting where concerned parties can discuss possible changes to the Engagement Policy.

A component of the Engagement Policy will be a School-Parent Compact jointly developed by the District and Parent/guardians that outlines how the Title I school, Parent/guardians, and students will share the responsibility for improved student academic achievement and the means by which the school and Parent/guardians will build and develop a partnership to help students achieve state education standards.

The District recognizes the unique needs of students who are being served in its Title I program and the importance of Parent/guardian and family engagement in the Title I program. Parent/guardian and family engagement in the Title I Program must include, but is not limited to:

- A. an annual meeting to which all Parent/guardians of participating students will be invited to inform Parent/guardians of their school's participation under this part, to explain the requirements of this part, and to explain the Parent/guardians' right to be involved. Invitations may take the form of notes sent with students or announcements in the school newsletter. Additional meetings may be scheduled, based on need and interest;
- B. an explanation of the details for student and Parent/guardian participation, including but not limited to: curriculum objectives, the forms of academic assessment used to measure student progress and achievement of the state academic standards, type and extent of participation, parental input in educational decisions, coordination and integration with other federal, state, and District programs, and evaluations of progress;
- C. opportunities to participate in Parent/guardian involvement activities, such as training Parent/guardians to work with their students to improve achievement. A goal of Parent/guardian activities is to provide Parent/guardians with opportunities to participate in education-related decisions for their students, as appropriate;
- D. to the extent practicable, opportunities for involvement in the Title I Program for Parent/guardians of limited English proficiency, Parent/guardians with disabilities, Parent/guardians with limited literacy, Parent/guardians who are economically disadvantaged, Parent/guardians of a minority background, or Parent/guardians of

migratory children. Communication to Parent/guardians about student progress and other Title I matters will be provided in a language the Parent/guardian can understand, to the extent practicable. Responses to Parent/guardian concerns will be provided in a timely manner;

- E. opportunities for Parent/guardian-teacher conferences, in addition to those regularly scheduled by the District, if requested by the Parent/guardians or as deemed necessary by District staff;
- F. coordination and integration of parental involvement programs and activities with other community programs. These may include cooperation with other community programs such as Head Start, preschools, and other community services and
- G. educating teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents, on the value and utility of parental contributions, how to reach out to, communicate with, and work with Parents as equal partners.

Legal Authority: 20 USC 6318

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/guardian Involvement

5407 Instructional Program and Curriculum Development

The District will provide students with at least the minimum number of instructional hours and days each school year required by the state for full state aid funding. The District may deviate from this requirement only as permitted by state law.

The Board, advised by the Superintendent, will adopt a curriculum and procure textbooks and materials to support the curriculum.

The Superintendent or designee is responsible for providing and directing District-wide planning for curriculum, instruction, assessment, and staff development in accordance with Policy 2203. Committees consisting of educational professionals, including administrators, and community members, may be established to design instructional strategies and assessments to implement the curriculum.

A. Parent/guardian Rights

As described in Policy 5401, the District will provide a Parent/guardian the opportunity to review District-approved curriculum, textbooks, and instructional materials upon request to the building principal. See Policy 5401 for appropriate procedures.

B. Complaints about Instructional Materials

If a Parent/guardian objects to their student's instructional materials, the following procedures will apply:

1. **First Level – Objection to Teacher.** The Parent/guardian must submit an objection and explanation in writing to the relevant classroom teacher. The teacher will review the Parent/guardian's objection and either discontinue using the material for some or all students; or advise the Parent/guardian of the educational and pedagogical reasons for the material.
2. **Second Level - Appeal to Building Principal.** If the Parent/guardian disagrees with the teacher's response, the Parent/guardian may submit a written appeal to the building principal stating the reasons why the Parent/guardian objects to the materials. The building principal will confer with the relevant classroom teacher within 5 school days. The building principal will review the written objection and the materials in question to determine whether:
 - a. the stated objection outweighs the educational and pedagogical reasons;
 - b. the materials require the student to engage in conduct or practice that violates the student's sincerely held religious belief;

- c. the materials lack serious educational, literary, artistic, political, or scientific value for the age range of the students in question; or
- d. the materials are inappropriate or harmful for the age range of the students in question.

The building principal will provide all parties with a written response granting or denying the appeal within 10 school days after conferring with the teacher.

Committee Review. If the Parent/guardian disagrees with the building principal's response, the Parent/guardian may submit a written appeal to the Superintendent within 5 school days after receiving the building principal's response. The Superintendent will create a committee to review the appeal. The committee will review the Parent/guardian's written objection, the building principal's written response, the Parent/guardian's written appeal, the materials being challenged, and any other information the committee deems relevant. The committee will issue a written decision within 30 calendar days of receiving the appeal based on the factors described in Section 2 above. The committee's decision is final.

C. Complaints about Library Materials

If a Parent/guardian objects to materials in the school library, the Parent/guardian must submit an objection and explanation in writing to the Superintendent identifying:

- 1. the basis for the objection;
- 2. any recent known use of the library materials in the school; and
- 3. any other relevant information.

The Superintendent will review the written objection and the materials in question in their totality to determine whether:

- 1. the materials lack serious educational, literary, artistic, political, or scientific value for the age range of the students in question; or
- 2. the materials are inappropriate or harmful for the age range of the students in question.

The Superintendent may, in his or her sole discretion, designate review to another administrator or employee. The Superintendent or designee will endeavor to provide a written response to the Parent/guardian within 30 calendar days after receiving the objection. The Superintendent or designee's decision is final.

The District will not restrict access to the challenged material during the review process.

Legal Authority: MCL 380.1137, 388.1706

Date adopted: September 13, 2021

Date revised: May 9, 2022, August 28, 2023, September 9, 2024

September 13, 2021 Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/guardian Involvement

5409 Academic Credits and Graduation

A. Graduation Requirements

A student must successfully complete all graduation requirements to earn a high school diploma. The Superintendent will ensure that the District's required credits and graduation criteria are consistent with state law and annually published in applicable student handbooks.

GRADUATION REQUIREMENTS BY YEAR OF GRADUATION

CLASS OF 2025, 2026, 2027 (1 course per trimester = .5 credits)

	CURRICULUM	REQUIRED COURSES
5.5	ENGLISH	English 9, English 10, English 11, English 12
5.5	MATH	Algebra, Geometry, Algebra 2, plus a math or math-related course during final year of HS
4	SCIENCE	Biology, Chemistry or Physics, plus one additional science credits
3	SOCIAL STUDIES	Civics, Economics, US History and Geography and World History and Geography
.5	PHYSICAL EDUCATION	Physical Education
.5	HEALTH	Health
1	PERFORMING, APPLIED, OR VISUAL ART	Includes Art, Music, and Tech courses
2	WORLD LANGUAGE	Spanish, French or approved online language
0.5	SENIOR SEMINAR	Students that do not take this course due to a scheduling conflict may request a waiver from this class signed by building administrator
11	ELECTIVES	Electives
Total 34 credits	ADDITIONAL REQUIREMENTS <ul style="list-style-type: none">• A requirement to graduate is attending full-time for all four years.• Students must take all components of the Michigan Merit Exam.• Students must complete and document 20 hours of community service on their EDP. (this may be waived by High School Principal)• Students must complete an Online Learning Experience by updating their EDP annually.• Students must complete an application to a post-secondary institution.	

GRADUATION REQUIREMENTS BY YEAR OF GRADUATION

STARTING WITH THE **CLASS OF 2028** (1 course per trimester = .5 credits)

	CURRICULUM	REQUIRED COURSES
5.5	ENGLISH	English 9, English 10, English 11, English 12
5.5	MATH	Algebra, Geometry, Algebra 2, plus a math or math related course during final year of HS
4	SCIENCE	Biology, Chemistry or Physics, plus one additional science credits
3	SOCIAL STUDIES	Civics, Economics, US History and Geography and World History and Geography
.5	PHYSICAL EDUCATION	Physical Education
.5	HEALTH	Health
1	PERFORMING, APPLIED, OR VISUAL ART	Includes Art, Music, and Tech courses
2	WORLD LANGUAGE	Spanish, French or approved online language
0.5	SENIOR SEMINAR	Students that do not take this course due to a scheduling conflict may request a waiver from this class signed by building administrator
**0.5	PERSONAL FINANCE	**Requirement starting with the graduating class of 2028 (can be taken for senior year math or business elective)
10.5	ELECTIVES	Electives
Total 34 credits	ADDITIONAL REQUIREMENTS <ul style="list-style-type: none"> • A requirement to graduate is attendance as a full-time student for all four years. • Students must take all components of the Michigan Merit Exam. • Students must complete and document 20 hours of community service on their EDP. (this may be waived by High School Principal) • Students must complete an Online Learning Experience by updating their EDP annually. • Students must complete an application to a post-secondary institution. 	

B. Personal Curriculum

In some cases, it may be appropriate to modify the Michigan Merit Curriculum for a student. Modifications may only be made in accordance with state law. The Parent/guardian of a student who has completed grade 9 or a student who has reached age 18 may request a personal curriculum. A Parent/guardian of a student with a disability under the Individuals with Disabilities Education Act may request a personal curriculum before the student has completed grade 9.

A teacher or school counselor may request that the District consider providing a student with a personal curriculum. If requested by a teacher, the teacher must currently teach or have expertise in a subject area proposed to be modified by the personal curriculum or the building principal must determine that the teacher has qualifications relevant to developing a personal curriculum.

In all cases, a student's personal curriculum must be developed in accordance with state law.

The District will annually notify Parent/guardians of their ability to request a personal curriculum.

C. Earning Credit

The District will grant credit to a student who successfully completes a course. Successful completion means that the student has met content expectations of the state- or District-approved subject area content standards for the course by obtaining a D- or higher grade in the course based, in part, on at least 1 state- or District-approved assessment.

Alternatively, the District will grant equivalent credit for a required Michigan Merit Curriculum course if the student earns a qualifying score, as determined by MDE or by the District, on a state- or District-approved assessment (i.e., "testing out").

The District will grant equivalent credit for a course if the student demonstrates a reasonable level of mastery by achieving a C+ or better on the final examination for the course or, if there is no final examination, by demonstrating subject area content knowledge by obtaining a C+ or better on an alternative assessment, such as a portfolio, performance, paper, project, presentation, or other established means. A student who earns credit in a course by "testing out" will not earn a grade in the course, and the credit will not be considered for determining grade point average or any honors earned based on grade point average.

The District will grant a student credit toward a diploma or alternative certificate if the student successfully completes, before entering high school, a state-mandated curriculum requirement by demonstrating proficiency on the content expectations for that curriculum requirement, either through successfully completing the course or by testing out.

Once a student earns credit in a course, either by successfully completing the course or by testing out, the student may not earn additional credit for the course or for a lower level course in the same subject.

The Board will recognize credits earned at other public schools and at accredited nonpublic schools. For students transferring from a home school program, the Superintendent or designee will assess whether the home school credit reflects proficiency in state and District content expectations for each course for which the student seeks to transfer credit. If the Superintendent or designee determines that the student is proficient in the subject area content, the District will award transfer credit.

Legal authority: MCL 380.1278a, 380.1278b, 380.1279b

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/guardian Involvement

5411 *Student Promotion, Retention, and Placement*

The District has the sole discretion to make promotion, retention, and placement decisions for its students, consistent with state and federal law. The District may consider Parent/guardian requests that a student be placed in a particular classroom, building, educational program, or grade.

A. Student Promotion and Retention

The building principal will attempt to consult with a student's Parent/guardian before deciding to retain a student, advance a student to the next grade mid-year, or allow a student to skip a grade level. If the Parent/guardian disagrees with the building principal's decision about promotion or retention, the Superintendent or designee will make the final decision.

B. Student Placement

The Superintendent or designee will determine a student's classroom and building placement based on District needs, available space, and educational expertise, consistent with state and federal law. The District's placement decision is final. Nothing in this section may be construed to limit or modify rights under state or federal laws applicable to students with disabilities, including the right to have placement decisions made by an IEP or Section 504 Team.

C. Intradistrict Choice

A student who is the victim of a violent criminal offense at school may transfer to another public school in the District, if available. A student who is attending a persistently dangerous school may transfer to another public school in the District, if available. The Superintendent or designee will notify Parent/guardians if their student is eligible to transfer under this Policy.

This Policy incorporates the definitions for "violent criminal offense" and "persistently dangerous school" contained in the Michigan State Board of Education's Statewide Safe School Choice Policy.

D. Nontraditional Programs

The District may operate nontraditional programs to meet the needs of all students. Nontraditional programs may include alternative education or virtual settings. The building principal or designee will attempt to consult with a student's Parent/guardian before finalizing a decision to move a student to a nontraditional program. If the Parent/guardian disagrees with the building principal's or designee's decision, the Superintendent or designee will make the final decision. Nothing in this section may be construed to limit or modify rights under state or

federal laws applicable to students with disabilities, including the right to have placement decisions made by an IEP or Section 504 Team.

E. Reserved

Legal authority: 20 USC 7912; MCL 380.1278a, 380.1278b, 380.1280f

Date adopted: August 26, 2022

Date revised: August 28, 2023, September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/guardian Involvement

5416 *Homebound and Hospitalized Instruction*

The District will provide an enrolled student with instruction in the student's home, hospital, or licensed treatment facility if both of the following requirements are met:

- A. The student's Parent/guardian submits a homebound/hospitalized instruction form which includes verification by a legally authorized healthcare provider of a medical condition that requires the student to be hospitalized or confined to the home during regular school hours for a period longer than 5 consecutive school days. A student who is able to attend school for part of the day is not eligible for homebound instruction; and
- B. The student is physically able to participate in instruction while hospitalized or confined to the home.

Homebound instruction is not intended to replicate the classroom experience. For most students, the District will provide a minimum of 2 45-minute sessions per week with a certificated teacher. For students with disabilities under the Individuals with Disabilities Education Act (IDEA), the District will provide a minimum of 2 nonconsecutive hours per week with a certificated teacher. Homebound instruction may be supplemented with a variety of in-person and distance learning services, as determined appropriate by the Superintendent or relevant educational team.

For students with disabilities under IDEA, the District will, as soon as possible, either convene an IEP Team meeting or amend a student's IEP without a meeting and with Parent/guardian agreement to consider the appropriate services to be provided in the least restrictive environment.

The District will provide homebound and hospitalized instruction consistent with state law and MDE guidance.

Legal authority: MCL 388.1709; Mich Admin Code R 340.2(11), 340.2(12), 340.1746;
Providing Homebound and Hospitalized Educational Services for Michigan Public School Pupils, as amended; Michigan Pupil Accounting Manual

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/guardian Involvement

5420 Sex Education

A. Communicable Disease Instruction

The Superintendent or designee will ensure that students are taught about dangerous communicable diseases. Instruction must include the principal modes by which dangerous communicable diseases, including, but not limited to, human immunodeficiency virus infection and acquired immunodeficiency syndrome, are spread and the best methods for disease restriction and prevention.

Instruction must be provided by qualified instructors as defined by state law. Instruction must stress that abstinence from sex is: (1) a responsible and effective method of preventing sexually transmitted diseases, and (2) a positive lifestyle for unmarried young people.

B. Revision to Materials and Methods of Instruction

Before revising curriculum about dangerous communicable diseases, the Board will hold at least 2 public hearings occurring at least 1 week apart on the proposed revisions.

Legal authority: MCL 380.1169

C. Sex Education Advisory Board

The Board will create a sex education advisory board to:

1. establish sex education program goals and objectives for student knowledge and skills that are likely to reduce the rates of sex, pregnancy, and sexually transmitted diseases;
2. review materials and methods of instruction used in the District's sex education program;
3. make recommendations to the Board for implementation of a sex education program; and
4. evaluate, measure, and report the attainment of program goals and objectives at least every 2 years.

The sex education advisory board must include the following members: Parent/guardians, students, educators, local clergy, and community health professionals. At least half of the members must be Parent/guardians who have a student in the District. A majority of those Parent/guardians must not be employed by a school district.

The sex education advisory board will have 2 co-chairs appointed by the Board. One co-chair must be a Parent/guardian of a student in the District.

The Board may, in its discretion, determine and modify terms of service for sex education advisory board members, the number of members, and the membership selection process.

Co-chairs or their designees will provide members of the sex education advisory board 2 weeks' electronic or written notice of meetings.

D. Sex Education Courses

The Board authorizes age-appropriate, medically-accurate instruction in sex education including, but not limited to, family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of sexually transmitted diseases. The District's sex education curriculum must comply with state law.

Instruction must include principal modes by which dangerous communicable diseases, including, but not limited to, human immunodeficiency virus infection and acquired immunodeficiency syndrome, are spread and the best methods for disease prevention.

Sex education instruction must be provided by qualified instructors as defined by state law. Instruction must stress that abstinence is (1) a responsible and effective method of preventing unplanned pregnancy, out-of-wedlock pregnancy, and sexually transmitted diseases, and (2) a positive lifestyle for unmarried young people.

Sex education is an elective course and is not required for graduation.

E. Reproductive Health Instruction

A reproductive health instruction program must be supervised by a licensed physician, a registered nurse, or other person certified by the State Board of Education as qualified.

No person may dispense or distribute a family planning drug or device on District property.

Clinical abortion is not considered a method of family planning, and abortion must not be taught as a method of reproductive health.

F. Revision to Materials and Methods of Instruction

Before revising sex education materials or methods of instruction, or before revising curriculum about dangerous communicable diseases, the Board will hold at least 2 public hearings occurring at least 1 week apart on the proposed revisions.

G. Parental Notice and Opt-Out

A student may not be enrolled in a class in which family planning or reproductive health is discussed unless the student's Parent/guardian is provided advance notice of the course content, is given a prior opportunity to review the course materials, and is provided advance notice of the right to excuse the student from the class. If a Parent/guardian excuses a student from the class in writing, the student will not be penalized or lose academic credit for not attending the class.

A Parent/guardian may file written notice that the student is excused from all sex education offered by the District. If the District receives written notice, the student may not be enrolled in a sex education class unless authorized by the Parent/guardian in writing.

Legal authority: MCL 380.1169, 380.1506, 380.1507, 380.1507a, 380.1507b

Date adopted: September 13, 2021

Date Revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5506 Field Trips

Field trips should generally be conducted during the school day.

A. General Conditions

All field trips must be pre-approved by the building principal or designee. Out-of-state and overnight trips require pre-approval from the Board or its designee. Field trips should be primarily academic in nature and related to the curriculum. The Superintendent or building principal(s) will develop procedures for approval of trips and communicate those procedures to instructional staff.

B. Parent/guardian Permission

Each student must submit a completed permission form signed by the student's Parent/guardian before being allowed to attend a field trip.

C. Supervision

Teachers must ensure that students are adequately supervised and chaperoned by a responsible adult at all times during field trips. A chaperone is prohibited from drinking alcoholic beverages or using non-prescribed controlled substances at any time during the field trip. A chaperone must adhere to all District and building volunteer requirements, including Policy 3105.

The District may deny or terminate a chaperone assignment for any reason that is not unlawful.

The District will not prohibit an eligible student from participating in a field trip solely because the student's Parent/guardian does not chaperone.

D. Student Conduct

A student's failure to comply with Board Policy, the student code of conduct, and any other applicable rules or behavioral expectations while on a field trip may result in disciplinary action and removal or exclusion from the trip.

Date adopted: September 13, 2021

Date revised: August 8, 2022, September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5507 *Extracurricular Activities*

A. General Purpose

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

Extracurricular activities do not include:

1. co-curricular activities such as band and choir, in which students must participate as part of the requirements for enrollment in and receiving a grade for a particular course; or
2. student-initiated, noncurricular student groups, which are permitted to hold meetings and events on school premises. These groups are not school-sponsored and are governed by Policies 3304 and 5510.

B. Governance

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

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

Extracurricular groups may use District facilities consistent with Policy 3304.

C. Student Eligibility

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

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

Students who participate in interscholastic athletics may not use performance-enhancing substances. Performance-enhancing substances include any substance banned by the NCAA. Students who use performance-enhancing substances may be disciplined and excluded from the activity.

D. Advisors and Coaches

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

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

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

E. Fundraising Activities

Fundraising activities must comply with Policy 5501.

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5701 Abuse and Neglect

A. Child Abuse and Neglect

Mandated reporters must immediately report all instances of suspected child abuse or neglect pursuant to Michigan's Child Protection Law and Policy 4202. All other employees, volunteers, and contractors who are not mandated reporters are also expected to immediately report all instances of suspected child abuse or neglect.

The District will cooperate with Children's Protective Services (CPS) during an investigation of suspected child abuse or neglect. Cooperation may include allowing CPS access to a student without Parent/guardian consent if CPS determines access is necessary to complete the investigation or prevent abuse or neglect. The District will not impose conditions on the investigator or investigation beyond what is permitted by law.

Before a CPS investigator is given access to a student, the building principal or designee will verify the investigator's credentials.

The building principal or designee may be present for the student's interview, at the discretion of CPS. If CPS seeks to remove a student from school, the building principal or designee will: (1) provide CPS with the student's Parent/guardian phone number and address; and (2) request that the CPS official sign a statement certifying that the student is being removed because of safety-related concerns. If the CPS official refuses to or is unable to sign the requested certification, the building principal or designee will document the removal, including the name(s) of the CPS official(s) removing the student, the stated reason(s) given for the removal, the identity of the person(s) witnessing the removal, and the date and time of the removal.

The District may share student records with CPS only as permitted by Policy 5309 and the Family Educational Rights and Privacy Act.

If the District makes a report to CPS, the District will maintain a copy of the written report with the reporter's identity redacted. The reporter's identity will remain confidential unless disclosure is authorized by the reporter's consent or by court order.

"Mandated reporter" means a physician, dentist, physician's assistant, registered dental hygienist, medical examiner, nurse, person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, social worker, licensed master's social worker, licensed bachelor's social worker, registered social service technician, social service technician, a person employed in a professional capacity in any office of the friend

of the court, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or regulated child care provider who has reasonable cause to suspect child abuse or child neglect.

B. Vulnerable Adults

All school employees must report suspected abuse, neglect, or exploitation of a vulnerable adult consistent with Michigan's Social Welfare Act.

The District will cooperate with an Adult Protective Services (APS) investigation to the extent required by law. The District may share student records with APS only as permitted by Policy 5309 and the Family Educational Rights and Privacy Act.

If the District makes a report to APS, the District will maintain a copy of the written report with the reporter's identity redacted. The reporter's identity will remain confidential unless disclosure is authorized by the reporter's consent or by court order.

Legal authority: 20 USC 1232g; MCL 722.621 et seq.; MCL 400.11a

Date adopted: September 13, 2021

Date revised: September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5707 School Wellness Policy

The District is committed to providing a school environment that enhances opportunities for learning and lifelong wellness.

A. Nutrition Promotion and Education Goals

All students will receive nutrition education annually that is aligned with the Michigan Health Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Health Education. Teaching healthy eating behaviors will be part of the curriculum.

The District promotes healthy food and beverage choices for students. The District will implement evidence-based healthy food promotion techniques through:

1. offering school meal programs; and
2. publicizing foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards. The District will collaborate with public and private entities to promote student wellness.

The District will make water available to students throughout the school day.

B. Physical Activity Goals

The District will offer physical education programs that are designed to equip students with the knowledge, skills, and values necessary for lifelong physical activity. Physical education instruction will be aligned with the Michigan Physical Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Physical Education.

Students will have the opportunity to participate regularly in supervised physical activities, either organized or unstructured, intended to maintain physical fitness and an understanding of the benefits of a physically active and healthy lifestyle.

The District strives to provide physical activity breaks for all students, including recess for elementary students and before and after school activities, and encourages students to use active transport (e.g., walking, biking).

The District encourages Parent/guardian/guardians to support their students' participation in physical activity, to be physically active role models, and to include physical activities in family events.

C. Goals for Other School-Based Activities Designed to Promote Student Wellness

The District may partner with community members or groups to implement this Policy. The District will also:

1. participate in state and federal child nutrition programs as appropriate;
 2. allow other health-related entities to use school facilities for activities such as health clinics, screenings, and wellness events consistent with Policy 3304;
 3. use evidence-based strategies to develop, structure, and support student wellness; and
 4. create environments conducive to healthy eating, physical activity, and conveying consistent health messages.
- D. Standards and Nutrition Guidelines for All Foods and Beverages Sold to Students on the School Campus and During the School Day

The District will ensure that students have access to foods and beverages that comply with applicable laws and guidelines including, but not limited to, the USDA Nutrition Standards for School Meals and the USDA Smart Snacks in School nutrition standards.

The District will offer students a variety of age-appropriate, healthy food and beverage selections including fruits, vegetables, and whole grains aimed at meeting the nutrition needs of students within their calorie requirements to promote student health and reduce childhood obesity.

- E. Standards for All Foods and Beverages Provided, But Not Sold, to Students During the School Day

The District may provide a list of healthy food and beverage alternatives to Parent/guardian/guardians, teachers, and students for classroom parties, rewards and incentives, or classroom snacks. The District discourages the use of unhealthy food and beverages as a reward or incentive for performance or behavior.

- F. Food and Beverage Marketing

Marketing and advertising is allowed on school grounds or at school activities only for foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards. Food and beverage fundraising and marketing that occurs at events outside of school hours need not comply with the USDA Smart Snacks in School nutrition standards.

In-school fundraising events must comply with Policy 5501 and MDE's Non-Compliant Food Fundraiser Guidance, which permits 2 fundraisers per week, per school building that do not comply with USDA Smart Snacks in School nutrition standards. In-school fundraising events may last up to 1 day and may not be held in the food service area during meal times.

Equipment that currently displays noncompliant marketing materials (e.g., scoreboard with soft drink logo) need not be immediately removed or replaced. As the District reviews and considers new contracts and as durable equipment, like scoreboards, is replaced or updated, any food or beverages marketed and

advertised will meet or exceed the USDA Smart Snacks in School nutrition standards.

G. Wellness Committee

The District will form a Wellness Committee to establish goals for, oversee, and periodically review and update school health policies and programs. The Wellness Committee will also oversee this Policy's implementation.

The Wellness Committee will represent all school buildings and include, to the extent possible, Parent/guardian/guardians, students, food service representatives, physical and health education teachers, school and community health care professionals, and community members. The Board encourages community participation in the Wellness Committee. When possible, membership will also include Supplemental Nutrition Assistance Program education coordinators.

H. Implementation and Oversight

The Superintendent or designee is responsible for ensuring that each school building complies with this Policy.

The Board will review this Policy at least every 3 years to determine compliance, progress, and the extent to which this Policy compares to model school wellness policies. Parent/guardians, students, school employees, school health professionals, Board members, and community members may provide input to the District during the Wellness Policy review process.

A copy of this Policy will be maintained in the District's administrative offices and posted on the District's website. The Superintendent or designee will maintain all legally required documentation for implementation of this Policy.

The Superintendent or designee will annually provide notice about this Policy and any updates to the community.

I. School Meal Program

1. Delinquent Meal Charge Debt and Bad Debt

The District is required to make reasonable efforts to collect unpaid meal charges of current students. The building principal or designee will contact households about unpaid meal charges and may establish payment plans and due dates by telephone, e-mail, or other written or oral communication. If these collection efforts are unsuccessful, the District may pursue any other methods to collect delinquent debt of current students as allowed by law. Collection efforts may continue into a new school year.

Unpaid meal charges of inactive students, such as graduated students and students no longer enrolled at the District, that are not collected by the end of the school year will be classified as bad debt. No later than December 31 of the

following school year, non-federal funds will be used to reimburse the school meal program for the amount of bad debt.

2. Elimination of “Lunch Shaming”

The District will strive to eliminate any form of “lunch shaming.” “Lunch shaming” is the public identification or stigmatization of students who cannot pay for a school meal. In furtherance of this goal, the District prohibits the following:

- a. requiring a student who cannot pay for a school meal or who has unpaid meal charges to wear a wristband or handstamp;
- b. requiring a student to dispose of a meal after it has been served because the student cannot pay for the meal or has unpaid meal charges;
- c. communicating directly with a student about unpaid meal charges unless the District has attempted but has been unable to contact the student’s Parent/guardian by telephone, e-mail, or other written or oral communication;
- d. requiring a student to perform chores or other labor to pay a student meal debt; and
- e. discussing a student’s unpaid meal charges in the presence of other students.

3. Meal Charge Policy

The District’s policy on charged meals is:

Students who qualify for free meals will not be denied a reimbursable meal, even if they have accrued a negative balance from other food purchases.

The District will encourage Parent/guardians to complete financial eligibility forms as part of the student enrollment process to determine eligibility for free or reduced-price meals.

The Board directs the Superintendent to include this Policy in the student handbook and to distribute it to Parent/guardians.

Date adopted: September 13, 2021

Date revised: August 28, 2023, September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5711 Toilet Training

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

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

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

For a student with repeated toileting accidents, the building principal or designee should consider whether to refer the student for a Section 504 or IDEA evaluation.

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

Date adopted: September 13, 2021

Date revised: August 8, 2022, September 9, 2024

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5806 *Recording of District Meetings*

- A. Audio Recording of IEP Team and Section 504 Meetings Parent/guardians of students with disabilities are permitted to audio record IEP Team and Section 504 meetings if the Parent/guardian provides notice to the District before the date of the scheduled meeting.

Parent/guardians must use their own device for any recording permitted pursuant to this Policy. If a Parent/guardian records a meeting pursuant to this Policy, the District may also record the meeting.

- B. Audio Recording of Other Meetings

Parent/guardians may not record any other meeting without prior written approval of the Superintendent or designee. If a Parent/guardian is permitted to audio record a meeting, the Parent/guardian must use their own recording device. The District may also record the meeting.

- C. Secret Recording of Meetings and Other Activities

Parent/guardians and students may not use secret means to record any meeting or activity at school. Student use of a device with listen-in or audio surveillance capabilities at school must comply with applicable Board policy.

- D. Video Recording of Meetings

Video recording of any meeting, including IEP Team and Section 504 meetings, is prohibited. This Policy does not apply to meetings that are open to the public under the Open Meetings Act.

Date adopted: September 13, 2021

Date revised: September 9, 2024

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Nate Parker

PURPOSE:

To accept donations from the community.

EXPLANATION:

Maple Fans Club donated \$500 to the tennis team.

Christopher and Patricia Molloy donated \$1,000 to the golf and cross-country teams.

RECOMMENDATION:

The Superintendent recommends that the Adrian Board of Education accept these donations and thank them for their support.

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Dan Peña

PURPOSE: To review and increase the District asset capitalization threshold from \$2,000 to \$5,000.

EXPLANATION:

In 2001, the District established a capitalization threshold for assets of \$2,000 or more to be reported on the District Governmental-Wide Financial Statements. Assets purchased by the District that exceed this threshold are recorded and depreciated.

The current capitalization threshold for federal agencies is \$5,000, which has been raised to reflect cost increases over time and the materiality of reporting depreciable assets.

RECOMMENDATION:

The Business Manager recommends that the Adrian Board of Education review the proposed increase of the capitalization threshold of District assets from \$2,000 to \$5,000 for approval at the next board meeting.

EXECUTIVE SUMMARY

DATE: September 9, 2024

CONTACT PERSON: Dan Peña

PURPOSE: To review a resolution authorizing the Superintendent to sign the agreement which donates property to the District.

EXPLANATION:

Private donors have expressed the desire to donate property at 755 High Street, Adrian, MI, to the District. The District has worked for its legal counsel, Thrun Law, to draft the Donor Agreement and Resolution.

RECOMMENDATION:

The Business Manager recommends that the Adrian Board of Education review the attached resolution authorizing the Superintendent to enter into an agreement and approve it at the next board meeting.

Adrian Public Schools, Lenawee County, Michigan (the "District").

A _____ meeting of the Board of Education of the District (the "Board") was held in the _____ on the ____ day of _____, 2023, at _____ o'clock ____ .m.

The meeting was called to order at by President _____

Present: Members

Absent: Members

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

WHEREAS, Pradeep K. Mouli and Samdeep K. Mouli (the "Donors") have proposed to donate to the District real property located at 755 High Street within the City of Adrian, Lenawee County, Michigan (the "Property"); and

WHEREAS, Section 5 of Public Act 38 of 2017 authorizes a board of education to receive, own, and enjoy a gift of real or personal property made by a grant, devise, bequest, or any other manner that is made for school purposes; and

WHEREAS, the terms and conditions of the donation are contained in the Real Estate Donation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit "1" (the "Donation Agreement"); and

WHEREAS, the Board has reviewed this matter and has determined that it would be in the best interest of the District to accept the donation of the Property from the Donors; and

WHEREAS, the Board desires to authorize and direct Nate Parker, the Superintendent of Schools of the District, or his designee, to execute the Donation Agreement and any other documents necessary to accept the donated Property, and to take any other action not inconsistent with this resolution, all of which shall be subject to review and approval by the District's legal counsel.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board has reviewed this matter and has determined that it would be in the best interest of the District to accept the donation of the Property from the Donor.

2. The Board authorizes and directs Nate Parker, the Superintendent of Schools of the District, or his designee, to execute the Donation Agreement and any other documents necessary to accept the donated Property, and to take any other action not inconsistent with this resolution, all of which shall be subject to review and approval by the District's legal counsel.

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

Ayes: Members

Nays: Members

Resolution declared adopted.

Secretary, Board of Education

The undersigned, duly qualified and acting Secretary of the Board of Education of Adrian Public Schools, Lenawee County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board of Education at a regular meeting held on _____, 2023, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, PA 1976, as amended).

Secretary, Board of Education

GWV/ssw

Exhibit “1”

(See: Real Estate Donation Agreement, attached)

REAL ESTATE DONATION AGREEMENT

This Real Estate Donation Agreement (the "Agreement") is entered into this ____ day of _____, 2024, by and between Pradeep K. Mouli and Samdeep K. Mouli, tenants in common, whose address is 425 Meadowood Drive, Adrian, Michigan 49221 ("Donors") and Adrian Public Schools, a Michigan general powers school district, organized and operating under the provisions of the Revised School Code, MCL 380.1, *et seq.*, as amended, whose address is 785 Riverside Avenue, Suite 1, Adrian, Michigan 49221-1467 ("District"), for the donation of real property from the Donors to the District in accordance with the terms set forth herein.

1. Property. Donors are the owners of real property within the geographical boundaries of the District, commonly known as 755 High Street within the City of Adrian, Lenawee County, Michigan and legally described as follows:

LOT 16 & 17 SUB 1 RIVERSIDE HILLS ALSO S 1/2 OF VACATED ST
ADJACENT ON NORTH RIVERSIDE HILLS SPLIT ON 01/13/2006 FROM
XA0-715-0016-00, XA0-715-0017-00;

Tax Parcel No. XA0-715-0017-01 ("Property").

2. Property Donation. Donors hereby offer to donate the Property to the District upon the terms set forth herein, and the District will accept and receive the donated Property upon satisfaction of the Agreement's requirements and conditions. The Property includes all easements and other interests and rights of Donors which are appurtenant to the Property, if any, including, but not limited to, all right, title, and interest of the Donors in and to any land lying in street, road or avenue in front of, within or adjacent to, or adjoining such land.

3. Donation Amount. At closing, Donors shall transfer the Property to the District for no monetary consideration. Donors will be solely responsible for substantiating the Property's value ("Value") for tax purposes and acknowledges that the District has provided no advice and has no opinion as to the Property's Value. At closing and upon Donors' request, the District will sign an IRS Form 8283 showing the Property's Value.

4. Closing. The closing of the donation shall take place at the office of the title company that provides the title commitment pursuant to Paragraph 5, herein, within 10 days following the date that all documents are prepared and approved and all contingencies contained in this Agreement are satisfied or waived. Possession and occupancy of the Property shall be given to the District at closing.

5. Evidence of Title. The District may, at its expense and with Donors' reasonable cooperation, obtain a commitment for an owner's policy of title insurance in the amount of the Property's Value. At least ten (10) days prior to closing, the District shall notify Donors of any restrictions, reservations, limitations, easements, liens and other conditions of record ("Title Defects"), disclosed in the commitment which may interfere with the District's proposed use of the Property and may therefore be objectionable to the District. Should the District notify Donors

of any such Title Defects, Donors shall have until the closing date to cure or remove the Title Defects. If the Title Defects are not cured by the date set for closing, the District may, at the District's option, terminate this Agreement, or alternatively set a date with Donors to extend the closing date to a mutually agreed upon closing date so as to provide Donors with an additional opportunity to cure the Title Defects. In the event Donors determine not to cure such Title Defects, or such Title Defects are not cured by the date set for closing or any extension of the closing date, and the District elects not to waive its title objections, the District may terminate this Agreement upon written notice to Donors on or before the closing date (as it may be extended).

6. **Deed.** At closing, Donors shall convey the Property to the District by warranty deed in a form substantially similar to that attached hereto as Attachment "A."

7. **Property Divisions.** The parties agree that the District shall have the right to make all permitted divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended. The deed that is required pursuant to Paragraph 6, above, shall state that Donors grant to the District the right to make all divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

8. **Taxes and Assessments.** All property taxes which have been billed for the Property and assessments levied on the Property in the years prior to closing, shall be paid by Donors at or prior to closing, without proration. Property taxes which are billed and assessments which are levied in the year of closing shall be prorated so that Donors shall be charged with taxes and assessment from the first of the year to the closing date and the District shall be charged with any taxes for the balance of the year. The District shall be charged with taxes and approved assessments in the years following the year of closing. Following execution of this Agreement, Donors shall not take any action that will result in the levy of a special assessment or other charge or fee against the Property.

9. **Inspections, Surveys, Wetlands Evaluations, Soil Tests, etc.** The District or its agents, representatives and/or independent contractors shall have the right and license to enter upon the Property upon reasonable advance notice to Donors, for the purposes of making any and all surveys, appraisals, explorations, soil tests, inspections, wetlands and flood plain evaluations, water and perk tests, environmental audits, and similar inspections, all of which shall be completed within sixty (60) days following the signing of this Agreement. The District shall then have until ten (10) days prior to the scheduled date of closing to determine whether it is satisfied with the condition of the Property. The District shall advise Donors in writing within the recited period if it is not satisfied with the condition of the Property ("Property Defects"). In the event that the District is not satisfied with the condition of the Property and so notifies the Donors as set forth in this Agreement, the Agreement shall terminate, and neither party shall have any further liability or responsibility under the Agreement.

10. **Survey.** If, in accordance with Paragraph 9, above, the District obtains a boundary survey of the Property prepared and certified by a registered land surveyor, the legal description contained in any such survey shall become the legal description for the Property's conveyance, including the title insurance policy and warranty deed, subject to the approval of Donors and the District, which shall not be unreasonably withheld.

11. **Execution of Other Necessary Documents.** At closing, Donors and the District agree to sign any and all documents necessary or required to complete the transaction contemplated under this Agreement, as may be reasonably requested by the other party.

12. **Costs of Closing.** The District shall pay for (i) the title search and/or title insurance, (ii) any survey of the Property, (iii) transfer taxes, (iv) legal fees incurred by the District, (v) any closing fees, and (vi) recording fees. The Donors will pay for legal fees incurred by Donors.

13. **Notices.** Notices or consents of any kind required or permitted under this Agreement shall be in writing and shall be deemed duly delivered if delivered by person or if mailed by certified mail, return receipt requested, postage prepaid to the appropriate party as follows:

(a) If to Donors:

Pradeep K. Mouli and Samdeep K. Mouli
425 Meadowbrook Drive
Adrian, Michigan 4922-1319

(b) If to the District:

Adrian Public Schools
Attn: Nate Parker, Superintendent of Schools
785 Riverside Avenue, Suite 1
Adrian, Michigan 49221-1467

With copies to:

Adrian Public Schools
Attn: Daniel Pena, Business Manager
785 Riverside Avenue, Suite 1
Adrian, Michigan 49221-1467

Gordon W. VanWieren, Jr., Esq.
Philip G. Clark, Esq.
Thrun Law Firm, P.C.
P.O. Box 2575
East Lansing, Michigan 48826-2575

14. **Assignment.** This Agreement shall be binding and inure to the benefit of the successors and assigns of the respective parties.

15. **Merger Clause.** This Agreement contains the entire understanding between the parties and neither party has relied upon any verbal or written representations or understandings not set forth in this Agreement.

16. **Governing Law.** This Agreement shall be governed, construed and enforced in accordance with the laws of the State of Michigan, and venue for any disputes shall lie in Clare County, Michigan.

17. **Amendments.** This Agreement may be amended or modified only by a document in writing signed by each of the parties named above.

18. **Effective Date.** This Agreement shall be effective as of the date upon which the last of the parties listed below has signed this Agreement.

19. **Execution in Counterparts.** The parties acknowledge that this Agreement may be signed in counterparts by the parties and will be effective upon receipt by the other party of the counterpart by personal delivery or facsimile transmission. If transmitted by facsimile, the party agrees to forthwith sign and return an original, executed copy of the Agreement to the other party.

PRADEEP K. MOULI AND SAMDEEP K. MOULI, tenants in common **ADRIAN PUBLIC SCHOOLS, a Michigan general powers school district**

By: _____

Pradeep K. Mouli

Dated: _____

By: _____

Nate Parker

Its: Superintendent of Schools

By: _____

Samdeep K. Mouli

Dated: _____

Dated: _____

Attachment “A”

WARRANTY DEED

Pradeep K. Mouli and Samdeep K. Mouli, tenants in common, whose address is 425 Meadowood Drive, Adrian, Michigan 49221-1319 (“Grantors”) convey and warrant to Adrian Public Schools, a Michigan general powers school district, organized and operating under the provisions of the Revised School Code, MCL 380.1, *et seq.*, as amended, whose address is 785 Riverside Avenue, Suite 1, Adrian, Michigan 49221-1467 (“Grantee”), real property commonly known as 755 High Street, within the City of Adrian, Lenawee County, Michigan, and legally described as follows:

LOT 16 & 17 SUB 1 RIVERSIDE HILLS ALSO S 1/2 OF VACATED ST
ADJACENT ON NORTH RIVERSIDE HILLS SPLIT ON 01/13/2006 FROM
XA0-715-0016-00, XA0-715-0017-00;

Tax Parcel No. XA0-715-0017-01 (“Property”).

for the consideration of One Dollar (\$1.00).

This conveyance is subject to all building and use restrictions of record.

The Grantors grant to the Grantee the right to make all permitted divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL § 286.471, *et seq.*, as amended.

[Signatures appear on the following page.]

GRANTORS:

PRADEEP K. MOULI AND SAMDEEP K. MOULI, tenants in common

Dated: _____, 2024

By: _____
Pradeep K. Mouli

Dated: _____, 2024

By: _____
Samdeep K. Mouli

Acknowledged before me in Clare County, Michigan, on this ____ day of _____, 2024, by Pradeep K. Mouli and Samdeep K. Mouli, tenants in common.

Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in _____ County, Michigan

When Recorded Return To:	Send Subsequent Tax Bills To:	Prepared By (Without Opinion):
Grantee	Grantee	Gordon W. VanWieren, Esq. Thrun Law Firm, P.C. P.O. Box 2575 East Lansing, MI 48826-2575