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1001 - Introduction and Information

The Board shall establish programs and procedures, which shall best produce the educational achievement needed by District students, and do so within the financial limitations of the District. The Board will function as a legislative body in formulating and adopting policy, by selecting an executive officer to implement policy and by evaluating the results. Further, the Board shall carry out its functions openly, unless authorized to the contrary by law, while seeking the involvement and contributions of the public, students, and staff in its decision-making processes.

In accordance with these principles, the Board, through its operations, shall seek to achieve the following goals:

1. To function in a non-partisan, broadly representative manner and to emphasize that every Board member should represent the entire District open-mindedly,

2. To concentrate the Board’s collective effort on its policy making and planning responsibilities, and to formulate Board policies that best serve the educational interests of each student,

3. To provide the Superintendent with sufficient and adequate guidelines for implementing Board policies,

4. To maintain effective communication with the school community, the staff, and students, and

5. To conduct Board business openly, soliciting and encouraging broad-based involvement in the Board’s decision-making processes by public, students, and staff.
Nominating Petition/Filing Fee

The School District Election Coordinator\(^1\) shall receive nominating petitions from persons running for the Board or, in the alternative, personally receive a nonrefundable statutory $100 filing fee paid by the candidate.

Special Elections

The Board may schedule special elections at such time, under law, as it shall designate and for such purposes as determined by the Board.

Advice of Legal Counsel

The Board shall seek the advice of legal counsel concerning the proper procedure for scheduling special school elections.

Approved: April 17, 2017

LEGAL REF: MCL 168.301-303; 168.641

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\(^1\) The “School District Election Coordinator” is the County, City, or Township Clerk.
1005 - District Authority

The Board recognizes that many of the subject topics found in this policy manual may be subject to negotiations under the Michigan Public Employment Relations Act. It is not the intent of the Board to, in any way, circumvent the negotiations process; but rather to establish direction and general and long-range operational procedures for the care and custody, establishment, maintenance, management and carrying on of the public schools and property of the District as authorized under current law.

Whenever the word “Superintendent” or “Principal” appears in these policies and rules, the words “or designated representative” shall be assumed to follow. The delegation of authority of administrative actions does not relieve the Superintendent of the responsibility of the actions of such designated representatives.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1010 - District Legal Status

The legal basis for the Battle Creek Public Schools is vested in the will of the people as expressed in the Michigan Constitution, the statutes pertaining to education, various court interpretations, and the powers implied by the above.

The official name of the school District shall be the Battle Creek Public Schools, Calhoun County, Michigan, and the District shall operate as a general powers school District.

Approved: April 17, 2017
LEGAL REF: Michigan Constitution, MCL 380.11a
1020 - Bylaws

The exercise by the Board of its powers granted by statute, the conduct of its affairs, and the rights and powers of its members, Directors, and officers shall be governed by these bylaws, in accord with the laws of the State of Michigan and the regulations of the Michigan Department of Education.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a (6)
1030 - Membership

The Board is composed of 7 members serving 6-year terms, and elected at an election held in accordance with MCL 168.1 et seq, or appointed by the Board to fill a vacancy.

Term of Office

A term of office begins as provided in Section 302 of the Michigan Election Law, MCL 168.302, and continues until a successor is elected and qualified.

Approved: April 17, 2017
LEGAL REF: MCL 168.302; 168.641; 380.11a
1032 - Powers and Duties

The Board shall act as a legislative body and shall appraise the work and programs of the District.

The Board shall observe and enforce the rules and regulations of the Michigan Department of Education affecting the operation and maintenance of a general powers school District.

Functions of the Board

The Board considers its most important legal functions fall into the following categories:

1. **Legislative or Policy Making** - The Board is responsible for the development of bylaws and policy, and for the employment of a Superintendent who shall carry out the Board’s policies through the development and implementation of regulations.

2. **Educational Planning and Appraisal** - The Board is responsible for acquiring and requiring reliable information from responsible sources which shall enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisals of the results of the educational program.

3. **Staffing and Appraisal** - The Board is responsible for employing a Superintendent of schools and the staff necessary for carrying out the instructional program, for establishing salaries and salary schedules and other terms and conditions of employment, and for establishing personnel policies District-wide in application. The Board is responsible for appraising the effectiveness of its staff by providing for their regular evaluation.
4. **Financial Resources** - The Board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials and equipment, which will enable the District to carry out the educational program. The Board is responsible for exercising control over the finances of the District to assure proper use of and accounting for all District funds.

5. **School Facilities** - The Board is responsible for determining school-housing needs, for communicating these needs to the community, for purchasing and disposing of properties, and for approving building plans that will support and enhance the educational program.

6. **Communication with Public** - The Board is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself informed about the wishes of the public.

7. **Judicial** - The Board is responsible for considering complaints from school staff members, students and the public on issues pertaining to Board policies.

The Board may exercise the above powers and duties only when convened in a legally constituted meeting.

Approved: April 17, 2017

LEGAL REF: Michigan Constitution, Article VIII; MCL 380.10, 380.11 *et seq.*
1040 - District Goals and Objectives

The Board shall annually establish and review a set of long-range goals and objectives to guide the operations of the District. All personnel in the District shall direct their efforts toward achieving the Board’s goals and objectives in order to ensure that students are able to function effectively in their environment, employment, and continuing educational efforts.

The Board shall participate in long-range planning through an annual meeting with the Superintendent and senior administrative staff to review progress on the implementation of priorities, initiatives, and long-range plans, to determine which goals have been achieved, whether any new efforts are needed, and to review major issues that may affect the future of the District. The Board also shall consider and act upon objectives and major activities proposed by the Superintendent to achieve long-range goals.

The Superintendent shall develop necessary procedures, forms, or other measures to implement the goals of this policy using simple, logical, and collegial processes.

The Superintendent shall provide opportunities for interested persons to become knowledgeable about the District’s long-range planning process, and to review and to make recommendations concerning specific District long-range plans.

The Superintendent shall give the Board periodic reports each year on the progress and success of various plans, and shall ensure that similar progress reports are available to the news media and to District residents.

Approved: April 17, 2017
1150 - Board Officers

The officers of the Board shall be President, Vice-President, Secretary, and Treasurer, and such Assistant Secretaries and Assistant Treasurers as the Board determines. The President, Vice-President, and Secretary shall be members of the Board. The Treasurer need not be a member of the Board. Assistant Secretaries or Assistant Treasurers need not be Board members.

President - Duties

The President shall:

• Preside at all meetings of the Board,

• Countersign orders legally drawn by the Secretary upon the Treasurer for money to be disbursed on behalf of the District,

• Cause an action to be prosecuted in the name of the District on the Treasurer’s bond in the case of a breach of a condition of the bond,

• Perform other duties appropriate to the duties of the office of President in the management of the District.

Vice-President - Duties

• Preside at Board meetings when the President is unable to attend,

• Perform other duties appropriate to the duties of the office of Vice-President,

• Succeed to the office of President when a vacancy in that office occurs.

Secretary - Duties

(At the option of the Board, selected duties may be assigned to District staff.)

• Act as clerk at meetings of the Board,

• Record and sign the minutes of meetings, orders, resolutions, and other proceedings of the Board in proper record books,
• Prepare reports as required by the state Board,

• In cooperation with the Superintendent, prepare information regarding professional development opportunities for Board members,

• Draw and sign orders upon the District Treasurer for money to be disbursed by the District. Each order shall be properly numbered and dated, shall specify the sources of the funds called for, the purpose for which, and the fund upon which the order is drawn,

• Serve on the School District Election Coordinating Committee (this duty may be delegated to the Superintendent), and

• Perform other duties required by law and by the Board.

**Treasurer – Duties**

(At the option of the Board, selected duties may be assigned to District staff.)

• Have care and custody of all moneys of the District,

• Keep proper books of account,

• Keep an account of interest received from invested school funds, and credit interest received to the appropriate fund accounts,

• Pay out funds for the purposes specified by law, or, in the case of gifts or donations for the purposes for which the money is given or donated, to the extent allowed by law, on proper orders signed by the Secretary and countersigned by the Board President,

• Perform other duties the Board may prescribe in its bylaws relating to the administration of District funds,
- Deposit funds of the District with a bank or banking corporation or trust company designated by the Board in the proportion and manner directed by the Board,
- Pay orders of the Secretary when lawfully drawn and countersigned by the President out of the money belonging to the fund upon which the orders are drawn,
- Cause a record book to be kept in which money received and disbursed shall be entered, the sources from which money is received, and the person to whom and the objects for which money is paid,
- Present the Board at the close of the school year a written report containing a statement of money received during the year and of each disbursement made, and
- Perform other duties required by law or by the Board

Duties of Trustees

- Have care and custody of all school property,
- Oversee the implementation of Board Policies, and
- Serve on ad-hoc, advisory, or standing committees as determined by the Board.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a; 168.4; 380.1201
Election of Officers and Length of Term

1152 - Election of Officers and Length of Term

Election of Board officers shall occur at the annual organizational meeting of the Board held in January following the Board election held in accordance with Michigan law.

The length of term for the Board officer positions shall be two years from the Board’s organizational meeting to the following Board organizational meeting.

In the event the Board President is unable to chair the Board’s organizational meeting, the Vice-President shall sit in place of the President until a new President is elected.

In the event a ranking Board officer is unable to chair the Board’s organizational meeting, the Board shall elect a chairperson pro tem to chair the organizational meeting until a President is elected.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a; 168.641
1155 - Removal of a Board Officer from Office

The Board may remove a member from a Board officer position from the position by majority vote, and shall elect another Board member to the office.

In the event of a motion to remove the President of the Board from office, the President shall be asked, first, by the person making the motion to step aside and allow the Vice-President or other officer to chair the meeting temporarily. If so asked, the President must temporarily vacate the chair or may elect to resign the Presidency voluntarily prior to the motion, discussion, and vote.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1160 - New Member Orientation

Newly elected members of the Board shall be invited to attend all meetings of the Board prior to the time they officially take office. Newly elected and newly appointed Board members shall be encouraged to attend workshops for new Board members sponsored by the Michigan Association of School Boards.

Present members of the Board and the Superintendent shall conduct an appropriate orientation program designed to acquaint new Board members with the District, Board policy, duties, responsibilities, and other activities.

Newly elected Board members shall receive copies of all agenda, reports, and other communications normally received by regular Board members except information or material of a confidential nature.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
The Board recognizes the need for continuing in-service training and education and encourages the participation of all members at these specific categories of activities as a part of their official duties: conferences, workshops, in-service programs, and conventions, at the local, regional, state, and national levels. Board members shall be reimbursed at a rate consistent with that of District administrators.

In situations where a Board member holds a state or national office in a School Board Association, or has been asked or appointed to serve a School Board Association at the state or national level, the Board shall budget for the additional expenses as agreed to prior to the beginning of each fiscal year.

The Superintendent and Board Secretary shall prepare a calendar of annual conferences, workshops, in-service programs, and conventions which Board members may wish to attend. The Superintendent and Board Secretary shall update the calendar with additional in-service programs for Board members, as the programs become known. The Board shall periodically review the calendar and designate those activities for Board member participation along with limitations as to the number of persons attending specific events.

The Board President in consultation with the Superintendent is responsible for authorizing requests for attendance of Board members at approved meetings if the requests come within budgeted appropriations and limitations.

The Superintendent shall consult with the Board President in situations where funds may not be available for a specific activity or when a determination is necessary as to who shall attend a given activity when more requests are received than can be honored. The President and
Superintendent may bring recommendations to the Board on such matters for final determination.

Funds for participation at all activities shall be budgeted for on an annual basis.

**Board Certification**

The Board expects that each Board member will earn the Certified Board Member Award (CBA) through the Michigan Association of School Boards Board Member Award Program during the first two years in office.

Expense reimbursement shall be in accord with policy bylaws and procedures on Board reimbursement.

Approved:

LEGAL REF: MCL 380.11a; 380.1254; 388.1764b
1168 - Reimbursement for Expenses Issued on Behalf of the District

Board members shall be reimbursed at a rate consistent with that of District administrators.

To receive reimbursement for an expense listed in this policy, an expense voucher, together with supporting receipts or other evidence of actual expenses, shall be submitted to the District business office for processing. Payment will be made after the Board approves the reimbursement.

Expenses for spouses, family members, or others accompanying Board members as companions, are not reimbursable unless such persons would otherwise be entitled to reimbursement as conference attendees and employees of the District.

There shall be no reimbursement for the purchase of any alcohol, tobacco, or personal products or services.

Approved: April 17, 2017
1170 - Board Position Vacancies

Board member vacancies shall be filled within 30 days from the effective date of a resignation or other event (except a vacancy occurring by recall election), which causes a vacancy to exist. The vacancy shall be filled with a legally qualified person who is appointed by a majority vote of the remaining members of the Board at a regular or special meeting of the Board.

Persons appointed to fill a vacancy shall file acceptance of the office, with the School District Election Coordinator, and shall take the oath of office prescribed by law. An appointee services until a successor is elected and qualified.

Resignations are effective without acceptance or approval by the Board.

Process

When a vacancy on the Board occurs, the Board, in filling the vacancy, shall use the following procedures:

(a) The Board President, through public announcements in the news media, shall make known the vacancy has occurred and those persons interested in being considered for appointment should notify the Secretary of the Board by the deadline established by the Board,

(b) The Board shall establish the criteria used in making the appointment,

(c) The full Board, or a committee appointed by the Board, shall review and screen applications to determine which candidates should be further considered for appointment. The full Board will do candidate screening in public session unless the candidate requests confidentiality, as provided in state law,

2 The “School District Election Coordinator” is the County, City, or Township Clerk.
(d) Those candidates screened for further consideration shall be interviewed by the Board in public session, and

(e) The Board, by roll call vote of a majority of those elected, appointed, and serving, shall determine which candidate shall be appointed to fill the vacancy.

Approved: April 17, 2017

1175 - Vacancies in Office

In the event of a vacancy in the office of President, the Vice-President shall become President.

In the event of a vacancy in any other Board office, the Board shall fill the vacancy consistent with bylaw at the next regular Board meeting.

Approved: April 17, 2017
LEGAL REF – MCL 380.11a
1180 - Board Advisory Committees

The Board may establish such standing, ad hoc, and advisory committees, as it deems necessary. The type and function of each committee shall be dictated by the needs of the District for the special services of such committee. The President shall appoint all members of all advisory committees. Each committee shall organize itself with assistance from the Superintendent but shall not have the authority to make decisions for the Board without the express authorization to do so by Board resolution. The Superintendent shall provide appropriate District material to each committee. Board Committees must comply with the relevant portions of the Open Meetings Act.

A line of communication shall exist between each committee, the Superintendent, and the Board.

Each committee shall report to the Superintendent and/or the Board as the Board may require by regulation or by procedure.

The Board may dissolve any committee at any time.

Advisory Committees

Advisory committees established by the Board shall:

• Generally have three members of the Board appointed to the committee,
• Have a task specifically defined by the Board,
• Have designated time-lines for reporting to the Board,
• Have no power or authority to act on behalf of the Board unless specifically authorized by the Board,
• Hold hearings only upon approval of the Board, and
• Limit activities and considerations to policy matters and recommendations.
All reports submitted to the Board shall contain:

- The date,
- Committee name,
- Members present at committee meetings, and
- Results or recommendations.

In appointing members of advisory committees, the President shall consider the recommendation of the Superintendent and other members of the administrative staff, as well as the recommendations of individual Board members.

As soon as an advisory committee has been appointed, the chair of the committee shall call a meeting of the committee for organizing. At said meeting, the chair shall inform the committee of the area of its jurisdiction and the matters the Board wishes the committee to consider in making its recommendations to the Board.

The committee shall meet as frequently as it deems necessary to accomplish the mission assigned to it by the Board. It shall be the responsibility of the chair to report to the Board on the progress and activities of the committee.

At the request of the committee or on the initiative of the Superintendent, the Superintendent shall assign such school personnel to assist the committee in its study as the situation warrants. The Superintendent shall exercise his/her discretion in providing such personnel.

At the request of the committee or at the discretion of the Superintendent, the Superintendent shall make available to the committee, to the extent permitted by law, such material relevant to its purpose as the situation warrants and as may be available at reasonable times and at a reasonable cost.
At the request of the committee or upon the initiative of the Board, limited financial assistance may be given to the committee. The Board may request committees to submit budget requests to the Board for approval.

As directed by the Board or upon the initiative of the committee, the committee shall make reports to the Board. The Board shall be furnished with the minutes of each meeting of the committee within ten days following each such meeting. All minutes of said committee will be filed with the Secretary of the Board. Each committee shall submit a report of its activities and accomplishments to the Board at least once every three months.

Whenever, in the opinion of the Board, there is no longer any need for an advisory committee created by the Board, the Board shall dissolve such committee by appropriate Board action. Each member of the committee shall be notified of the Board’s action. No committee shall exist longer than one year unless re-appointed by the Board.

**Meeting Structure**

After appropriate posting, the following is a recommended order of business that should be followed by each Board appointed or authorized committee:

1. Call to order,
2. Call the roll (sometimes omitted),
3. Present the minutes of the previous meeting (most often sent in advance),
4. State the purpose for holding the meeting,
5. State briefly the program for the meeting,
6. Discuss and resolve agenda items as they appear,
7. Consider new business,
8. Public comment, if required by the Open Meetings Act; and
9. Adjourn the meeting.

Approved: April 17, 2017
1185 - Board-Superintendent Relations

The Board, in all phases of District operations, will endeavor to work through the Superintendent, who shall direct District employees concerning such operations unless mutually agreed upon between the Board and the Superintendent. The Board shall extend to the Superintendent responsibility for implementing Board policy and decisions. The Superintendent is accountable to the Board as to the interpretation and implementation of policies set forth by the Board, and subsequently enacted by the Superintendent and District staff. The Superintendent is obligated to attend to the Board’s directives regarding the District’s operations.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1190 - Professional Services

The Board may select and appoint qualified individuals or firms to provide professional services for the District such as legal, insurance, architectural, and auditing/accounting.

The following criteria shall be considered by the Board in its selection and appointment: certification and/or licenses, and training and experience, including that of partners and associates.

The Superintendent shall be responsible for gathering appropriate background information and other information as requested by the Board prior to any interviews or decisions by the Board.

Approved:        April 17, 2017
1190 - Attorney

The Board shall retain a qualified attorney and/or legal firm to handle all legal matters referred by the Board and to receive such compensation as the Board may provide. The duties of the attorney or legal firm shall be as follows:

1. Upon request of the Board President or Superintendent, attend the meetings of the Board and act as counselor,
2. Render a written opinion on a legal question when requested by the Board,
3. Prepare or supervise the preparation of all legal papers and documents executed by the Board officers; or approve such papers and documents before execution thereof by the officers,
4. Provide such opinions or other legal information to the Superintendent, which may be necessary for the immediate or long-range conduct of the District,
5. Represent the District as specifically designated by the Board in litigation to which the District may be a party or in which it is interested,
6. Represent, upon request, the Board in the purchase or sale of any real estate,
7. Attend to and act on any matters the Board refers to him/her for supervision, adjustment, and/or disposal,
8. Assist and advise the Board in preparing all questions on the ballot for regular or special elections,
9. Periodically provide progress reports to the Board on legal matters referred, and
10. Perform such other services as requested by the Board.
11. Compensation for duties and services shall be agreed to by the attorney and the Board in the retention agreement that shall set forth the annual retainer and supplemental charges.

Only the Board President or Superintendent, or their designees, are authorized to contact the attorney on legal matters concerning the District.

The Board’s legal counsel shall not provide personal legal assistance to individual Board members, the Superintendent, or members of the staff unless specifically authorized by the Board.

In any dispute or potential divergence of interests between the Board and Superintendent, the Superintendent shall not utilize the District’s counsel to represent his/her interest.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1220 - Consultants

The employment of consultants to directly advise the Board (such as, but not limited to, consultants for policy development or Superintendent Search) shall require approval of the Board. Before making any commitment, the Board may require the submission of a written proposal, which can be incorporated into a written contract. The proposal shall detail:

1. The specific objectives to be accomplished by the consultant,
2. The specific tasks to be performed,
3. The procedures to be used in carrying out the tasks,
4. The target dates for completion of the task,
5. The method used to report results to the Board and/or delivery of the “product” to the Board, and
6. The consultant’s compensation, if any.

Neither the Superintendent nor any member of the staff is authorized to engage a consultant to advise the Board directly, for pay, without the prior consent of the Board.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1260 - Board Recognitions

The Board supports the concept of a recognition program for staff, students, community members, Board members, and others who have demonstrated extraordinary service, achievements and accomplishments on behalf of the District. Any costs for such a program shall be paid in accordance with law.³

Approved: April 17, 2017
LEGAL REF: MCL 380.11a

³ Should the Superintendent or Board President have a question as to what may, or may not, be a “legitimate” expenditure for “recognitions,” it is urged that they contact MASB Legal Counsel or the District’s retained counsel to discuss the issue of what costs are permissible “in accordance with law.”
1300 - Meetings

Organizational

The Board will hold its organizational meeting in July.

Regular

The Board holds at least one regular meeting each month. The regular meeting is held on the third Monday of each month at 7:00 p.m. at the Willard Administration Building, 3rd floor, Board Room, 3 West Van Buren St., Battle Creek, Michigan unless otherwise announced and posted by the Board in accordance with law. The District will post a notice of the regular meeting schedule at the entrance to the principal office of the Board and/or the principal office of the District within ten days after the organizational meeting.

The schedule of regular meetings or the regular meeting date may be changed by the Board as provided in current law.

Special Meetings

Special meetings of the Board may be called by the President of the Board or by two Board members by providing the other Board members a written notice of the date, time, and place of the special meeting. All special meetings must meet the Open Meetings Act’s posting requirements.

The notice may be served by delivering the notice to the Board member personally, or by leaving the notice at each member’s residence with a person of the household at least 24 hours before the meeting is to take place. The District will also serve the notice by mail addressed to the member, at the member’s address on file in the District office, at least 72 hours before the meeting is to take place. Either a Board member or an employee of the District may serve the notice.
Emergency Meetings

The Board may meet in emergency session in the event of severe and imminent threat to the health, safety or welfare of the public, when two-thirds of the members elected to, appointed, and serving on the Board decide that delay would be detrimental to the efforts to lessen or respond to the threat. All emergency meetings must meet the Open Meetings Act’s posting and notice requirements.

Information/Work/Study Sessions

Information/work or study sessions of the Board shall be held as called by the President. Such sessions shall be open to the public and properly posted as Board meetings. No action by the Board shall be taken at such meetings.

Adjourned Meetings

Meetings may be adjourned and reconvened as provided by law.

Approved: April 17, 2017
LEGAL REF: MCL 15.261-275; 168.642; 380.1201, 380.1202
1310 - Closed Sessions

The Board may meet in closed session as provided for under current law. The minutes of any closed session shall be kept separate from the minutes of the regular or special meeting and shall not be a matter of public record except as provided under current law.

Any Board action taken because of a closed session shall be taken in a public meeting and recorded as such.

Approved: April 17, 2017
LEGAL REF: MCL 15.268

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4 A public body may meet in closed session only for the following purposes: (a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing, (b) To consider the dismissal, suspension, or disciplining of a student if the public body is a part of the school District, intermediate school District, or institution of higher education that the student is attending, and if the student’s parent(s)/guardian(s) request a closed hearing, (c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either party requests a closed hearing, (d) To consider the purchase or lease of real property, (e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, (f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential, (g) Partisan caucuses of members of the state legislature, (h) To consider material exempt from discussion or disclosure by state or federal statute, (i) For a compliance conference conducted by the department of commerce under section 16231 of the public health code, (j) In the process of searching for and selecting a President of an institution of higher education, et seq.
1320 - Agenda

The Superintendent shall distribute to each Board member prior to each meeting appropriate material and written matter concerning items on the agenda, which then shall be referred to as the annotated agenda.

The Board agenda shall be compiled by the President, in cooperation with the Superintendent. It shall include a period of time when the public may speak to the Board. Other Board members may request items to be placed on the agenda except at special meetings of the Board.

A request by the public to place an item on the Board agenda must be made to the Superintendent or President at least seven days in advance of the meeting at which it is desired to have the item discussed. The request should include a brief statement of the matter to be brought before the Board along with any background information available that may be provided to the Board in advance of the meeting.

The Superintendent in consultation with the President shall determine whether the matter is an appropriate agenda item for that meeting or a future meeting. The Superintendent shall notify the person making the request whether or not the item will be placed on the agenda. If the item is placed on the agenda, the person making the request shall be allowed a reasonable amount of time to present or discuss the issue.

Items not placed on the agenda upon the request of a member or the public may be added to the agenda by a majority vote of the members elected to, appointed, and serving on the Board if the item is an action item. Generally, it shall be the Board’s policy to add items for action only in critical or urgent situations. The Board has full discretion to determine whether such request
may be added to any agenda. Discussion items may be added by a majority vote of those members elected to, appointed, and serving on the Board.

The annotated agenda shall be sent to all Board members at least three calendar days prior to any regular Board meeting.

The annotated agenda may include the following information; however, other items and reports may be added as the need arises: the agenda format, including items to be discussed and Board procedure, monthly reports to the Board, financial reports, important correspondence, bids specifications, attendance center reports, requests for hearing, and other such information.

Consent Agenda

Typical of any large organization, the Battle Creek Public School Board of Education faces numerous routine tasks at each meeting. The Consent Agenda portion of the agenda allows for quick resolution of matters such as approval of minutes from previous meetings, purchases, routine personnel matters and other detail work.

Use of the Consent Agenda is not intended to remove items from public review. Board members have the right to have any consent items placed in the New Business section of the Agenda if they feel public discussion is necessary.

The consent agenda makes for a more efficient and effective meeting, permitting Board members to focus more time and attention on matters not already covered by specific policies and procedures.

Approval of the consent agenda shall be by vote according to the Board bylaws on motions and votes.

Approved:       April 17, 2017
LEGAL REF:      MCL 380.11a
The Board shall be governed by rules of procedure as adopted by the Board in all cases in which such rules are consistent with statute, administrative code and these bylaws. In NO event shall the Board adopt Robert’s Rules of Order. The presiding officer at his/her discretion may use, however, Robert’s Rules of Order as a “guideline” in the conduct of meetings. The purpose of this parliamentary procedure is to ensure the minority has rights that cannot be changed by the majority.

The President (or Vice-President in the absence of the President) shall preside at all meetings. In the absence of both the President and Vice-President, the members present shall elect a President pro-tempore who will serve only for that meeting or for that part of the meeting in which the President and Vice-President are absent.

Any member of the Board who wishes to make a motion, second a motion or discuss pending business will first secure recognition of the Board President.

The President will present each agenda item for discussion or designate the Superintendent or other staff member who will represent the agenda item.

The Board will take all formal actions by ordinary motions unless a formal resolution is required.

The following motions will be in order:

1. To recess,
2. To take action,
3. To amend a motion made to take action, but such amending motion will be disposed of before any other motion to amend the main motion will be in order,
4. To defer action, either finally or to a specific time, date and place,
5. To go into closed session, and
6. To adjourn, either finally or to a specific time, date or place.

**Amendment/Suspension of Bylaws and Policies**

The Board, by a vote of a majority of its members, may amend the bylaws, or suspend the operation of the bylaws temporarily, but such amendment or suspension shall not relieve the Board from complying with applicable law. Policies shall be adopted, amended, or repealed only by a majority vote of the Board.

**Quorum**

A majority of the members elected to, or appointed to, and serving on the Board shall constitute a quorum unless otherwise protected by law.

Approved: April 17, 2017

1350 - Voting Method

The Board shall take action by way of motions. No motion may be acted upon until it has been duly supported or seconded by a member of the Board. The vote on all motions shall be by “yes” and “no” and will be taken by a show of hands or a roll call vote. Following each vote, the President shall announce that the motion passed or failed, and if not a unanimous vote, shall announce the number voting “yes” and the number voting “no.” Each Board member may have the privilege of explaining for the record any vote, be it affirmative or negative at the discretion of the President. In the rare event that a Board member has a right or obligation to abstain from voting, the Board member may explain the reason for the abstention at the discretion of the President.

Approved: April 17, 2017
LEGAL REF: MCL 388.1769b
1360 - Minutes

The Secretary or temporary Secretary of the Board shall be responsible for keeping the minutes, or see to that minutes of every meeting of the Board are kept consistent with the Open Meetings Act. A recording Secretary, not a member of the Board, may be appointed by the Board and shall attend all meetings and record all actions of the Board. Such minutes shall be reviewed and signed by the Secretary of the Board or acting Secretary. The minutes shall include the date, time, place, members present, members absent, all motions made at open meetings and action taken thereon, the purpose(s) for which closed sessions are called, all votes taken, a reference to reports presented, a record of those speaking at the public comment session and the topic on which they spoke, and items discussed when no action is taken.

Open meeting minutes shall not contain personally identifiable information about students who have been suspended or expelled.

Copies of proposed minutes of an open meeting shall be provided upon request to members of the public within eight business days of the meeting and copies of approved minutes within five business days of the meeting at which they were approved. Minutes shall be presented for approval at the next meeting of the Board and copies shall be sent to all Board members prior to the next meeting.

Minutes of closed meetings shall not be made public except as specified by current law.

Approved: April 17, 2017
LEGAL REF: MCL 15.269; 380.11a; 380.1201; 380.1202; OAG, 1985-1986, No 6353, p 255 (April 11, 1986)
1370 - Public Participation

At each meeting of the Board, the President or the presiding Board officer shall welcome all visitors to the Board meeting.

The Board President shall ask, at the appropriate time as specified on the agenda, those members of the public attending the Board meeting if any of them have something to bring to the attention of the Board. All those wishing to address the Board shall be subject to the following procedural regulations:

a. The public participation portion of the meeting shall be limited to one-half hour normally. An exception may be made to allow members of the public an opportunity to address the Board.

b. Anyone wishing to address the Board shall complete a comment card. Public comment time shall be limited to three minutes per person and addressing matters of public concern. Those addressing the Board will be asked to give their names, addresses, and state whether they are speaking as an individual or for an organization.

c. Each person shall be allowed to speak for up to three minutes, except where the number of speakers exceeds the time limit. In those instances, either the Board President may reduce the three-minute limit for each speaker or the President will waive the one-half hour time limit and establish a longer period.

d. If the person is representing an organization or group, the person should indicate whether the comments or presentation represents the official view of the organization or group or are his/her own comments.
e. Any written statements should be given to the Board Secretary so that copies may be made available to all Board members. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents, except those written statements and documents received during closed session.

f. Individuals addressing the Board should take into consideration the rules of common courtesy. The public participation portion of the meeting should not be used to make personal attacks against a Board member, District employee, or student that are not matters of public concern. If the comments constitute a complaint against a Board member or employee, the Board member or employee may request a closed session of the Board.

g. Board members may question speakers but are not obligated to answer questions or make statements or commitments in response to issues raised by the public. In general, such issues will be referred to the Superintendent for investigation, study, and recommendation or designated as future agenda items for Board consideration.

h. These rules shall be made available to all members of the public and every open meeting.

Handling of Complaints (Cf. 9450)

In general, problems, complaints, or concerns are best solved at the classroom or individual school level. Others may require involvement of appropriate central office staff. It is the hope of the Board that these avenues have been pursued before a concern is presented to the Board.
Board Response to an Issue

Issues require review and deliberation by the Board if good decisions are to be made. Immediate answers cannot always be rendered. The Board will listen and may ask for additional information, but is not required to answer questions or render any decisions on a concern during the meeting.

Concerns or questions will be addressed as soon as possible. However, Trustees need to review all available information regarding the matter. When a decision has been reached or the answer determined, the complainant will be notified.

Approved: April 17, 2017
LEGAL REF: MCL 15.263(1); 15.268; 380.11a; 380.1808; Lysogorski v Bridgeport Charter Twp., 662 N.W. 2d 108 (2003)
1400 - News Coverage

Broadcasting and Taping

All meetings for the conduct of the affairs of and the transaction of business by the Board, including committee and subcommittee meetings, shall be open to the public to the extent permitted by law. Broadcasting and taping of the public Board meeting shall be subject to rules adopted by the Board.

The use of cameras, photographic lights, and recording devices at any meeting of said Board shall be subject to there rules, which are designed to ensure the orderly conduct of the proceedings.

Reporting Board Meetings

The media, members of the public, and staff shall be informed of actions and decisions of the Board in the following manner:

1. The Superintendent shall prepare a staff newsletter for distribution to all staff members on the morning following the Board meeting.

2. Brief summaries of Board actions and decisions shall be published in the parent(s)/guardian(s) newsletter and shall be made available to the media after each meeting.

Cameras

The use of cameras at any open Board meeting shall be permitted only when, in the judgment of the Board, the use or proposed use of any camera will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the camera or the proposed user thereof.
**Recording Devices**

Use of recording devices at any open Board meeting shall be permitted when, in the judgment of the Board, the use or proposed use of any recording device will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the recording device or the proposed user thereof.

All recording devices together with all appurtenances and paraphernalia, including microphones, shall be visible and kept in the area designated for the public; and recording devices, microphones or other appurtenances shall be allowed on, under or in the immediate vicinity of the Board conference table only with Board permission.

No cameras or recording devices shall be allowed at closed sessions of the Board.

Any person who uses a recording device to eavesdropping upon an individual’s private conversation may be in violation of the Michigan Penal Code, MCL 750.539c. The Board or the Superintendent shall report a violation of this law to local law enforcement.

Approved: April 17, 2017
LEGAL REF: MCL 15.261; 15.263; 380.11a
1510 - Bylaw and Policy Development System

The Superintendent, as the need arises, shall advise the Board when he/she is of the opinion that a bylaw or policy should be changed or supplemented and present to the Board the reasons therefor.

The Board shall oversee and review its bylaws and policies and shall, as needs dictate, delete, amend and supplement existing bylaws and policies and adopt new bylaws and policies.

Draft Writer

The Superintendent or a designee shall draft all recommended policy changes. New bylaws proposals and recommendations for changes shall be drafted by the Superintendent or a designee in conjunction with the Board President.

Attorney Involvement

Bylaws, policies, and rules of the Board may be submitted to the Board’s attorney to determine the legality of said bylaws and policies and rules before they are submitted to the Board for final approval.

The opinion of the attorney shall be made available to all Board members and Superintendent.

Staff Involvement

In formulating policy recommendations to be made to the Board, the Superintendent may involve members of the staff in the formulation of such policy.

The Superintendent may solicit recommendations from the staff concerning the workability of present policies, needs for change and new policies. The Superintendent, in formulating recommendations to the Board, shall consider the recommendations made to him/her by the staff.
Community Involvement

The Board may involve members of the public in the development of Board policy.

The Board may advise the public, through the news media and other means, that the Board welcomes suggestions and ideas concerning Board policy.

Student Involvement

The Board may involve students in the development of Board policy.

By classroom teacher announcements, notices in student publications and by other means, the Board may invite students to submit ideas and suggestions to the Board concerning the development of Board policy. In adopting or changing Board policy, the Board shall take into consideration those ideas and suggestions submitted by the students.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1550 - Bylaw and Policy Adoption

The Board shall adopt new bylaws and policies and delete or modify existing bylaws and policies as the need arises. The Board, for compliance with Board policy, may review all rules and regulations found in handbooks for students, teachers or other employees and supplements.

The Board shall make adoption and/or amendments to bylaws, policies, rules, and regulations of the Board after two readings. However, the bylaws, policies, rules, and regulations of the Board may be amended at any regular, special, or adjourned meeting of the Board by a majority vote of the members elected to, appointed, and serving on the Board.

A recommendation by an individual or group of citizens to adopt or amend any bylaw, policy, or rule may be submitted at any time to the Superintendent or Board President. The Board may consider such requests at the next regular Board meeting. Final action on any such recommendation may take place at the next regular meeting of the Board unless an emergency is declared whereby final action may be taken immediately.

Policy Dissemination

The Superintendent shall be responsible for devising a procedure to ensure that those persons having copies of the Board policy manual receive changes in Board bylaws and policy and the policies that have been amended or deleted are removed from such policy manuals. Every attendance center shall have a current copy of the policy manual either in “hard copy” or in electronic format that shall be kept in the office of the Principal or the Superintendent. At least one “hard copy” of the Board policy manual shall be kept in the central business office. Each Board member shall be furnished a copy of the policy manual in either “hard copy” or electronic format, and the Superintendent may designate which administrators shall be furnished with copies of said policy manual.
The Board Secretary shall keep a ten-year running historical set of Board bylaws and policies that shall reflect all revisions, amendments or other such actions pertaining to every bylaw, policy, and rule.

Policy Review

The Board shall oversee and review its policies and rules as the needs arise.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1570 - Review of Administrative Regulations

All rules/regulations or procedures developed pursuant to the Board’s policies shall conform to the intent of the policies. When such documents are revised, the Board will be informed of same by the Superintendent and thereby given the opportunity to review for alignment with Board policy. The Board shall not normally approve or adopt administrative rules/regulations or procedures except in those instances in which the Superintendent or legal counsel believe such formal adoption shall be necessary or desirable because of potential litigation, public attitudes, or possible student or staff reaction. The Board gives the Superintendent authority to develop and implement all necessary rules/regulations or procedures authorized by Board policy or state statute. All rules/regulations or procedures shall be published in the appropriate staff and student handbooks.

The Superintendent shall keep the Board informed of any rules/regulations or procedures developed to implement Board policy and shall periodically present them to the Board for review. The Board may veto any administrative rule/regulation or procedure when, in the judgment of the Board, they are inconsistent with Board policy or Board intent.

Rules/Regulations or procedures may be issued directly by the Superintendent without adoption of Board policy, so long as said rules and regulations are consistent with existing Board policy.

Rules/Regulations or procedures issued to implement Board policy shall be made a part of the policy manual and copies shall be provided to all holders of Board policy manuals. Staff, students and patrons of the District shall be informed of any rules/regulations or procedures affecting them as individuals or as a group.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a

Battle Creek Public Schools Board Bylaws Section 1000
1575  Administration in Absence of Policy or Administrative Regulations

When action must be taken and no Board Policy or Administrative Regulations exist, the Superintendent shall have the power to act according to his/her best professional judgment. Such action may be subject to review by the Board at its next regular meeting. It shall be the duty of the Superintendent to notify the Board of such action, at the time of occurrence and to advise the Board for needed policy or regulation.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1600 - Board Records

The Board shall keep such Board records as shall be legally required and necessary for the understanding of their actions. In addition to records that are required to be kept by law, the Superintendent shall be responsible for the designing and keeping of such other records as are necessary for the efficient operation of the District.

The Board recognizes the need for its records to be stored as a blend of printed, bound and electronically recorded (i.e., audio tape, video tape, microfiche, computer disk) material. The securing, cataloging and storing of all records shall be the responsibility of the Secretary, with assistance from the Superintendent.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a; 380.1202, 380.1204a
1650 - Board Memberships

The Board, annually, shall consider memberships in the County School Boards Association and the Michigan Association of School Boards. Through membership in MASB, the Board is an indirect member of the National School Boards Association. The board and its members shall actively participate in the activities of these organizations insofar as possible.

The Board has authorized membership in the MASB Legal Trust Fund and shall annually consider continued membership in said fund by approving payment of annual dues as determined by the MASB Board of Directors.

When recommended by the Superintendent and approved by the Board, the Board may maintain memberships in other educational associations or organizations through which the District may derive benefits.

Dues and membership fees to local, state and national educational organizations shall be budgeted for and provided at the discretion of the Board and consistent with any contracted obligations. Materials and other benefits of institutional memberships shall be distributed and used to the best advantage of the District.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
The primary purpose for Board self-assessment/evaluation is for the improvement of Board member leadership. In evaluating the Board’s functions and roles, the Board may focus attention to the following:

1. The Board shall assess the needs of the District’s students, establish priorities, and allocate the personnel and financial resources to meet the students’ needs,

2. The Board shall know the standards against which they will evaluate themselves and be involved in the development of those standards,

3. Evaluation shall be at a scheduled time and place with no other items on the agenda,

4. The evaluation should be a composite of the individual Board members’ opinions,

5. The evaluation should include a discussion of strengths and weaknesses, and

6. The Board should be free to comment on any area related to its function of directing the District.

The Board and Superintendent may cooperatively develop an evaluation plan that annually evaluates the various aspects of the Board’s functions, duties, and roles.

Approved: April 17, 2017
LEGAL REF: MCL 380.11a
1900 - Board Member Disclosure Obligations; Conflicts of Interests

1. Except for contracts specified in Section 5, below, a Board member shall comply with the disclosure provisions of Section 2 of this policy in contracts where:
   a. The Board member is a direct party to any contract between himself/herself and the School District, or
   b. The Board member, directly or indirectly, solicits, negotiates, re-negotiates, represents a party to, or is an indirect party to, any contract with the school District, and
      i. Any firm, meaning a co-partnership or other unincorporated association, or in which he/she is a partner, member, or employee,
      ii. Any private corporation in which he/she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of $25,000.00 if the stock is listed on a stock exchange or of which he/she is a Director, officer, or employee, or
      iii. Any trust of which he/she is a beneficiary or trustee.
   c. With regards to any contract described in this section, a Board member shall not:
      i. Take part in the negotiations, (renegotiation or amendment of the contract), or in the ratification of the contract; or
      ii. Represent either party in the transaction. (o.k.)

2. A Board member shall promptly disclose any pecuniary interest in the contract to the Board of Education, which disclosure shall be a matter of record in its official proceedings. This disclosure shall be made in the following ways:
a. If the contract is for emergency repairs of services, the Board member must promptly disclose any pecuniary interest in the contract which disclosure shall be made a matter of record in the Board’s official proceedings.

b. If the Board member will directly benefit from a school District contract in an amount less than $250.00 and less than 5% of the public cost of the contract, the Board member must disclose his/her pecuniary interest in the contract by filing a sworn affidavit with the school Board.

c. If the Board member will benefit by $250.00 or more, or 5% or more of the public cost of the contract, his/her pecuniary interest must be disclosed in one of two ways:

i. By notifying, in writing, the President of the Board of his/her interest at least seven (7) calendar days before the meeting at which a decision regarding the contract will be made. If the President of the Board is the individual with the conflict of interest, disclosure must be made to the Secretary of the Board. The disclosure shall be made public in the same manner as in public meeting notice, or

ii. By disclosing his/her interest in the contract at a Board meeting. Under this option, the Board may not vote on the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.

d. If the Board member’s pecuniary interest in the contract exceeds $5,000.00, the Board member must disclose his/her interest in the contract at a Board meeting,
and the Board may not vote in the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.

3. Except as provided in Section 4 below, the contract must be approved by a vote of not less than 2/3rds of the full membership of the Board of Education in open session without the vote of the Board member making disclosure specified in Section 2. The Board of Education must disclose the following summary information in its official minutes:
   a. The name of each party involved in the contract,
   b. The terms of the contract, including duration, financial consideration between parties, facilities or services of the school District included in the contract, and the nature and degree of assignment of employee of the school District for fulfillment of the contract, and
   c. The nature of the pecuniary interest.

4. If 2/3rds of the members of the Board are not eligible under this policy to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will directly benefit from the contract in an amount less than $250.00 and less than 5% of the public cost of the contract and the member files a sworn affidavit to that effect with the official body. The affidavit shall be made part of the public record of the official proceedings.

5. This policy shall not apply to:
   a. Contracts between the school District and another public entity,
   b. Contracts awarded to the lowest qualified bidder, other than a Board member, upon receipt of sealed bids pursuant to a published notice therefore provided such notice does not bar, except as authorized by law, any qualified person, firm,
corporation or trust from bidding. Amendments or re-negotiations of a contract or additional payment there under which were not authorized by the contract at the time of award are not excluded from the requirements of Sections 2 through 4 above, and

c. Contracts for public utility services where the rates therefore are regulated by the state or federal government.

Approved: April 17, 2017
LEGAL REF: MCL 15.321, et seq.
The objectives of this bylaw are to maintain an impartial administration of the business of the school District and to maintain public confidence in the Board of Education.

No member of the Board of Education shall engage in, or be a party to, any of the following activities:

1. Representing his/her opinion as that of the Board of Education or making commitments on behalf of the school District or the Board unless that person has been specifically designated to do so by official Board action. The Board shall make the staff and citizens aware that only the Board, not individual members, has the right to take official action for the District. Board members may be contacted for discussion of District business or for complaints. The Board member may listen but shall not make a commitment on behalf of the Board. The individual Board member does not and cannot, speak for the Board or the Superintendent.

2. Placing him/herself in situations where prejudice, bias, favoritism or personal gain is a motivating force in his/her conduct.

3. Disclosing or releasing confidential information, not otherwise available to members of the public, in advance of the time prescribed for the release; provided however, that this provision shall not prevent a Board of Education member from divulging or releasing confidential information regarding suspected violations of law.

4. Benefiting financially from confidential information obtained due to the member’s position on the Board of Education.
5. Using personnel resources, property, or funds of the school District, except in accordance with prescribed constitutional, statutory, and regulatory procedures, and in accordance with good business procedures and not for personal gain or benefit.

6. Soliciting or accepting a gift or loan of money, goods, services or other things of value, which tends to influence the manner in which the Board of Education member performs his/her official duties.

7. Becoming employed by the school District or receiving any compensation for services rendered, except compensation for attending meetings as permitted by law.

8. Endorsing any organizations, institutions, instructional books or materials, political candidates, etc., on behalf of the District or the Board without the express approval of the full Board.

Board Members shall:

1. Attend all scheduled Board meetings insofar as possible and become informed concerning the issues to be discussed at Board meetings,

2. Take no action that will compromise the Board or the District’s staff and respect the confidentiality of information that is privileged under applicable law,

3. Make policy only after full discussion of the issues at publicly held Board meetings,

4. Encourage the free expression of opinion by all Board members and seek systematic communications between the Board, students, staff, and all elements of the community,
5. Work with other Board members to establish effective policy and to delegate authority for the administration of the schools to the Superintendent,

6. Communicate to other Board members and the Superintendent public reaction to Board policy and District programs,

7. Become informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national School Boards Associations, and

8. Support the employment of those people best qualified to serve as District staff and insist on a regular, impartial evaluation of all staff.

**Board Member Responsibilities**

The Board shall transact all business at legally called and noticed meetings. If a specific complaint needs attention, the Board member shall explain to the complainant the District’s chain of command for handling complaints or refer the complaint to the Superintendent. The Board member also shall inform the complainant about the process for bringing items to the Board through the Board’s agenda or through the public participation portion of the Board meeting.

**Employment of Former Board Members**

No former Board of Education member shall become employed as a regular employee, contracted worker, independent contractor, or sub-contractor by the school District until that individual has been out of office for at least one (1) full year from the date of official separation from office.

Approved: April 17, 2017

If a Board member believes or has reason to believe that he or she has a conflict of interest with regard to a contract or other financial transaction that requires the approval of the Board he or she shall abstain from voting on the contract or other financial transaction and shall disclose the specific conflict of interest. A Board member is presumed to have a conflict of interest if the member or his or her family member has a financial interest, or a competing financial interest, in the contract or other financial transaction or is an employee of the school district.

If a Board member has a child who attends the school district, that relationship alone does not constitute a conflict of interest or financial interest in a contract or other financial transaction of the school district.

An individual is not considered to have a financial interest in any of the following instances:

(a) A contract or other financial transaction between the school district and any of the following:

   (i) A corporation in which the individual is a stockholder owning 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of $25,000.00 or less if the stock is listed on a stock exchange.

   (ii) A corporation in which a trust, if the individual is a beneficiary under the trust, owns 1% or less of the total stock outstanding in any class if the stock is
Board Member Conflicts of Interest, Financial Transactions or Contracts; 1951-2

Prohibited from Voting

not listed on a stock exchange or owns stock that has a present market value of $25,000.00 or less if the stock is listed on a stock exchange.

(iii) A professional limited liability company organized under Michigan law if the individual is an employee but not a member of the company.

(b) A contract or other financial transaction between the school district and any of the following:

(i) A corporation in which the individual is not a director, officer, or employee.

(ii) A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.

(iii) A corporation or firm that has an indebtedness owed to the individual.

(c) A contract between an intermediate school district and a constituent district.

(d) A contract awarded to the lowest qualified bidder, upon receipt of sealed bids pursuant to a published notice for bids if the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This subdivision does not apply to amendments or renegotiations of a contract or to additional payments under the contract that were not authorized by the contract at the time of award.

If a majority of the Board members are required to abstain from voting on a contract or other financial transaction due to the operation of this Policy, then, notwithstanding any other provision of law or any bylaw, for the purposes of that contract or other financial transaction, the members who are not required to abstain constitute a quorum of the board and a majority of those members eligible to vote is required for approval of the question.
For the purposes of this policy, “family member” means a person's spouse or spouse's sibling or child; a person's sibling or sibling's spouse or child; a person's child or child's spouse; or a person's parent or parent's spouse, and includes these relationships as created by adoption or marriage.

Approved: April 17, 2017
LEG REF: MCL 381.1203
2000—GENERAL SCHOOL ADMINISTRATION

2020 Administrative Organization
2030 District Authority
2100 School Superintendent
2110 Superintendent Qualifications
2120 Duties of the Superintendent
   Essential Duties
   General Duties
2130 Superintendent Succession Planning and Recruitment (Cf. 5020)
2140 Superintendent Appointment
2150 Compensation and Benefits
2170 Professional Development Opportunities - Superintendent
2200 Consulting Activities (Cf. 5645)
2220 Residency Requirements
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2020 - Administrative Organization

The legal authority of the Board shall be transmitted through the Superintendent to other positions through an approved organizational structure.

The Superintendent shall be responsible for keeping the administrative structure of the District up-to-date as to the goals, curricula, instructional arrangements, and services change, and shall recommend revisions in the structure to the Board.

The Superintendent may reorganize lines of authority and revise the organizational chart subject to Board approval.

Approved: June 20, 2016
The Board recognizes that many of the subject topics found in this policy manual may be subject to negotiations under the Michigan Public Employment Relations Act. It is not the intent of the Board to, in any way, circumvent the negotiations process, but, rather, to establish direction and general and long-range operational procedures for the care and custody, establishment, maintenance, management and carrying on of the public schools and property of the District as authorized under current law.

Whenever the word “Superintendent” or “Principal” appears in these policies and rules, the words “or designated representative” shall be assumed to follow. The delegation of authority of administrative actions does not relieve the Superintendent of the responsibility of the actions of such designated representatives.

Approved: June 20, 2016
LEGAL REF: MCL 380.11a
The Superintendent shall be the chief administrative head of the District and shall have, under the direction of the Board, general supervision of all of the public schools and of all the personnel and various personnel departments of the District. The Superintendent is responsible for the management of the schools under Board policies and is accountable to the Board.

The Superintendent, at his/her discretion, may delegate to other school personnel the exercise of any powers and the discharge of any duties imposed upon the Superintendent by these policies or by vote of the Board. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action taken under such delegation.

Approved: June 20, 2016
2110 - Superintendent Qualifications

The Superintendent should have:

- Earned at least a Master’s Degree from an approved institution of learning with graduate study in educational administration (although a Doctoral Degree is not required, work toward the degree is considered desirable),

- Acquired at least three years of successful administration of schools.

- Established him/herself as an educational leader in the profession through active participation in a variety of areas

- Knowledge in the use of educational technology, both at the personal and professional levels, and shall present evidence of being a technology leader in education, and

- Satisfied the requirements for administrator certification as required by the Revised School Code and the Michigan Administrator Certification Code.

The Board reserves the right to modify or waive any of the above qualifications if the Board determines that doing so is in the District’s best interests.

Approved: June 20, 2016
LEGAL REF: MCL 380.1279, 380.1246
R 380.101 et seq.
2120 - Duties of the Superintendent

Essential Duties

The essential duties and responsibilities of the Superintendent shall be to:

1. Serve as administrative head and chief executive officer of the entire District, in charge of both educational and business functions,

2. Attend all meetings of the Board, unless excused by the President of the Board, and keep the Board continually informed on the progress and condition of the schools,

3. Carry out policies, rules, and directives of the Board,

4. Initiate matters of educational policy and to make definite recommendations thereon,

5. Recommend the number and types of positions required to provide proper personnel for the operation of education programs,

6. Nominate for appointment, assignment, transfer, or termination and to define the duties of all personnel, subject to approval of the Board,

7. Recommend, in writing, the teachers necessary for the schools,

8. Suspend a teacher or administrator for cause until the Board may consider the suspension, and

9. Keep the Board informed fully (pro/con) when proposing new or revised policies or making recommendations regarding District needs.
General Duties

The general duties of the Superintendent shall be to:

1. Administer the development and maintenance of a positive educational program designed to meet the needs of the community, to keep abreast of the best educational developments and to advise regarding changes in programs,

2. Supervise the preparation of the annual budget and to recommend it to the Board for consideration,

3. Advise and recommend in matters of business administration; to pass upon all proper requests for equipment and supplies, to point out possible economies and to supervise activities of the District,

4. Conduct a continuous study of the development and needs of the schools and to keep the public adequately informed concerning his/her findings,

5. Assure that District finances are credited with interest earned by tax money collected by and on deposit with all local taxing units,

6. Put into practice the educational policies of the Board,

7. Supervise and direct the work of the teachers and other employees of the Board,

8. Classify and control the promotion of students,

9. Recommend to the Board the best methods of arranging the courses of study,

10. Recommend to the Board the proper textbooks to be used,

11. Make written reports to the Board,

12. Make written reports to the state,
13. Assist the Board in matters pertaining to the general welfare of the District,

14. Participate in community activities and events as a representative of the District, and

15. Perform other duties and discharge other responsibilities as the Board might direct that are pertinent and appropriate to the operation of the District.

Approved: June 20, 2016

LEGAL REF: 380.1229; 380.1246
2130 - Superintendent Succession Planning and Recruitment (Cf. 5020)

The Board is committed to maintain a state of readiness for the eventuality of a planned or unplanned change of the District’s executive leadership. To that end, it is the policy of the Board of Education to establish and maintain a succession plan to ensure the orderly transition of leadership and the achievement of the District’s mission and goals.

In addition, it is the policy of this Board to assess the future leadership needs of the organization periodically. This will help to ensure continuity of leadership by the selection of a qualified and capable leader who is a good fit for the District’s culture as reflected by its mission, vision, goals, and objectives.

When a vacancy in the Superintendency occurs, the Board shall aggressively recruit, or shall hire a consultant to aggressively recruit, in an effort to fill the position with the most capable person available. The Board shall consider only those candidates who meet both state and local qualifications and who display the ability to carry out the duties of the Superintendent successfully.

The Board shall solicit applications from qualified members of the staff and may list the vacancy with placement offices at selected educational institutions in Michigan and in other states.

Applications for the Superintendency shall be screened in accordance with the law, and those candidates who appear to be most promising shall be interviewed.

Approved: June 20, 2016
LEGAL REF: MCL 380.1246
2140 - Superintendent Appointment

All contract offers of employment to, or continued employment of, the Superintendent shall be made by the Board contingent upon review of the contract by the Board’s legal counsel and subject to final approval by the Board.

The Superintendent will be offered a written contract not to exceed the number of years allowable by law. The Board shall not award tenure to the Superintendent in said position or in any other administrative position in the District.

The Superintendent’s contract shall be considered for renewal at a meeting prior to the April Board meeting or at such other time before any notice of nonrenewal is due the Superintendent pursuant to the law or the applicable employment contract. It is the responsibility of the Board President to see that the Superintendent’s contract is reviewed by legal counsel, executed, and signed. A copy of the contract shall be on file at the Board office. The contract shall contain a provision excluding the Superintendent from attaining tenure in the administrative position.

Approved: June 20, 2016
LEGAL REF: MCL 38.91; 380.1229; 380.1246
Compensation and benefits of the Superintendent shall be determined annually by the Board and will be based on the Superintendent’s performance and job accomplishments based on a rigorous, transparent, and fair evaluation that complies with all applicable legal requirements.

Approved: June 20, 2016
LEGAL REF: MCL 380.1249; 380.1250
The Board shall offer the Superintendent encouragement and assistance for his/her professional development. The Board shall encourage him/her to attend educational conferences, seminars, workshops and other professional meetings, visit other school systems, and use other means to keep abreast of modern educational thought and practice.

Approved: June 20, 2016
LEGAL REF: MCL 380.1246; 380.1254; 380.1525
The annual budget shall provide an allocation for the Superintendent’s attendance at educational meetings. The Superintendent shall be authorized to attend those conferences, workshops, and seminars, which in his/her judgment shall be of greatest value to the District within the limitations provided in the budget and/or limitations specifically placed on such attendance by the Board.

The Superintendent shall annually report to the Board, as nearly as possible, the meetings he/she plans to attend for the year, shall promptly notify the Board when he/she adds or omits a meeting, and shall notify the Board President when attendance at such meetings will cause him/her to be absent from the District for more than a day.
2200 - Consulting Activities (Cf. 5645)

The Superintendent shall devote his/her time, skill, labor, and attention to the direction and supervision of the District. However, by agreement with the Board, the Superintendent may undertake, for remuneration, consultative work, speaking engagements, writing, lecturing, membership, and office in educational organizations, or other professional duties and obligations so long as any additional professional obligations do not conflict with the District’s interests and do not interfere with the Superintendent’s ability to satisfy his/her duties as Superintendent.

The Board reserves the right to modify any of the above consulting activities if the Board determines that doing so is in the District’s best interests.

Approved: June 20, 2016
2220 - Residency Requirements

The Board prefers to hire a Superintendent who resides, or will commit to reside, within a 20-mile radius of the District boundaries, subject to state law. Said preference will be noted during the recruitment and selection process for a Superintendent.

When a non-resident is selected as the Superintendent, it shall be a negotiated condition of the contract offered that he/she shall have 365 days from the beginning of the contracted date of employment to establish residency within a 20-mile radius of the District boundaries subject to state law.

Non-Compliance - Superintendent

A non-resident Superintendent, either newly appointed or promoted, unless specifically exempted by law, who fails to take up residence within a 20-mile radius of the District’s boundaries within one year from the date of his or her appointment or, if an extension is granted, by the extended date, shall be terminated at the end of the first school year in which statutory and other required notices of termination of employment can be timely given. The Board reserves the right to modify or waive any of the above qualifications if the Board determines that doing so is in the District’s best interests.

Approved: June 20, 2016
LEGAL REF: MCL 15.601 et seq.
The Board shall evaluate the Superintendent, at least annually, using the criteria and an evaluation process that satisfies all applicable legal requirements, board policy, and the terms of the Superintendent’s contract. At a minimum, the Superintendent’s evaluation will assess student growth; administrator proficiency; training on teacher evaluations; progress on any applicable school/district improvement plan; pupil attendance; and student, parent, and teacher feedback.

An appraisal instrument may be used by the Superintendent as a self-evaluation instrument prior to the Board’s summary evaluation. Such self-evaluation can be presented to the Board by the Superintendent at an evaluation meeting held as allowed under current law.

Prior to the summary evaluation meeting, individual Board members shall complete their evaluation of the Superintendent using an evaluation tool that complies with all legal requirements. The Board and Superintendent may meet in closed session, at the option of the Superintendent, for the summary evaluation.

The Superintendent shall have an opportunity to respond to the Board’s summary evaluation either orally or in writing at the Superintendent’s discretion.

After the Superintendent’s summary evaluation has been prepared by the Board, the Board shall adopt, by vote, the summary evaluation at an open meeting. After the Board’s adoption, the Superintendent’s summary evaluation shall be made available as provided under current law.

The Superintendent’s summary evaluation and any rebuttal thereto shall be retained in the Superintendent’s personnel file as a matter of record.

The evaluation procedure shall be on file at the District office.

Approved: June 20, 2016
LEGAL REF: MCL 15.268; 15.243(1) (m); 380.1249; OAG 1981-1982, No 6091, p711
(August 18, 1982); OAG, 1989-1990, No 6668, p 409 (November 28, 1990)
2270 - Resolution Regarding Employee Resignations

The Board authorizes and directs the Superintendent, and his/her designee(s), to accept all employee resignations on behalf of the District. Additional persons whom the Superintendent may wish to designate as being authorized to accept resignations shall be notified in writing by the Superintendent of his or her authority to accept resignations. Upon acceptance by the Superintendent or the Superintendent’s designee, resignations shall be irrevocable. The Superintendent shall inform the Board of any resignations on a monthly basis.

Approved: June 20, 2016
LEGAL REF: MCL 38.111
The Board shall employ such administrative personnel, as the needs of the District require.

Compensation Guides and Contracts

All administrative personnel shall be compensated for their services in conformity with an administrative salary as determined by the Board that is based in part on job performance and job accomplishments as determined through a rigorous, transparent, and fair evaluation system that complies with all legal requirements. All contract offers of employment to, or continued employment of, school administrators shall be made by the Board contingent upon review of a written form contract by the Board’s legal counsel and subject to final approval by the Board.

Qualifications and Duties

The Superintendent shall develop appropriate job descriptions for each administrative position in the District. Such documents shall be filed in the central office.

Recruitment and Selection of Administrators

The Board delegates to the Superintendent the authority to identify and recommend the appointment of qualified individuals to fill vacant administrative positions. Unless the Board can establish that the Superintendent has violated law, the policies of the Board, or the provisions of an applicable collective bargaining agreement in the selection of administrative candidates recommended for a contract, the Board should approve the Superintendent’s recommendations. Members of the Board should not involve themselves, either personally or as a collective body, in the recruitment, interviewing, or selection process for any administrative position to be filled in the District other than the position of Superintendent of Schools.
Assignment

Assignment of administrative personnel shall be recommended by the Superintendent subject to review of the Board. Should a majority of the Board decide to override the decisions or recommendations of the Superintendent regarding administrative assignments within the District, the reasons therefore shall be transmitted to the Superintendent in writing.

Orientation

The Superintendent shall conduct an appropriate administrative orientation program designed to acquaint such personnel with the District, Board policies, duties and responsibilities and other such activities as time and the needs of the District require.

Supervision

The Superintendent shall be responsible for the supervision of all administrative personnel.

Time Schedules

Administrative time schedules and workloads will be dictated by the terms of the employment contract and by assigned responsibilities.

Temporary Administrators

The Superintendent and building Principals shall designate a staff member to serve as chief administrator of the District or building in his/her absence.

Personnel

The administrative staff shall fill only those positions authorized by the Board.

Travel Expense

Travel expense for administrative staff shall be provided in accordance with 3600.
2400R - Administrative Personnel (Central Office and Building Level)

Recruitment and Screening

All administrative applicants will be screened initially by the Superintendent who may use other staff members to assist him/her, and who shall then make recommendations to the Board.

At the discretion of the Superintendent, all or part of the expenses incurred by candidates who are interviewed for an administrative position may be paid by the District.

The District shall endeavor to conduct interviews on a school day so that a candidate may visit the schools of the District while they are in session.

Compensation Guides and Contracts

Administrative contracts will be reviewed by the Board each March or at such other time so as to ensure a timely review by the Board before a decision or notice of nonrenewal must be made. The term of each administrative contract will be determined by the Board in accord with law.

All administrative personnel shall be evaluated in writing annually by the Superintendent in accordance with all applicable legal requirements. Board discussion of an administrator’s evaluation can be held in either a closed or open Board meeting as decided by the administrator. The administrator’s evaluation shall be made available to those authorized by law when so requested.

Approved: June 20, 2016
LEGAL REF: MCL 15.231-244; 15.268; 380.1229; 380.1249; 380.1250.

The investigation and complaint procedures outlined in Policies 5030 and 8015 apply to complaints of discrimination.

Approved: June 20, 2016
LEGAL REF: Included in Text
2550 - Handbooks and Other Publications

In order that pertinent Board policies and administrative rules/regulations or procedures are known by all staff members and students, District administrators and Principals are granted authority to develop and issue staff and student handbooks.

The Superintendent shall review all handbooks prior to publication to ensure that the contents conform completely to Board policy and current law. The Superintendent shall report to the Board that the review has taken place and what the findings were.

Approved:
2560 - Consultants (Cf. 1220)

The administrative and supervisory staff of the District shall encourage the use of professional consultants and other resource persons when such consultative services will be helpful in the improvement of the educational program in the District within budgetary restrictions. All compensated consultants shall be approved by the Board prior to beginning any consultation except when such compensation is within the amount specifically budgeted.

Consultants shall exercise no administrative authority over the work of employees, but shall act only as advisors in those fields in which they are qualified to offer assistance and for which they are employed.

The services of all consultants shall be through a written contract.

Approved: June 20, 2016
Administrators of the District shall make every effort to stay abreast of the latest developments in their respective fields. The Board may require or otherwise encourage administrators to attend summer sessions, conferences, workshops, or other activities, which will directly benefit the District’s schools. Expenses of registration fees, board and room, travel and other incidental expenses, will be paid by the District for administrators to attend state, national and local meetings approved in advance by the Superintendent in accordance with the District’s annual budget, to attend periodic in-service workshops sponsored by the District, as approved in advance by the Superintendent, to improve skills in personnel management, supervision and improvement of instruction, public relations and other aspects of school management, as long as such expenses are approved in advance by the Superintendent.

Approved: June 20, 2016
LEGAL REF: MCL 380.1525
2700 - Policy Implementation

The administrative staff shall carry out and enforce all policies duly adopted by the Board and all regulations of state authorities.

Failure of any administrative employee to implement or follow the policies of the Board may result in suspension, demotion, probation, or other action in accordance with procedures set forth in these policies and rules.

Approved: June 20, 2016
The Superintendent has the responsibility for developing required rules/ regulations and procedures to carry out Board policies and to operate the District’s schools. These rules/regulations and procedures shall constitute the administrative regulations governing the schools. The Superintendent shall inform the Board of new administrative rules or substantive changes in existing administrative rules.

There may be cases where the Superintendent requests that the Board officially approve/adopt administrative rules. In those instances, where administrative rules have been approved/adopted by the Board, the rules shall be subject to a planned review by the Board and the District’s administrative staff.

Should the Board feel that any administrative rule is unlawful, or does not reflect the policy intent of the Board, the Board may modify or reject the rule as the situation warrants.

**Staff Involvement**

In the development of rules/regulations, procedures and arrangements for the operation of the District, the Superintendent shall include at the planning stage representatives of those employees who will be affected by such provisions.

The Superintendent shall develop procedures utilizing certified and non-certified employees for the ready exchange of ideas regarding the operation of the District. He/She shall carefully consider input from employees, especially that given by groups designated to represent large segments of the staff, and shall inform the Board of such input in presenting reports of administrative action and in presenting recommendations for Board action.
Community Involvement

The Superintendent may involve District community members on committees or study groups whenever necessary and when participation of community members may materially aid in the solution of District problems or enhance the submission of recommendations of proposed Board action or District policy formulation.

Student Involvement

The Superintendent is encouraged to include students in the formulation of administrative rules affecting students.

Rules Implementation

All suggestions for administrative rules/regulations or procedures that originate from the administrative staff must be approved by the Superintendent before put into practice or modified. All administrative rules/regulations or procedures recommended by the Superintendent shall be reviewed, but need not be approved, by the administrative staff before implementation.

Rules Dissemination

Copies of administrative rules/regulations or procedures shall be given to those employees who play a role in enforcing the rules or who will be affected by the rule changes.

Approved: June 20, 2016
LEGAL REF: MCL 380.11a
No administrative rule shall be in conflict with Board policy.

Rules Drafting

All proposed rules/regulations or procedures may be submitted to the Board’s attorney for a legal review before being submitted to the Board for approval.

Staff Involvement

The Superintendent and Principals, in their discretion, may appoint committees for such functions as are not being performed by existing groups or persons.

Each staff or community committee shall act in an advisory capacity to the administrative officer responsible for the area in which the committee was designated to operate. All committees shall terminate no later than one year after their establishment unless re-established by the Board or the administration.

Student Involvement

The use of student input in the formation of policies and rules shall be restricted to areas pertaining to attendance center administration, to the extent desirable by the school District’s administration. Students may be appointed to work on committees to provide input in the formation of polices and rules, at the discretion of the District’s administration.

Administration in Policy Absence

In the event the Superintendent is forced to act in the absence of regular Board policy or guidelines and feels that policy is needed, he/she may draft a proposed Board policy, together with appropriate rules, to be presented to the Board for its consideration.
Considerations

In the development of administrative rules, regulations, and/or procedures, the administrator in charge shall consider the following areas:

A. The Board’s expectations and concerns.

Have measurable outcomes been decided upon by the Board and/or Superintendent?

Have the concerns of individual Board members been addressed?

B. Legal Review

Has there been a review of the Revised School Code, the Laws Relating to Education, and attorney general opinions relative to the policy topic? Has there been a review of any U.S. court or Michigan court decisions relative to the policy topic?

C. Operational Activities

There shall be consideration given to any staffing, fiscal, notification and inservice/orientation implications relative to the administrative procedures and implementation of the policy.

D. Time Frames

There shall be consideration given to the effective date of any policy implementation activities. Those time frames may include: effective date, review dates, a date that the policy or procedures may end.

E. Board Review

There shall be time for the administrative staff to review with the Board the administrative procedures when the topic warrants.
F. Reporting

Prior to any review of the Board’s policy or a review of the administrative procedures, the administrative staff shall meet and discuss the policy relative to recommendations (stay the same, amend, or delete), the administrative procedures (meeting the outcomes and/or amending); and future policy and procedure oversight activities.
2760 - Indemnification - Board Members and Others

To the extent permitted by law, the District may agree to indemnify, save harmless and defend a current or prior Board member, Superintendent, other administrator, or employee from claims, actions, suits (civil or criminal) and judgments caused by his/her action if the action was:

- Taken in good faith while in the course of employment, or serving on the Board, and
- Within the scope of his/her authority.

Approved: June 20, 2016
LEGAL REF: MCL 691.1408
2780 - Administration of Medications by School Personnel

This policy is intended to cover all students. It includes students with disabilities who have an Individualized Educational Program (IEP) or Section 504 Plan. The following definition of “medication” is adopted for use in this District: “Medication,” includes both prescription and non-prescription medications taken by mouth, taken by inhaler, that are injectable (i.e. auto-inject epinephrine, insulin, and glucagon), those rectally administered, applied as drops to eyes or nose, or those applied to the skin.

Whenever possible, medications for students should be administered by parent(s)/guardian(s) at home. The Superintendent shall, however, establish procedures for the administration of medication by school personnel in circumstances where such administration is deemed necessary for the student’s wellbeing by the student’s parent(s)/guardian(s) and physician. The pupil’s parent(s)/guardian(s) must provide the school with written permission and a written request to administer medications to their child. Written instructions from a physician, which include the date of the order, name of the pupil, name of the medication, dosage of the medication, route of administration, time the medication is to be administered to the pupil, possible side effects of the medication, and any special accommodation requirements, must accompany the request and must be kept on record by the school. The parent(s)/guardian(s)’ request/permission and a physician’s instructions for administration shall be renewed every school year.

Any and all “biohazards”, “regulated waste” or “medical waste” generated, such as, but not limited to: sharps, bandages, gauze, towelettes, and discarded live or attenuated vaccines, shall be disposed of in accordance with the Michigan Medical Waste Regulatory Act, 1978 PA 368, and the Bloodborne Infectious Diseases rules, R 325.7001 et seg. The Superintendent is
directed to develop a medical waste management plan that complies with the Michigan Medical Waste Regulations Act and its applicable regulations and shall ensure that a copy of the plan is maintained in each school that produces medical waste. The Superintendent shall be responsible for providing staff members with written procedures to implement this requirement.

Each building shall have a plan for handling medical emergencies.

The school administrator will designate an individual(s) responsible for administering medications to pupils at that school. A school administrator, teacher or other school employee authorized to do so by the school administrator may administer medication to a pupil in the presence of another adult employee pursuant to written permission of the pupil’s parent(s)/guardian(s), and in compliance with the written instructions of a physician, physician’s assistant, or nurse practitioner. Where the individual administering the medication is a licensed registered professional nurse, or when an emergency threatens the life or health of the pupil, a second adult need not be present.

Self-Administration/Self-Possession of Medications

The following definition of “self-administration/self-possession” is adopted for use in this District: “Self-administration” means that the pupil is able to consume or apply prescription and non-prescription medication in the manner directed by the physician without additional assistance or direction. Self-possession means that the pupil may carry medication on his/her person to allow for immediate and self-determined administration.

Students may possess and self-administer: (1) a metered dose or dry powder inhaler for relief of asthma or before exercise to prevent the onset of asthma symptoms; or (2) an epinephrine auto injector or epinephrine inhaler to treat anaphylaxis, or (3) small quantities of other medication, while at school, on school-sponsored transportation, or at an activity, event, or
program sponsored by the pupil’s school or in which the pupil’s school is participating, if the following conditions are met:

A. The student has written permission to possess and use the inhaler or auto injector from the student’s physician or from another health care provider authorized to prescribe an inhaler or auto injector,

B. If the student is a minor, the student has written permission from the student’s parent/guardian possess and use the inhaler or auto injector or self-administer medication.

C. The student has provided the building administrator a copy of the authorizations described above, and

D. Any medication brought to school must be stored in a container properly labeled by a health professional.

E. The school has a written emergency care plan on file for the student prepared by a physician licensed in Michigan in collaboration with the student and his or her parents/guardians that contains specific instructions for the student’s needs and that is updated as necessary to reflect changing circumstances.

A building administrator who is aware that a student is in possession of an inhaler, auto injector or medication must notify each of the student’s classroom teachers of that fact and of the provisions of this policy addressing possession and use of inhalers, auto injectors, and medication. In addition, the administrator must notify each classroom teacher of the applicable immunity from legal liability provided by law related to such possession.
A building administrator may discontinue a pupil’s right to self-administer and self-possession if there is misuse by the pupil. The denial shall come only after a consultation with the parent(s)/guardian(s).

**Diabetic Emergencies**

Staff shall be made aware of the symptoms of a diabetic emergency. Staff assigned to supervise diabetic students should know the signs of possible side effects of diabetic medications, and be aware which side effects are serious enough to warrant reporting to the child’s parent(s)/guardian(s) or health provider.

**Management of Students with Asthma in the School Setting**

All staff shall be informed about the early warning signs of an acute asthma episode and should be aware of emergency procedures and contacts in case a child needs medical assistance. Copies of the “Signs of an Asthma Emergency,” as published by the Michigan Department of Education will be distributed to all staff and shall be posted on appropriate bulletin Boards in school buildings.

**Exercise Induced Asthma Attacks**

Physical education teachers, playground aides, and teachers shall be informed that exercise can induce acute episodes for many students with asthma. It shall be the responsibility of the administration to inform school staff members who are responsible for students during physical activity of the identity of those students who have exercise induced asthma. A child with exercise-induced asthma shall be allowed to stop any physical activity if the child is having difficulty.

The Superintendent will promulgate rules and guidelines to implement this provision.
All individuals designated or authorized to administer medication are required to receive in-service training on all District policies and procedures related to this responsibility. School staff must be trained by a licensed registered professional nurse, physician, physician assistant, or nurse practitioner who has knowledge of local school medication policies and procedures.

**Emergency Anaphylaxis**

A. Recognition of Common Allergens and Anaphylaxis Symptoms

Anaphylaxis is a severe and life-threatening allergic reaction. Anaphylaxis may occur within minutes or longer after exposure to an allergen. The most common allergens that may cause anaphylaxis are food, insect bites, medications, and latex.

The symptoms of anaphylaxis may be different for different individuals, and may also be different for one person over time. Reported symptoms include:

- Skin reactions, including hives along with itching, and flushed or pale skin (almost always present with anaphylaxis)
- A feeling of warmth
- The sensation of a lump in the throat
- Constriction of the airways and a swollen tongue or throat, which can cause wheezing and trouble breathing
- A weak and rapid pulse
- Nausea, vomiting, or diarrhea
- Dizziness or fainting

B. Emergency Preparedness
(1) The Board President (or designee) shall obtain a prescription in the name of the Board of Education as authorized by law for auto-injectable epinephrine as required to comply with this policy and applicable law.

(2) Each school operated by the District shall maintain at least two epinephrine auto-injector devices at all times, regardless of whether any student/staff member has been diagnosed with allergies.

(3) The epinephrine auto-injectors maintained by the school may only be used by: (a) a licensed registered professional nurse who is employed or contracted by the District; or (b) a school employee who is trained in the administration of an epinephrine auto-injector and who is authorized pursuant to this policy to administer an epinephrine auto-injector maintained by the school.

(4) The Superintendent (or designee) shall, in consultation with a licensed registered professional nurse or other health care provider, determine the appropriate dose(s) of epinephrine auto-injectors (e.g., Junior or Adult) to be maintained at each school based upon the school population.

(5) Maintenance/Storage/Disposal Requirements. Epinephrine auto-injectors maintained by the school shall be stored according to manufacturer's direction, at the appropriate temperature, and in a clearly labeled and unlocked cabinet/container easily accessible to authorized personnel.

(6) The Board directs the Superintendent (or designee) to authorize a licensed registered professional nurse who is employed or contracted by the District, or a school employee who is trained in the administration of an epinephrine auto-injector under this policy, to possess an epinephrine auto-injector and to administer an epinephrine auto-injector to
a. a student who has a prescription on file at the school; or

b. any other individual (including a student) on school grounds who is believed to be having an anaphylactic reaction.

(7) The Superintendent (or designee) shall:

a. Designate and ensure that each school building within the District with an instructional and administrative staff of at least 10 has at least two employees at the school who have been trained in the appropriate use and administration of an epinephrine auto-injector.

b. Designate and ensure that each school building within the District with an instructional and administrative staff of fewer than 10 has at least one employee at the school who has been trained in the appropriate use and administration of an epinephrine auto-injector.

(8) Training

a. For purposes of this policy, "trained in the appropriate use and administration of an epinephrine auto-injector" means completion of training in compliance with the Training Guidelines for Designated Staff on Allergies, Anaphylaxis, and Emergency Responses issued by the Michigan Department of Education (as may be amended from time to time), conducted under the supervision of a licensed registered professional nurse, and shall include evaluation by a licensed registered professional nurse.

b. The Superintendent (or designee) shall maintain documentation of training completed by each employee authorized to administer an epinephrine auto-injector.
C. Notice and Reporting.

The Superintendent (or designee) shall:

(1) Promptly notify the parent/legal guardian of a pupil to whom an epinephrine auto-injector has been administered and document all actual and attempted notice.

(2) At least annually, report to the Michigan Department of Education, in the form and manner prescribed by the Department, all instances of epinephrine auto-injector administration to a student at school.

Approved: June 20, 2016


MCL 380.1178, 380.1179, and 380.1179a

MCL 333.17744a

Michigan Department of Education Addendum to the 2002 Guidelines for Administering Medications to Pupils at School, Guidelines for Responding to an Anaphylaxis Emergency at School

Center for Disease Control and Prevention website:
http://www.cdc.gov/healthyyouth/foodallergies/

Mayo Clinic website:
http://www.mayoclinic.org/diseases-conditions/anaphylaxis/basics/symptoms/con-20014324
2780-R - Administration of Medications by School Personnel

The following administrative rules are to be followed by District personnel in the implementation of policy 2780. These rules and procedures may not be changed or amended without the express approval of the Superintendent of Schools.

School Administration of Medications – Prescription

Prescription medications shall not be stored or dispensed by District personnel without written permission and instructions from both:

a. The parent(s)/guardian(s), who shall request and authorize District personnel to give medication in the dosage prescribed by the physician and authorize District personnel to contact the physician directly.

b. The physician, who shall provide instructions to school personnel regarding the administration of medication, and who shall identify any specific conditions or reactions to the medication which may require contacting the physician or other professional medical personnel.

Instructions from the physician must include:

- Name of the pupil,
- Name of the medication,
- Dosage of the medication,
- Route of administration,
- Time the medication is to be administered, and
- The length of time (not to exceed the current school year) that medications are to be administered.
Any biohazardous, “regulated” or “medical” wastes produced shall be disposed of in accordance with law and each school’s medical waste management plan.

New parent(s)/guardian(s) and physician written instructions and permission must accompany any change in medication, dosage, or time of administration.

**Storage and access to medications in school**

Prescription medication to be given at school must be delivered, by the parent(s)/guardian(s), in a container as prepared by a pharmacy, physician, or pharmaceutical company with a printed label specifying:

a. The child’s full name,

b. The name of the medication and the dosage,

c. The time of day and frequency the medication should be administered, and

d. The name of the physician.

A building administrator shall request that a pharmacy supply the medication in the exact dosage prescribed. Only limited quantities of a prescription medication may be kept at school, and the parent(s)/guardian(s) shall be solely responsible for any and all prescription refills. Except those needed for emergency responses, all prescription medication shall be kept in locked storage or other safe place.

The Principal of each building shall designate the school personnel authorized to administer medication to students.

A building administrator may set a reasonable designated time for the administration of medications. The parent(s)/guardian(s) shall be informed of this designated time and communicate this to the physician when he/she writes medication administration instructions. The school may request that the physician send a written explanation with the medication
administration instructions to the school if an exception to the school’s designated time is necessary.

School personnel authorized to administer prescription medication shall be given appropriate instruction in the administration of medications. After medication is administered, students should be observed for possible reactions to the medication. This observation may occur at the site of administration or in the classroom as part of the normal routine.

Except in the case of an emergency that threatens the life or well being of the student, all administration of medication shall be conducted in the presence of two or more adults unless the person administering the medication is a licensed registered professional nurse. When necessary for a pupil to have medication administered while on a school-sponsored field trip or off-site activity, the individual designated to administer medication must carry the medication in the original container, and record the necessary information on the medication log upon return from the trip/activity.

Staff Training

In-service training is recommended to be not less than four hours in length and include actual “hands-on” practice in identifying and dispensing medications. Individuals, with the exception of a licensed registered professional nurse, who are responsible for administering any medications that must be given by injection, by nebulizer, or administered rectally, vaginally or into the bladder, must receive one-to-one training by a licensed health professional. Documentation that school personnel have completed the required in-service training shall be maintained by the school and made available, upon request, to a pupil’s parent(s)/guardian(s), physician, licensed registered professional nurse, or by a school District official.
Training Guidelines

Training for all individuals who are designated to administer medications to pupils should include all of the following content and skill practice:

1. A review and discussion of all Michigan and federal laws pertaining to the administration of medications to pupils in schools, including discussion of confidentiality issues.

2. A review and discussion of all policies and procedures relating to medications in schools including areas of responsibility of school administrators; individuals designated to administer medications (i.e., Secretaries, aides, teachers, bus drivers; parent(s)/guardian(s); and medical professionals (i.e., physicians, physician assistants, nurses).

3. Identification of the forms related to the administration of medications in schools.

4. Safe storage and handling of medications in school including procedures for receiving and disposing of medications.

5. The use, effect, and route of administration of the most commonly prescribed medications in schools, including adverse effects.

6. Procedures for safely dispensing medications to pupils in schools, on field trips, and other off-site school activities.

7. Practice in identifying and dispensing medications to pupils.


9. Review and practice recording administration of medications.

10. Review and discuss procedures for dealing with medication administration errors.
Records

School personnel designated to administer medications shall maintain an accurate and confidential system of record keeping that includes a medical log that is maintained in the school office and filed in the student’s CA-60 at the end of each school year. The medications log shall include the following:

a. The full name of the student,

b. A log of the date and time, dosage, name of medication, administering adult, second adult present for each administration, and the signature of the administering adult and signature of an adult witness. (If an error is made in recording, the individual who administered the medication shall cross out, initial the error, and make the correction in the log), and

c. Any noted effects of, or reaction to, the medication.

School personnel must take care to ensure that each student is provided the proper medication in the proper dosage, and shall log each administration immediately. In the event of a mistake in administration or dosage, the building administrator shall be contacted immediately. The building administrator is responsible for reporting the medication error to the pupil’s parent(s)/guardian(s) immediately. It is advised that the building administrator also contact the physician so that he/she may indicate to the parent(s)/guardian(s) that staff members are conducting the appropriate medical follow up. The school staff member shall write up the error on a District incident/accident report form and place a copy into the pupil’s school record. Any adverse reaction to medication, as described on the physician’s written instructions, shall be reported to the pupil’s parent(s)/guardian(s) immediately.
School personnel, appropriately trained, shall, throughout the school year, periodically review medication instructions on file and inventory medications being stored by the school. Expiration dates on prescription medication, epinephrine auto injectors, and inhalers shall be checked at least twice each school year.

Parent(s)/Guardian(s)’ request/permission and a physician’s instructions for administration of medications shall be renewed every school year. No changes to medication dosage or time of administration will be made except by instruction from a physician.

Medications must be claimed by parent(s)/guardian(s) at the end of the school year. If this is not done, the individual who administers the medication will dispose of the medication and record this disposal on the medication log. This procedure shall be witnessed and initialed by a second adult.

Unless otherwise dictated by law, the building Principal may refuse to administer, or may choose to discontinue the extra service of administering, medication at his/her discretion, provided that appropriate notice is given to the parent(s)/guardian(s).

School Administration of Medications – Non-prescription

The procedures for administering non-prescription medications to students by the District shall be identical to those for prescription medications.

Assisting a Student in Distress

Each building shall have a plan for handling medical emergencies.

Any District staff member may assist a student in distress in self-administration of a medication (ex. epinephrine injector, asthma inhaler, etc.). For the purpose of this policy, distress refers to any obvious and serious discomfort or threatening condition. The staff member
should first confirm that the medication and dosage are proper for the student as conditions allow.

As soon as possible, the staff member shall notify the school administration, designated school medical response person, and/or the local emergency medical system. The staff member shall also complete a District incident/accident report form following the incident.

**Diabetic Emergencies**

Staff shall be made aware of the symptoms of a diabetic emergency. Staff supervising diabetic students should know the signs of possible side effects of diabetic medications, and also be aware which side effects are serious enough to warrant reporting to the child’s parent(s)/guardian(s) or health provider.

**Management of Students with Asthma in the School Setting**

Staff shall be made aware that chalk dust, animals in the classroom, strong odors (perfumes and paints), cleaning agents, pesticides, molds and numerous other substances may be asthma triggers for some children. In addition, environmental pollutants are often triggers for acute episodes of asthma. Therefore, the Superintendent will endeavor to schedule extensive building repairs or cleaning during long vacation periods or during the summer months to avoid exposing children to fumes, dust, or other irritants. Routine cleaning and maintenance of the heating/cooling and air filtration system is important for reducing amounts of dust and mold in the schools.

Staff supervising asthmatic students should know the signs of possible side effects of asthma medications, and, also, be aware which side effects are serious enough to warrant reporting to the child’s parent(s)/guardian(s) or health care provider.
The “School - Based Asthma Management Plan” form and “School-Based Diabetes Management Plan” form below are to be used in all building sites. The form may be identified with the name of the individual school if desired.

This information expires on June 30, ________

SCHOOL-BASED ASTHMA MANAGEMENT PLAN

Endorsed by the Michigan Asthma Steering Committee of the Michigan Department of Community Health

STUDENT INFORMATION

Child’s Name: ________________________________________ Birth Date: ________________
Grade: ___________ Home Room Teacher: ________________________________________________
Physical Education Days and Times: ________________________________________________

EMERGENCY INFORMATION

TO BE COMPLETED BY THE CHILD’S PARENT(S)/GUARDIAN(S):

Parent(s)/Guardian(s) Name(s): ____________________________________________________

First Priority Contact: Name __________________________ Phone ______________________
Second Priority Contact: Name __________________________ Phone ______________________

Doctor’s Name: __________________________ Phone: ________________

TO BE COMPLETED BY THE CHILD’S DOCTOR:

WHAT TO DO IN AN ACUTE ASTHMA EPISODE:

1. ________________________________________________________________
2. ________________________________________________________________
3. ________________________________________________________________

CALL 911 OR AN AMBULANCE IF: Review attached “Signs of an Asthma Emergency and list any additional symptoms the child may present with:

Battle Creek Public Schools   General School Administration   Section 2000
1. ____________________________________________
2. ____________________________________________
3. ____________________________________________

Daily Management Plan – To be completed by the child’s doctor.
OVER FOR DAILY MANAGEMENT PLAN

Child’s Name: ______________________

Be aware of the following asthma triggers: ___________________________________________

Severe Allergies: ________________________________________________________________

**MEDICATIONS TO BE GIVEN AT SCHOOL:**

<table>
<thead>
<tr>
<th>NAME OF MEDICINE</th>
<th>DOSAGE</th>
<th>WHEN TO USE</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

Side effects to be reported to health care provider:

______________________________________________________________________________

______________________________________________________________________________

Does this child have exercise-induced asthma?  Yes _____  No _____

This child uses an inhaler before engaging in physical exercise and if wheezing during physical activity.  Yes _____  No _____

Activity Restrictions (e.g., staying indoors for recess, limited activity during physical education):

______________________________________________________________________________

______________________________________________________________________________

Please check all that apply:

_____ I have instructed this child in the proper way to use his/her inhaled medications or epinephrine auto injector. It is my professional opinion that this child should be allowed to carry and use that medication by him/herself.

_____ It is my professional opinion that this child should not carry his/her inhaled medications or epinephrine auto injector by him/herself.

_____ Please contact my office for instructions in the use of this nebulizer, metered-dose inhaler, and/or epinephrine auto injector.
I have instructed this child in the proper use of a peak flow meter. His/her personal best peak flow is: ____________.

Doctor’s Signature: _________________________________ Date: ________________

Parent(s)/Guardian(s) Signature: ________________________ Date: ________________

Signs of Asthma Emergency

SEEK EMERGENCY CARE IF A CHILD EXPERIENCES ANY OF THE FOLLOWING:

• CHILD’S WHEEZING OR COUGHING DOES NOT IMPROVE AFTER TAKING MEDICINE (15-20 MINUTES FOR MOST ASTHMA MEDICATIONS)

• CHILD’S CHEST OR NECK IS PULLING IN WHILE STRUGGLING TO BREATHE

• CHILD HAS TROUBLE WALKING OR TALKING

• CHILD STOPS PLAYING AND CAN NOT START AGAIN

• CHILD’S FINGERNAILS AND/OR LIPS TURN BLUE OR GRAY

• SKIN BETWEEN CHILD’S RIBS SUCKS IN WHEN BREATHING

Asthma is different for every person. The “Asthma Emergency Signs” above represent general emergency situations as per the National Asthma Education and Prevention Program 1997 Expert Panel Report.

If you are at all uncertain of what to do in case of a breathing emergency...

Call 911 and the child’s parent(s)/guardian(s)
SIGN OF A DIABETIC EMERGENCY

LOW BLOOD SUGAR (HYPOGLYCEMIA)
ONSET CAN BE RAPID. MOST LIKELY TO OCCUR AT PEAK INSULIN ACTION TIMES, SUCH AS BEFORE LUNCH.
SIGNS:
FAINTNESS/WOOZINESS/SHAKINESS
FATIGUE
SWEATING
DIZZINESS/WEAKNESS
PALE SKIN/CLAMMY SKIN
INAPPROPRIATE ACTIONS/CONFUSION
IRRITABILITY/MOOD CHANGES/CRANKINESS
DIFFICULTY FOLLOWING INSTRUCTIONS
COMBATIVENESS
INCOHERENT SPEECH
UNCONSCIOUSNESS SYMPTOMS
MUSCLE CRAMPING
HUNGER
NERVOUSNESS
STOMACH ACHES
BLURRED VISION/HEADACHE
CONVULSIONS

HIGH BLOOD SUGAR (HYPERGLYCEMIA)
ONSET MAY BE GRADUAL OR RAPID AND CAN LEAD TO SEVERE ILLNESS OR EVEN DEATH
SIGNS AND SYMPTOMS:
EXCESSIVE THIRST AND FREQUENT URINATION
BLURRED VISION
DROWSINESS/FATIGUE
ABDOMINAL PAIN
NAUSEA
VOMITING
LABORED BREATHING AND FRUITY SMELLING BREATH

CHILDREN AND YOUTH THAT DISPLAY THESE SYMPTOMS SHOULD BE RESPONDED TO IMMEDIATELY. EACH CHILD MAY REACT DIFFERENTLY. YOU SHOULD HAVE A LIST OF SYMPTOMS EACH CHILD MAY EXHIBIT ON FILE ALONG WITH HOW TO RESPOND. FOR ANY OF THE ABOVE SIGNS & SYMPTOMS, REPORT INCIDENT TO THE CHILD’S PARENT(S)/GUARDIAN(S).

IF THE CHILD IS VOMITING AND IS UNABLE TO TAKE FLUIDS, CONVULSING OR BECOMES UNCONSCIOUS, OR IF YOU ARE UNCERTAIN OF WHAT TO DO CALL 911 AND THE CHILD’S PARENT(S)/GUARDIAN(S)

The Management of Students with Diabetes in Schools Workgroup
Sample Permission Form for Prescribed Medication

School: _______________________ Date form received by the school: __________
Student: _________________________ Date of Birth or age: ______________
Grade: _________________________ Teacher/Classroom: ______________________

To be completed by the physician or authorized prescriber

Name of medication: ______________________________________________________
Reason for medication (Optional) ___________________________________________
Form of medication/treatment: _____________________________________________
Tablet/capsule ___ Liquid ___ Inhaler ___ Injection ___ Nebulizer ___ Other ____
Instructions (Schedule and dose to be given at school): _________________________
Start: _________________________ date form received __________________________
Stop: _________________________ end of school year ____________________________
Restrictions and/or important side effects: None anticipated ___ Yes. ___ Please describe: ____________________________
Special storage requirements: None ____ Refrigerate ___

This student is both capable and responsible for self-administering this medication
No ___ Yes ___ Supervised ___ Unsupervised – Yes ___
This student may carry this medication: No ___ Yes ___

Please indicate if you have provided additional information on the back side of this form
as an attachment.

Date: _______________ Signature: ________________________________

Physician’s Name: _______________________________________________________
Address: ______________________________________________________________
Phone Number: __________________________________________________________

To be completed by parent(s)/guardian(s)

I request that (name of child) ______________ receive the above medication at school
according to standard school policy.
I request that (name of child) ______________ be allowed to self-administer the above
medication at school according to the school policy.
Date: _______________ Signature: ___________________ Relationship: ____________
School: ________________________ This information expires on June 30, _______
SCHOOL-BASED CARE PLAN for the STUDENT with DIABETES

Name: _________________________________ Birth Date: _______________________
Address: ________________________________________________________________
Parent(s)/Guardian(s) or Emergency Contact: _____________ Home Phone: ________
Work Phone: ___________________________ Pager/Cell: ________________________

SYMPTOMS SPECIFIC TO STUDENT

Low blood sugar

1. ____________________________________
2. ____________________________________
3. ____________________________________

High blood sugar

1. ____________________________________
2. ____________________________________
3. ____________________________________

TO BE COMPLETED BY PHYSICIAN

The following activities will require supervision and/or assistance for ________________
during the school day. Please check all that apply:

☐ May self test?
☐ Blood glucose testing Daily at ______________
☐ Blood glucose testing as need per symptoms
☐ Target glucose range _______________________
☐ Low blood sugar range _______________________
☐ Intervention _______________________
☐ High blood sugar range _______________________
☐ Intervention _______________________
☐ Ketone Checks If glucose levels over _____ mg/dl
☐ Administer Glucagon for following symptoms _______________________
☐ Insulin administration See attached schedule
☐ Snack Daily at ________________________ Snack as needed

Training for the above procedures will be provided by: ____________________________
Parent(s)/Guardian(s) Signature: ______________________________________________
Physician Signature: _________________________________________________________
Physician’s Address: __________________________ Phone: _________________________
MEDICATION ADMINISTRATION DAILY LOG (To be completed for each medication administered)

Name of Student: ______________________ Gender: _______

Date of Birth: _____________ Grade/Teacher: ____________ Name of School: ___________________ Name of Medication: ________________________

Dosage: _______________ Route(s): ____________________________ Time Given in School: _______________ Expiration Date: ________________

Directions: Initial with time of administration; a complete signature and initials of each individual administering medications shall be included below.

<table>
<thead>
<tr>
<th>Day</th>
<th>Initials(s) of Individual Administering Medication</th>
<th>Signature</th>
<th>Initial(s) of Individual Administering Medication</th>
<th>Signature</th>
<th>Codes</th>
</tr>
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<tbody>
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<td>6.</td>
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<td>12.</td>
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</tr>
</tbody>
</table>

Initials(s) of Individual Administering Medication: ______________________
Signature: ______________________

Use reverse side for reporting significant information (e.g. Observation of medication’s effectiveness, adverse reactions, reason for omission, plan to prevent future “no shows”). MDCH – Sample Updated 11-02
TRAINING CHECKLIST

Date(s) of Training: __________________________

Trainer(s) Name and Qualifications: ________________________________________________

________________________________________________________________________________

________________________________________________________________________________

Names and job titles of individuals attending the training: ___ attached

Content and Skills Taught to Training Participants Shall Include:

___ Review of Michigan laws governing the administration of medications to pupils in schools.

___ Discussion of local school policies and procedures relating to the administration of medications to pupils in schools.

___ Safe storage and handling of medications in schools.

___ Uses, effects, and routes of administration of most commonly prescribed medications for pupils in schools.

___ Safe dispensing procedures for medications in schools, including procedures for field trips and other off-site school activities.

___ Review of local school policies and procedures related to pupil self-administration and self-possession of medications.

___ Recording procedures for medications administered in schools.

___ Procedures for dealing with medication administration errors.

___ Opportunity for participants to ask questions regarding administration of medications to pupils in schools.

Signature of Trainer: ______________________________________________________________

School District: __________________________________________________________________

Date of Training: __________________________
The administrator in charge of Student Services is hereby designated as the official District Contact Person for receiving information from law enforcement, prosecutors, and courts relative to any matters concerning school crime and violence in the Battle Creek Public School District. The Superintendent shall see that a file of all incident reports or law enforcement records is kept in accordance with law and the Statewide School Safety Information Policy.

**Incidents to be Reported**

Reportable incidents for purposes of this policy shall be those as listed in the “Index of Reportable Incidents” as found in the School Safety Response Guide published in the Statewide School Safety Policy. Incidents reported involving students of the District shall be reviewed under the District’s Student Code of Conduct relative to possible disciplinary consequences up to and including expulsion.

**Michigan Statewide Unsafe School Choice Policy**

The Board directs the Superintendent to comply with the Michigan Statewide Unsafe School Choice Policy for schools that receive funds under the No Child Left Behind Act of 2001 (NCLB of 2001.) All reports mandated by the state policy shall be distributed to the Board before being forwarded to the ISD and/or the state. The Superintendent may enact rules to implement compliance with the state policy.

Should any school receiving funds under NCLB of 2001 be designated, “persistently dangerous,” as defined by the state policy, the required, “corrective action plan,” shall be prepared and presented to the Board for review and approval. The Superintendent shall also

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5 For the purposes of this policy, “law enforcement” means: A regularly employed member of a police force of a city, county, township or village, the Michigan State Police, a Michigan Indian tribal police force, or a federal law enforcement official, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state and the federal government.
insure that the transfer and notice requirements found in the state policies are implemented, and that the Board is kept informed of any transfers that are made.

A copy of the current Statewide Unsafe School Choice Policy shall be provided to each member of the Board, and a copy of the current policy shall be available in the District office.

Community Meetings

It shall be the responsibility of the Superintendent to set appropriate meetings with representatives of the community regarding the implementation of the Statewide School Safety Information Policy and to review the procedures developed within this District’s local School Safety Information Policy. Results of those meetings shall be shared with the Board.

Approved: June 20, 2016
LEGAL REF: MCL 380.1308; NCLB
2800  Records

The District shall establish and maintain a system of records as required by law and as necessary or pertinent to the performance of any function related to the operation of the District.

The Superintendent shall establish rules and procedures for the maintenance of District records consistent with the most current version of the Records Retention and Disposal Schedule for Michigan Public Schools.

Records shall be stored as a blend of printed, bound and electronically recorded (i.e., audio tape, video tape, micro-fiche, computer disk) material. The securing, cataloging and storing of all records shall be the responsibility of the Superintendent.

Approved:  June 20, 2016
LEGAL REF:  MCL 380.601a; 380.623; 380.862; Records Retention and Disposal Schedule for Michigan Public Schools, revised Dec. 2010

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6 Records Retention and Disposal Schedule for Michigan Public Schools, revised Dec. 2010. **Record Maintenance** Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, e-mail messages, databases, etc. The retention periods listed on this general schedule do not specify the format that the record may exist in, because each government agency that adopts this schedule may choose to retain its records using different recording media. Government agencies are responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during this entire retention period. All records [this includes District email records] need to be stored in a secure and stable environment that will protect them from tampering, damage and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. It is important to understand that the original technology that is used to create electronic records will eventually become obsolete. As a result, school districts should work with their information technology staff to develop preservation plans for retaining electronic records with long term (more than 10 years) retention requirements. Various laws (including the Records Reproduction Act, MCL 24.401-24.406) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws. **Public Disclosure** Select records series that are listed on this schedule may be exempt from public disclosure, in accordance with the provisions of various state and federal laws. Please consult with your attorney if you need additional information. **Suspending Destruction** School districts must immediately cease the destruction of all relevant records (even if destruction is authorized by an approved Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an audit, investigation or litigation has commenced. If relevant records exist in electronic formats (such as e-mail, digital images, word processed documents, databases, backup tapes, etc.), the school district may need to notify its information technology staff. Failure to cease the destruction of relevant records could result in penalties.
Battle Creek Public Schools is a “public body,” as defined in Section 2 of the Michigan Freedom of Information Act (FOIA), MCL 15.232. It is the policy of the District to comply with the FOIA. The Superintendent is the District’s FOIA Coordinator and is delegated the authority and responsibility to establish written procedures and guidelines, a written public summary of the procedures and guidelines, and a detailed itemization of fees form in compliance with the FOIA, as amended effective July 1, 2015 (2014 PA 563); provided, however, that the procedures and guidelines shall not provide for fee appeals to the board of education.

Approved: June 20, 2016
2850 Reports

The Board may require reports from the staff concerning the operation and needs of the District.

Types

The Superintendent shall prepare and submit to the Board an annual report summarizing the operations of the District for the preceding school year. The Superintendent’s annual report shall be submitted to the Board after the end of the school year. The Superintendent shall present a monthly budget report to the Board.

The Board delegates to the Superintendent the authority to request certain reports from the District’s staff concerning the operation of the District or on any subject relating to the educational program of the District.

Dissemination

The Board, upon request, shall receive copies of all reports submitted to the Superintendent. Copies of staff reports may be sent to staff members for their confidential use at the discretion of the Superintendent. The Board reserves the right to modify or waive any of the above qualifications if the Board determines that doing so is in the District’s best interests.

Approved: June 20, 2016
3000—FISCAL MANAGEMENT

3050  Budget Planning
3100  Annual Operating Budget
    Priorities
    Deadlines and Schedules
    Encumbrances
    Recommendations
    Preliminary Adoption Procedures
    Hearings and Reviews
3150  Budget Fund Balance
3200  State and Federal Funding Proposals and Applications
3280  Borrowing and Debt Service
    Short Term Borrowing
    Sale of Bonds
    Debt Service
3290  Summer Property Tax Levy
3300  Investment of Funds (Cf. 3310)
3340  Fees, Payments, and Rentals (Cf. 9250)
    Rental and Leasing of District Property
    Gate Receipts and Admissions
    Free Admissions
    Income and Payments from Sales and Service
    Non-Sufficient Fund Checks
3400  Depository of Funds (Cf. 1300)
3405  Electronic Transactions of Funds
    Internal Accounting
3410  Safeguarding of Monies and Equipment
3430  Surety Bonds – Employees and Board Treasurer (Cf. 3520)
3490  Inventories – Fixed and Controlled Assets
    Fixed Asset Accounting System
3500  Audits (Cf. 3520)
3520  Fraud Prevention and Investigation (Cf. 3490, 3500, 5203, 8700)
3550  Authorized Signatures (Cf. 1300)
3580  Payroll Procedures and Schedules
3600  Reimbursement of Expenses (Cf. 1168, 5330)
3605  District Credit/Procurement Cards (Cf. 1162, 1168, 3600)
    Issuance
    Documentation
    Lost Credit/Procurement Cards
    Return of Credit/Procurement Cards
3610  Purchasing Goods and Services
    Purchasing from District Employees
    Purchases through the District
<table>
<thead>
<tr>
<th>Section 3000</th>
<th>Topic</th>
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<tbody>
<tr>
<td>3620</td>
<td>Administrative Leeway (Cf. 2750, 3660)</td>
</tr>
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3050 – Budget Planning

The Superintendent and his/her designee shall be responsible for planning the District’s budget. The Superintendent shall keep the Board informed during the planning process and shall secure input from the Board through discussions or workshops.

The Board may approve a special committee to work with the Superintendent in determining budget priorities.

Approved: March 20, 2017
LEGAL REF: MCL § 141.434(1); MCL § 141.422b(3)(c); MCL § 141.422d(2); MCL § 380.1133; MCL § 380.1218; MCL § 380.1281.
3100 – Annual Operating Budget

The District’s budget shall be prepared by the Superintendent in cooperation with selected District employees and shall reflect the educational goals of the District.

The Superintendent shall prepare a detailed cost analysis study of all programs that are funded by the District’s budget.

The Superintendent shall follow the adopted budget.

It shall be the goal of the Board to fund the operating budget according to approved fiscal and budgetary procedures adhered to and required by the State of Michigan. The budget shall be the vehicle by which the educational goals and objectives of the District are to be met.

Priorities

The Board shall establish priorities for the District on a short-term, intermediate, and long-range basis.

Deadlines and Schedules

In order for the District’s budget preparation to proceed in an orderly fashion, the Board shall establish deadlines and time schedules.

Encumbrances

Encumbrances shall be made when the purchase is made or when an approved purchase order is processed. All encumbrances shall be charged to a specific fund.

Recommendations

Recommendations of the Superintendent and professional staff concerning the educational program of the District and related budget figures shall be presented to the Board prior to submission of the tentative draft budget.
Preliminary Adoption Procedures

Upon request from the Board, the Superintendent shall submit a preliminary draft of the District’s budget to the Board.

Hearings and Reviews

The Board shall conduct budget hearings according to State law.

Approved: March 20, 2017
LEGAL REF: MCL § 141.411, et seq.; MCL §§ 141.421a-440a; MCL §§ 211.209-210; MCL §§ 380.1213-1214; MCL § 380.1216; MCL §§ 380.1218-1220; MCL § 388.1702.
Preliminary Adoption Procedures

The preliminary budget shall include expenditure and revenue data for the most recently completed fiscal year and the amount of surplus or deficit that has accumulated from prior fiscal years. In addition, budget estimates should be provided for each of the subsequent two years for planning purposes. The budget shall contain estimates needed for deficiency, contingency, or emergency purposes. The debt fund budgets shall include the amounts needed to pay the principal and interest from each fund for that fiscal year.

Details of expenditures and revenues for capital improvement projects from the general fund should be projected for a period of three years. An informational summary of projected expenditures and revenues for the building and site funds of the District shall be included in the budget document with a projection of such expenditures and revenues for three full years beyond the fiscal year covered by the budget.

Recommendations

All recommendations of the Superintendent and staff shall be presented to the Board no later than the regular Board meeting in June.

Hearings and Reviews

All budget reports, explanatory letters, and copies of the draft budget shall be available to interested patrons after being made available to the Board. The Board shall set the date, time, and location of the annual budget hearing.

Priorities

The Board shall make the final decision for the priority status of various budget items.
**Adoption**

The Board shall approve the budget according to current law.

Approved: March 20, 2017
LEGAL REF: MCL § 380.1221; MCL § 380.1223; GASB Bulletin 40.
3150 – Budget Fund Balance

The Board realizes its responsibility under law to maintain a balanced, nondeficit financial condition for the District so that the District does not find itself in a serious financial problem. A budget fund balance provides flexibility in dealing with unanticipated budget emergencies, such as mid-year reductions in state funding. In addition, a budget fund balance will help to avoid borrowing during the two-month period between the August and October State Aid payments, and the budget fund balance will generate interest revenue on the available funds.

The Board will strive to maintain an unappropriated fund balance in accordance with the above requirements while trying to maintain the goal of having a fund balance of approximately 15% of the total annual operation expense of the District’s General Fund Budget. In the event that this fund balance falls below this goal, the Superintendent is required to bring a plan to the Board to re-establish the fund balance as a part of the budgeting process. In addition, the Board may consider a reduction of the 15% goal to (i) adjust to the economic climate regarding state budget reductions; or (ii) prevent the District from borrowing to meet the day to day financial obligations of the District.

The Superintendent is directed to bring only those budget recommendations to the Board that comply with all laws and the intent of this policy.

Approved: March 20, 2017
LEGAL REF: MCL § 141.2101; MCL §§ 380.1211 – 1227.
3200 – State and Federal Funding Proposals and Applications

The Board shall seek and consider as many sources of revenue as possible to supplement the funds received from local taxes and State Aid.

The Superintendent shall assume the responsibility for keeping the Board informed of any revenue sources – for which the District may be eligible – that could enhance the educational program or operation of the District. The Superintendent shall also make recommendations to the Board for action on the revenue sources identified by the Superintendent.

Approved: March 20, 2017
LEGAL REF: MCL § 3.541; MCL § 3.542; MCL § 388.801.
3280 – Borrowing and Debt Service

Short Term Borrowing

If necessary, bids may be solicited for all short-term borrowings that the Board has authorized, and funds shall be borrowed from the responsible organization offering the most favorable bid. All borrowings shall conform to applicable law.

Sale of Bonds

If necessary, the Board, upon a favorable vote of the people in compliance with the laws of the State of Michigan, may sell its voted bonds. Such bonds shall be sold in conformance with the laws of the State of Michigan.

Debt Service

It shall be the responsibility of the Superintendent to maintain all records as to the outstanding bonds and debts encumbered against the District. The Superintendent shall keep this information readily available and shall report periodically to the Board on the condition of these accounts.

Approved: March 20, 2017

LEGAL REF: MCL § 380.1225; MCL §§ 380.1351-1372; MCL § 380.1356; MCL § 141.2101, et seg.
The Board, by passing a resolution to actuate this policy, shall impose a summer property tax levy.

The resolution shall state that the summer property tax levy shall commence in the summer and continue during each subsequent summer until specifically revoked by the Board. Each summer property tax levy shall be for 50% of the District’s annual school property taxes, unless otherwise specified by law.

Approved: March 20, 2017
LEGAL REF: MCL § 380.1613.
3300 – Investment of Funds (Cf. 3310)

Annually, the Board shall pass a resolution authorizing the Treasurer to invest surplus funds of the District. The Treasurer, with the authorization of the Board, may delegate day-to-day duties involving the investment of funds to the Superintendent.

Should the Board choose to employ an outside consultant to advise the Treasurer, or Superintendent if so delegated, that consultant, or consulting firm, shall be duly registered under the Investment Advisor’s Act of 1940.

The District’s investment portfolio shall be structured in such a way that the primary emphasis is on safety and liquidity of investments and preservation of the principal amount invested, as opposed to the rate of return. District cash flow needs shall be taken into account at all times when investments are contemplated.

In order to reduce the risk of losses on District investments, only “low-risk” investment instruments shall be used by the District. No District investments shall involve foreign currency risk.

This policy applies to all cash and investments under control of the Board, with the exception of funds related to debt issuance, if necessary, where other agreements or contracts are in effect for those funds. Provided, however, that any financial institution holding a deposit account of the Board may pledge any asset permissible under applicable law to secure such deposit accounts.

The Superintendent may develop appropriate administrative rules to accompany this policy.

Approved: March 20, 2017
LEGAL REF: MCL § 380.1221; MCL § 380.1223; GASB Bulletin 40.
3300-R – Investment of Funds

The Treasurer, or Superintendent if delegated by the Treasurer and approved by the Board, is responsible for maximizing the investment earnings of the District. Such authorized investments shall be restricted to those authorized under applicable law.

The Board authorizes the Superintendent to invest available funds of general fund monies while not being used for operating purposes or invested otherwise. Such investments shall be used when the cash flow pattern does not permit the purchases of longer-term investments or when the rate of return is comparable or greater than is available from other investments. The Superintendent or designee, are authorized to make deposits and withdrawals from this account when necessary.

Interest from investments shall accrue to the fund from which the investment was made as determined by the Board and permitted by current law.

The Superintendent shall assume the responsibility of developing cash flow patterns for all funds in order to determine the availability of funds for investment. The Superintendent shall report monthly to the Board on the status of all investments.
Rental and Leasing of District Property

The Board may authorize the rental or lease of District property not used for instructional purposes.

Gate Receipts and Admissions

School events where admission fees are charged are a part of the District’s educational program; therefore, such fees are also a part of the District’s budgeting process. Thus, the administration shall be given the responsibility to set such fees. The level of the fee shall be set taking into consideration those factors which are a part of the appropriate school budget.

Free Admissions

Any resident of the District who is 62 years of age or older may apply for membership in the Gold Card Club. The membership card admits this member free of charge to any school activity. A fee may be levied to cover the direct cost of foods, materials, supplies, etc., involved with an activity.

Income and Payments from Sales and Service

Jobs or projects may be undertaken by students for private individuals or community groups. The facilities of the District may be used for such activities. All receipts shall be deposited in the appropriate fund and used as a reimbursement for materials and/or to purchase additional supplies and cover expenses of a department.

Non-Sufficient Fund Checks

In the event the District should receive a check for any purpose that is returned due to non-sufficient funds (NSF) the District will assess a current bank charge.
If the issuer fails to “make good” for the amount of the original check within 10 days of the date of the check being returned for NSF, the District reserves the right to file criminal charges and to refuse checks in the future from the issuer.

Approved: March 20, 2017
LEGAL REF: MCL § 380.11a; MCL § 380.1141.
Rental and Leasing of District Property

Prior to leasing District property, the Board shall make known the availability of such property to the patrons of the District. The lessee shall be reputable and the use of the buildings shall be compatible with community standards.

In all cases, the lessee shall be responsible for the maintenance of the property and payment of utilities. The Board annually shall be informed of the name, address, and telephone number of the individual designated as liaison with the Board. The lessee shall be required to pay any taxes that may be assessed against said property.

All lease agreements shall be prepared or reviewed by legal counsel prior to Board approval. In all cases, the amount received from the lease will be applied to cover direct expenses of operation that may accrue to the District.

Gate Receipts and Admissions

No fees shall be charged unless first approved by the Board. All special tickets, i.e., season tickets, sports tickets, and free passes, etc. shall have prior approval of the Board.

Free Admissions

Senior citizens, age 62 years and older may be given a guest pass, upon application to the Superintendent, which shall permit them to attend all activities of the District, including athletic events and adult education courses, free of charge.

The following rules and procedures shall apply to projects undertaken in the District’s shops and facilities:

1. Priority for Service:
   a. Students enrolled in the course
b. District and District organizations
c. District affiliated organizations
d. City public agencies and non-profit organizations
e. Parent(s)/Guardian(s) of students enrolled in class
f. Area senior citizens
g. Students enrolled in high school
h. Individuals, including District employees;

2. Customers shall sign the necessary application and release forms provided by the District;

3. If an automobile is to be wrecked, the registration must be checked;

4. In auto shop, the welding of gasoline tanks and installation of glass is prohibited;

5. Tipping for services is prohibited;

6. All individuals and outside groups shall pay an estimated cost of materials and parts before the work begins. Adjustments shall be made at the time of final billing;

7. Payment for all parts or materials and services shall be made before releasing the product to the client;

8. Invoices for all charges shall be issued through the business office and all payment made to the business office or immediately submitted to said office by the person making the collection. To the extent possible, payments should be made by check, and;

9. Employees or students shall not realize any financial benefit because of work projects undertaken.
At the annual organizational meeting, the Board shall, in accordance with state law, designate, by resolution, the financial institutions in which the funds of the District shall be deposited and the proportion of funds to be deposited in each. The Treasurer or Superintendent, if delegated by the Treasurer and approved by the Board, shall deposit or cause to be deposited, funds of the District in the institutions as authorized by the Board and in the proportions authorized by the Board.

Approved: March 20, 2017

LEGAL REF: MCL § 21.143; MCL § 129.12; MCL § 129.16; MCL §§ 380.1221-1222.

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7 MCL § 129.15 includes credit unions as an appropriate place of deposit and uses the term “financial institutions,” not just banks or trust companies.
3405 – Electronic Transaction of Funds

The District, through resolution of the Board, shall be a party to an Automated Clearing House\(^8\) (ACH) arrangement.\(^9\) The Superintendent shall be responsible for the District’s ACH agreements, including payment approval, accounting, reporting, and generally for overseeing compliance with the ACH policy.\(^10\) All ACH invoices are to be approved by the Board prior to payment.

**Internal Accounting.** The Superintendent or designee shall be responsible for development and maintenance of appropriate accounting controls to monitor the use of ACH transactions\(^11\) made by the District.

Approved: March 20, 2017
LEGAL REF: MCL §§ 124.301-124.305.

\(^8\)“Automated clearing house” or “ACH” – a national and governmental organization that has authority to process electronic payments, including, but not limited to, the national automated clearing house association and the federal reserve system (MCL § 124.301(d)).

\(^9\)ACH arrangement – the agreement between the originator of the ACH transaction and the receiver of an ACH transaction (MCL § 124.301(a)). Under Act 738 of 2002, MCL § 124.301, an ACH arrangement is not subject to the revised municipal finance act, 2001 PA 34, MCL § 141.2101, or to provisions of law or charter concerning the issuance of debt by a local unit.

\(^10\)ACH policy – the procedures and internal controls as determined under this written policy developed and adopted by the Superintendent (MCL § 124.301(b)).

\(^11\)ACH transaction – an electronic payment, debit, or credit transfer processed through an automated clearinghouse (MCL § 124.301(c)).
3405-R – Electronic Transaction of Funds

For the purposes of accountability of ACH funds, the Superintendent or appropriate designee shall report to the Board the goods or services purchased during the preceding month. The report must contain:

1) The goods or services purchased and their cost;

2) The date of the payment; and

3) The unit or department serviced by each payment.

This report may be maintained in the electronic general ledger software system of the District or in a separate report and may be provided to the Board in the same manner as other bills and transfers (e.g., general bill approval).

Internal Accounting

ACH accounting methods shall follow the established and approved District accounting procedures.

Accounting Process

1. The Superintendent or designee shall prepare a list of vendors authorized to be paid by ACH transaction and shall provide that list to the appropriate staff.

2. The appropriate staff shall initiate the transaction upon receipt of an invoice included on the authorized ACH list approved by the appropriate District official. ACH invoices must be approved before payment. The clerk shall sign the ACH invoice, which then acts as the warrant.

3. The clerk shall present the warrants, a list of bills for payment, and a separate list of the electronic payments for Board approval. The Board shall approve all transactions prior to disbursement.
Electronic Transaction of Funds

4. The Superintendent or designee shall retain all ACH transaction documents for audit purposes.

5. The appropriate staff shall retain all invoices for audit purposes.

Sample Resolution

For the authorization of electronic transactions under PA 738 of 2002, MCL 124.301 et seq., the Board hereby recognizes that:

- Electronic payment of public funds is required for some federally mandated transactions involving public funds by electronic payment, debit, or credit transfer processed through an automated clearing house; and

- The Board deems that it is in the best interest of the District to make certain District financial transactions by electronic payments as described in PA 738 of 2002.

It is therefore resolved, that the Board authorizes the District to utilize electronic transactions in compliance with the written procedures and internal controls developed by the Superintendent.

Moved by: ________________________ Seconded by: ________________________

Ayes: ____________ Nays: ___________ Abstentions: _______________

Resolution Adopted: ____________________
3410 – Safeguarding of Monies and Equipment

The Superintendent shall be responsible to see that administrative regulations are established and carried out so that all monies and equipment within all of the District’s facilities are safeguarded and accounted for in an efficient manner at all times.

Approved: . March 20, 2017
The Board shall purchase a surety or “blanket” policy for school employees as recommended by the Superintendent. The Board shall prescribe the amount of the policy based on the recommendation of the Superintendent after his/her consultation with the District’s accounting firm.

A surety policy for $1,000,000.00 is required for the Treasurer of the Board.

Approved: March 20, 2017
3490 – Inventories – Fixed and Controlled Assets

An accounting will be made annually for property, real and personal, owned by the District in accordance with law, governmental regulations, and District rules.

Fixed Asset Accounting System

The administration shall maintain a fixed asset accounting system in accordance with law, governmental regulations, and the District’s needs.

Approved: March 20, 2017
LEGAL REF: GASB, Statement No. 34.
For the purposes of accountability of school-owned property, the Superintendent, or administrator in charge of Business Services, shall develop an inventory record system. Annually, all inventory records shall be updated showing deletions and additions of District-owned property, the estimated value, estimated original cost, date of purchase, serial numbers (where available) and location and condition of each piece of property.

Fixed Asset Accounting System

The administration shall maintain a fixed asset accounting system in accordance with law, governmental regulations, and District needs. The fixed asset accounting system shall maintain sufficient information to permit the following:

A. The preparation of year-end financial statements in accordance with law, governmental rules, and generally accepted accounting principles;

B. Adequate insurance coverage; and

C. Control and accountability.

The Superintendent, or administrator in charge of Business Services, shall be responsible for the development and maintenance of the fixed asset accounting system. The Superintendent or administrator shall develop procedures to ensure compliance with all fixed asset accounting policies, law, or governmental regulation. Each building Principal shall be assigned fixed asset responsibilities.

“Fixed assets” are defined as at least 80% of those tangible assets of the District with a useful life in excess of one year and an initial cost equal to or exceeding $5,000.00. In making this determination, the Superintendent, or administrator in charge of Business Services, generally will use the recognized and accepted “standard useful life table” as published by the Association
of School Business Officials International Accounting, Auditing and Budgeting Committee, Subcommittee on GASB Statement No. 34 Implementation.

Additionally, the services of a professional property appraisal firm may be used to perform the asset inventory, to provide estimated historical cost information, and to give an objective estimate of the asset’s useful life that will generally be acceptable to auditors.

In determining what assets are to be accounted for in District inventories, the Superintendent, or administrator in charge of Business Services, will consider the following information sources:

- Original purchase records;
- Bond documents;
- Professional appraisal or other services, such as insurance appraisals; and
- The total amount of original debt issuance, where appropriate, to help determine some assets’ historical cost.

Annually, the Superintendent or designee will review the estimated remaining life of specific fixed assets or groups of assets and adjust the remaining depreciable life accordingly.

Some items may be identified by the Superintendent or designee, as “controlled” assets that, although they do not meet all fixed asset criteria, will be recorded on the fixed asset system to maintain control.

Each building Principal has the responsibility of taking an inventory of District owned property in all buildings under his/her supervision. The Superintendent, or administrator in charge of Business Services, will develop inventory forms and procedures. The custodian of records in that building will file one copy of each inventory taken in an attendance center, and one copy shall be filed in the central office.
Additional administrative regulations may be developed at the departmental level by the Superintendent, or administrator in charge of Business Services, as required to implement policy 3490. Upon request, any such rules, regulations, procedures, or forms will be shared with the Board for their information.
3500 – Audits (Cf. 3520)

The accounting records, including internal accounts, of the District shall be audited annually by an independent certified public accountant in accordance with prescribed standards and legal requirements.

The audit report shall be reviewed and approved annually by the Board at a public meeting. The management letter and recommendations of the auditor shall be brought to the attention of the Board, along with recommendations of the Superintendent as to the feasibility of implementing the recommendations. The Superintendent or designee shall be responsible for filing the audit reports with all appropriate authorities as prescribed by law or regulation.

The auditing firms selected to conduct the annual audit shall be recommended by the Superintendent and approved by the Board at the organizational meeting. The auditing firm may be selected on a bid basis. All District employees shall cooperate fully with the auditors.

Approved: March 20, 2017
LEGAL REF: MCL § 388.1618.
Fraud Prevention and Investigation (Cf. 3490, 3500, 5203, 8700)

3520 – Fraud Prevention and Investigation (Cf. 3490, 3500, 5203, 8700)

The Board expects all employees, Board members, consultants, vendors, contractors, and other parties maintaining any business relationship with the District to act with integrity, due diligence, and in accordance with all laws in their duties involving the District’s fiscal resources. The District is entrusted with public dollars and no person connected with the District should do anything to erode that trust.

The Superintendent shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the District. Every member of the District’s administrative team shall be alert for any indication of fraud, financial impropriety, or irregularity within his/her areas of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor and/or the Superintendent. The Superintendent shall have primary responsibility for any necessary investigations and shall coordinate investigative efforts with the District’s legal counsel, auditing firm, and other internal or external departments and agencies, including the Calhoun County Prosecutor’s Office and law enforcement officials, as the Superintendent may deem appropriate.

In the event the concern or complaint involves the Superintendent, the concern shall be brought to the attention of the Vice-President of the Board who shall be empowered to contact the District’s legal counsel, auditing firm, and any other agency to investigate the concern or complaint.

The Superintendent may elect to employ the District’s auditing firm to conduct a partial forensic/internal control/SAS99 audit annually or otherwise as often as deemed necessary. The
Superintendent is authorized to order a complete forensic audit if, in his/her judgment, such an audit would be useful and beneficial to the District.

Approved: March 20, 2017
LEGAL REF: MCL §§ 14.141-145; MCL §§ 15.361-369; MCL §§ 141.421-440a; MCL §§ 141.2101-141.2821; MCL § 380.1202; MCL § 380.1215; MCL § 380.1216; MCL § 380.1363; MCL § 388.1618.
Fraud, financial improprieties, or irregularities include, but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the District.

2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.

3. Misappropriation of funds, securities, supplies, or other assets.

4. Impropriety in the handling of money or reporting of financial transactions.

5. Profiteering because of “insider” information of District information or activities.

6. Disclosing confidential or proprietary information to outside parties.

7. Accepting or seeking anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the District.

8. Destroying, removing, or inappropriately using District records, furniture, fixtures, or equipment.

9. Failing to provide financial records to authorized state or local entities.

10. Failure to cooperate fully with any financial auditors or investigators.

11. Any other dishonest or fraudulent act involving District monies or resources.

The Superintendent shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.
If an investigation substantiates the occurrence of a fraudulent activity, the Superintendent, or Board Vice-President if the investigation centers on the Superintendent, shall issue a report to appropriate personnel and to the Board.

The final disposition of the matter and any decision to file or not file a criminal complaint or to refer the matter to the appropriate law enforcement or regulatory agency for independent investigation shall be made in consultation with District legal counsel. The results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know until the results are made public.
3550 – Authorized Signatures (Cf. 1300)

At the annual organizational meeting, the Board shall authorize the signatures of those persons who may sign checks upon the various accounts of the District. Facsimile signatures may be used as authorized by the Board.

Approved:
3550-R – Authorized Signatures

- Executive Director for Business and Finance.
- Superintendent of Schools.
- Board Treasurer.
Payroll Procedures and Schedules

All employees shall be paid according to a specific schedule that shall be determined annually by the Board. All salaries, supplements, and payments for extra duties shall be paid from the payroll account through the District’s business office. No payments shall be made directly to any school personnel for services rendered from any supplementary school fund.

Approved: March 20, 2017
LEGAL REF: MCL § 380.1224.
No employee shall be paid in advance of services rendered. Personnel receiving extra pay for extracurricular activities that are ongoing throughout the school year shall have the salary pro-rated in equal amounts in each paycheck. Personnel receiving extra pay for extracurricular activities that are seasonable shall be paid in full at the completion of the activity or on a pro-rated basis over the remaining pay periods, at the option of the employee.

Except for deductions for absences not covered by paid leave, required by law or contract, all salary deductions shall be subject to the Superintendent’s or Board’s approval. All deductions not mandated by law shall require authorization by the employee through the Superintendent’s office or designee.
3600 – Reimbursement of Expenses (Cf. 1168, 5330)

District personnel, or members of the Board, who incur expenses in carrying out their authorized duties shall be reimbursed by the District to the extent approved or provided in Board policies or duly negotiated agreements upon submission of an approved voucher and supporting receipts. Such expenses may be approved and incurred in line with budgetary allocations for the specific type of expense.

Approved: March 20, 2017
LEGAL REF: MCL §§ 15.321-330; MCL § 129.221, et seq.; MCL § 129.241, et seq.
When official travel by personally owned vehicle has been authorized, mileage payment shall be made at the rate approved by the Board. For employees covered by flat allowance per month or per year, the mileage rate shall apply when the employee uses a personal automobile on authorized school business outside the District.

Credit/Procurement Card

If a District employee is issued a District credit/procurement card for direct billing, it is the responsibility of the individual to indicate on the credit slip the kind of activity being charged. Upon returning to the District, all charge slips are to be submitted to the business office as soon as possible, along with the credit/procurement card unless the employee has been authorized to maintain possession of the credit/procurement card.

Spouses, Family Members, and Others

Expenses of spouses, other family members, or any non-district employees accompanying Board members or employees in discharging their official duties or performing authorized functions are not reimbursable. Employees using a District credit/procurement card may incur charges for spouses, family members, or other non-District employees, but shall reimburse the District for any such charges.

Alcoholic Beverages and Tobacco

Neither alcoholic beverages nor any tobacco products may be charged to any District credit/procurement card, nor will reimbursement be paid for any expenditure for alcoholic beverages or tobacco, e-cigarettes, medical marijuana, or any other nicotine delivery products.

Authorization for Travel

The Superintendent or designee must approve all travel.
Reimbursement of Expenses

The appropriate forms must be completed prior to departure.

Reimbursement of Expenses

1. A Conference Request Form must be submitted no later than five school days prior to the meeting; and

2. Estimated expenses must be within appropriate budget allocations.

An Approval of Request Form signed by the Superintendent or designee shall constitute certification for authorized travel. Certain employees shall be authorized by the Superintendent to travel locally in the performance of their duties and submit expense vouchers for reimbursement.

Methods of Travel

1. Travels by Common Carrier:

   When a common carrier is authorized as the means of travel, employees shall make their own arrangements for transportation. The lowest price class of roundtrip tickets (i.e. coach or economy) shall be purchased when doing so will lower total travel cost, unless authorized travel to several points precludes a roundtrip ticket purchase; in the event of such travel to several points, the lowest price class of one-way tickets (i.e. coach or economy) shall be purchased when doing so will lower total travel cost.

2. Travels by Private Automobile:

   a. Reimbursement for travel by private car should generally be authorized only under the following circumstances, with the reason indicated on the authorization form:

      1) When common carrier service is not available without undue loss of time or unless common carrier service would be more expensive
to the District. If the traveler makes the choice, maximum reimbursement shall be limited to the lower of the mileage or common carrier cost;

2) When two or more persons are eligible for similar authorized travel and riding together would mean a saving to the District. The Superintendent or designee is responsible for making such a determination before approving the travel request. Mileage will be reimbursed in the most cost effective way for the District, and the reimbursement will only be made to an approved driver;

3) When use of an automobile will permit the traveler to make stops en route and perform his/her duties more effectively; and

4) When the use of an automobile will not require the traveler to be away from his/her duties for a substantially longer period than travel by common carrier.

3. Use of District-Provided Vehicles:

a. Official District Travel

When authorized, travelers shall be reimbursed for all expenses in connection with the use of District cars and trucks, provided the claim for such expenses is supported by receipts.

b. Travel to Professional Meetings

Approval may be given to qualified staff members for the use of District owned vehicles for travel to professional meetings when other methods of travel are unsuitable or when the trip can be made at less expense to the District. A qualified staff member must drive.
4. Travels by Rented Vehicles:

Under certain circumstances, the use of a rental car may be necessary. The Superintendent or designee must approve rental car service at the site of a conference to which a person travels by common carrier. In requesting such use, rationale must be presented which will justify the necessity of such use or its advantage to the District.

5. Travels by Charter Air Service:

The use of charter air service may be authorized when it is to the advantage of the District measured by both comparative travel costs and travel time.

Drivers of District-Provided Vehicles Qualifications:

1. Qualified full-time staff members may drive district-provided vehicles when engaged in official District business, provided they have a valid driver’s license and have adequate experience in driving the type of vehicle assigned;

2. The staff member to whom a District vehicle is assigned is the District’s representative in full charge of the trip; and

3. Students may not drive District-owned vehicles unless driving is part of a driver education program.

Reimbursable Expenses

Reimbursable expenses must follow District guidelines for travel, and reimbursable expenses include the following:

1. Lodging (actual room cost);

2. Meals (receipts must not exceed the IRS standard allowance);
3. Conference registration fees;
4. Parking and tolls;
5. Common carrier transportation within limitations above;
6. Use of private vehicle within limitations above;
7. Postage, telephone, and fax charge for business purposes;
8. Charge for baggage service, tips (not to exceed 15 percent); and
9. 100% of the hotel and registration for administrators.

Immediately upon return, a financial accounting, including documentation, shall be made to the business office. Expenditures not documented shall not be reimbursed by the District. Petty cash funds may not be used for cash advances. All requests for reimbursement for travel during a fiscal year shall be submitted to the business office immediately after travel. Requests for reimbursement received later than 30 days after travel will not be accepted. All requests must be received prior to the 3rd week of June of that same fiscal year.

**Daily Travel**

Local travel – as authorized by an employment agreement under these regulations – is to be recorded on a daily basis and submitted to the business office at the end of each month for reimbursement. If such travel is less than 100 miles per semester, reimbursement may be requested at the end of the semester. Voucher must include, date, destination, purpose of travel, and number of miles for each trip.
The Superintendent or designee shall be responsible for the issuance, accounting, monitoring, retrieval, internal controls, and general oversight of the use of District credit or procurement cards for District employees.

Issuance

District employees may be issued a District credit or procurement card that shall be used solely for the purchase of goods or services needed for official business of the District.

Documentation

When an employee uses a District credit or procurement card, documentation shall be provided to the Superintendent or designee immediately after a credit or procurement card statement is received by the employee. The documentation must detail the goods or services purchased, the cost of such goods or services, the date of purchase, and the purpose for which such goods or services were purchased.

Lost Credit/Procurement Cards

Each District employee issued a credit or procurement card is responsible for the protection and custody of the District credit or procurement card. If a District credit or procurement card is lost or stolen, the Superintendent or designee shall be notified immediately.

Return of Credit/Procurement Cards

A District employee who is no longer employed by the District shall return all District credit and procurement cards – issued to the employee – upon termination to the Human Resources Department during the off-boarding process.

Approved: March 20, 2017
The District may include in its budget and pay the balance due on any credit/procurement cards, including the annual fees and interest.

There shall be a system of internal accounting controls to monitor the use of credit/procurement cards.

The Superintendent or designee is authorized and encouraged to develop categories of the type of credit/procurement card purchases that may be made by District employees.
3610 – Purchasing Goods and Services

The Superintendent or designee shall be the sole purchasing agent for the District.

Purchasing from District Employees

The Superintendent or designee shall not purchase equipment, supplies, or services from an employee of the District, nor from a member of a household of an employee, nor from any firm in which an employee or member of the employee’s household holds a 10 percent or greater financial interest.

Purchases through the District

The Superintendent or designee shall not make any purchase through the District for personal use. The name of the District or school, or the Superintendent’s or designee’s position, shall not be used in such manner that discounts or cost preferences are given to such person.

Purchasing equipment and supplies by the District for resale to employees is prohibited.

Emergency Purchases

Emergency purchases may be made without using the quotation or bidding process. Such emergencies may arise because of an accident or other unforeseen occurrence that could affect the life, health, welfare, or safety of the District’s students or employees. A report detailing emergency purchases will be provided to the Board in a timely manner.

Approved: March 20, 2017
LEGAL REF: MCL § 15.321-330; MCL § 380.1216; MCL § 380.1274.
3610-R – Purchasing Goods and Services

In order to properly oversee the purchasing function and protect the resources of the District, the following administrative rules shall apply to policy 3610. These rules shall apply equally to all employees of the District regardless of assignment.

1. No employee has authority to sign any contract for $10,000.00 or greater for the purchase of any goods without prior board approval.

2. Any expenditure for goods or service must be chargeable to an appropriate budget line item in the budget adopted by the Board.

3. The Superintendent, or a person designated specifically by the Superintendent, shall be empowered to sign lease agreements on behalf of the District regardless of duration of the lease or the amount of the expenditure. It shall be the general practice of the District that, with the exception of technology equipment, such as computers, printers, scanners, copying machines, and the like, and certain transportation equipment, no lease shall be entered into that encumbers the District and the Board for more than a ten-year period.

4. Any employee violating or attempting to circumvent these rules will be subject to disciplinary action, up to and including discharge. In addition, the Superintendent has authority to pursue any legal remedy necessary to seek restitution from the offending employee for any outstanding debts or obligations incurred by the District because of the employee’s violation of these rules, subject to applicable collective bargaining agreements and law.

5. All vendors doing business with the District, or seeking to do business with the District, will be informed of these rules. Any vendor who seeks to circumvent or
violate these rules may be barred, permanently, from doing business with the District.
In the event of an emergency such as a power failure, severe cold weather, or other such natural disasters, the Superintendent or designee shall have the authority to purchase capital equipment needed to keep the schools of the District open or to reopen the schools. The Board, at a special or regular meeting as soon as possible after the purchase is made, shall approve any such purchases.

Such purchases shall not be made to circumvent the purposes of the competitive bid law.

Approved: March 20, 2017
The Superintendent or designee is authorized to consider, and recommend for Board approval, membership in cooperative purchasing organizations that would be of benefit to the District.

Cooperative purchasing also pertains to what is commonly referred to as “third party bids.” Third party bidding shall constitute a competitive bid for purposes of policy 3660 - Competitive Bids.

Approved: March 20, 2017
Purchases requiring competitive bids shall be made in accordance with current statutes, the District’s Corrective Plan (on file in the Superintendent’s office), and adherence to the District’s bidding procedure by the District’s purchasing agent.

The Superintendent or designee shall develop and maintain lists of potential bidders for various types of materials, equipment, and supplies. Such bid lists shall be used in the development of mailing lists for distribution of specification and invitations to bid.

Any supplier may be included in the list upon request. The purchasing agent shall review all bid lists annually.

A copy of this policy shall be given to all bidders upon request.

All bids and supporting documentation shall be retained in the Finance office with the Superintendent for a period of one year after bids have been opened.

**Competitive Bids**

No purchases shall be made of supplies, materials, or equipment in a single transaction costing more than the competitive bidding threshold, as defined by the State of Michigan, unless competitive bids for those goods are obtained and the Board approves the purchase.

After completing the required Competitive Bid process, the following criteria should be considered when making the selection of the vendor:

- The overall cost of the product/service
- The match of the product/service to the identified need
- The quality of the product/service
- The timeliness of the product/service being delivered/completed
- The reputation of the vendor
• Potential conflicting interests of selecting the vendor
• History of previously using the vendor
• The Board of Education reserves the right to reject any or all bids, as well as waive any irregularities and to accept the bid that meets its requirements most satisfactorily

Bid Specifications

The District’s purchasing agent shall write all bid specifications in a clear and concise manner. Such specifications shall include, when necessary: required performance, surety, bid, and statutory bond information; compliance with preferential bid law; financial statements; the Board’s right to reject any or all bids; compliance with all federal, state, and local laws, ordinances, and regulations; the date, time, and place for the opening of bids; and other items as the Board directs.

Approved: March 20, 2017
LEGAL REF: MCL § 380.1267; MCL § 380.1274.
Non-Competitive Bid Purchases

3660-R – Non-Competitive Bid Purchases

Non-competitive bid purchases may be made when the amount does not exceed the current bid threshold.

Informal Quotations

Verbal quotations of price on equal products or services secured in person or by telephone may be used in purchases for routine supplies used by the District.

The Superintendent shall make available to the Board, upon request, the price quotations or competitive bids obtained from vendors for goods or services.

Formal Bid Quotations

The Superintendent or designee is authorized to purchase any item or group of items in a single transaction, that are required by law to be competitively bid, by receiving at least three written bid quotations provided said purchase is within the approved budget. The Superintendent or designee shall use discretion in deciding whether such purchases are made based on requested quotations or through advertising for bids.

Competitive Bids on Building Construction, Renovation, and Repairs

Prior to commencing construction of a new building – or additions to, repair, or renovation of an existing building – costing more than allowed under current law, the Board shall obtain competitive bids on all material and labor to be required to complete the proposed construction, addition, repair, or renovation. Repair work normally done by District employees is exempted from this bidding requirement.

The Board shall advertise for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed, or where the repair or renovation of the building is to take place. The Board shall also post an advertisement for bids on the
Department of Management and Budget’s website for at least two weeks if the department has designated a website for this purpose.

Such advertisements shall include:

- The date and time that the bids must be received by the Board;
- A statement specifying that the Board will not accept late submissions;
- The date, time, and place the bids will be opened and read by the Board; and
- A statement specifying that each bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship between the owner or employee of the bidder and any member of the Board or the Superintendent of the District. The Board shall not accept any bids that do not contain this sworn and notarized statement.

**Procedure**

All bids for the construction, renovation, or repair of a school building must be submitted to the Superintendent or designee in sealed envelopes with the name of the bidder and the date of the bid opening plainly marked in the lower left-hand corner of the envelope. All such timely received bids shall be opened, read aloud, and examined by the Superintendent or designee at the public meeting specified in the advertisement for bids. No such bid shall be opened, considered, or accepted before the date and time specified for bid submission in the advertisement. All bidders and other interested persons are invited to be present when the bids are opened.

Bids not involving building construction, renovation, and repairs may be opened by the purchasing agent or other person designated by the Board.
Responsible Bidder

All bids shall be awarded to the lowest responsible bidder. The Board remains the sole judge of whether or not a bidder is “responsible.” Criteria that may be used to judge “responsible,” by way of illustration and not limitation, include:

• Evidence that the contractor and its employee(s) have been tested and are licensed/certified, as required by applicable law, code, or regulation, to perform the work that has been bid.
• A confirmation that all subcontractors, employees, and other individuals designated to work on the Construction Project have and will maintain current applicable licenses and certifications as may be required by law, code, or regulation.
• If applicable, the ratio of masters to journeypersons to apprentices proposed to be used on the Construction Project job site.
• If applicable, documentation confirming that the contractor maintains, participates in, and contributes to a bona fide apprenticeship-training program.
• Documentation confirming that contractor has implemented a MIOSHA approved safety-training program for employees to be used on the Construction Project.
• Evidence of the contractor’s Worker’s Compensation experience modification factor (EMF) and, if that EMF is greater than 1.0, an explanation regarding same.
• A list of projects completed within the past 3 years, including dates, clients, approximate dollar value and size.
• Evidence of experience with construction techniques, trade standards, project scheduling, cost control, management of projects, and building codes, particular to the Construction Project.

• Evidence that the contractor has financial resources and equipment to commence and complete the Construction Project.

• Evidence that the contractor has bonding capacity equal to or greater than the value of the contractor’s bid.

• A statement of the warranty offered by the contractor covering its labor and materials.

• A list of any and all litigation or arbitration proceeding involving the contractor within the past five (5) years, including an explanation of the circumstances surrounding the dispute, the remedy sought, and how the dispute was resolved or, if pending, the status of the litigation or arbitration.

• Proof of insurance, including certificates of insurance, confirming existence and amount of coverage for liability, property damage, worker’s compensation, and any other insurances required by the proposed contract documents.

• References from individuals or entities that have received in the past 3 years, or that are currently receiving, the contractor’s services, including information regarding records of performance and job site cooperation.

• Evidence of a quality assurance program used by the contractor and the results of any such program on the contractor’s previous projects.

• Criminal records check for each employee that will be working on the job site.
• Any unusual expertise, equipment, or ability of the contractor to perform the Construction Project, or relevant portion hereof.

• Projects involving the bidder for which performance was or was not delivered on time.

• Fines and penalties imposed by a federal, state, or local agency on the bidder for any projects in the last five (5) years.

• Liens filed against the bidder in the last five (5) years.

• Suspensions or revocations of any professional license of any director, owner, officer, or managerial employee of the bidder, to the extent that any work to be performed is within the field of such licensed profession.

• OSHA violations by the bidder or bidder’s subcontractors (including Michigan MIOSHA or other state occupational or constructional health and safety laws or regulations), as well as all notices of OSHA or other health and safety citations filed against the bidder, together with description and explanation of remediation or other steps taken regarding such violations and notices of violations.

• Violations of federal, state, or local law within the previous five (5) years pertaining to unlawful discrimination against any employee.

• Litigation or arbitration cases in which the bidder has been a defendant or a third party related to any construction project in which it has been engaged within the previous five (5) years.

• Violations, if any, of prevailing wage laws or other wage and hour violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past five (5) years.
• Criminal convictions related to the construction business of bidder, its officers, directors, or managerial employees within the past five (5) years.

• Violations, if any, within the past five (5) years or pending charges concerning federal, state, or municipal laws, codes, rules, or regulations.

• The reputation of the contractor.

• Potential conflicts of interest.

• History of previously using the vendor.

The Board may investigate the business reputation of any bidder by using information at hand to form an intelligent judgment, such as the District’s architect, previous clients of the bidder, their own investigation, or an outside investigation agency.

**Bid Specifications**

The Board shall avoid negotiation of bid specifications after bids have been accepted and shall correct and request new bids if specifications are inadequately written.

If an error is discovered in the bid specifications, all bids shall be returned unopened and the project shall be re-bid using corrected and/or amended specifications.

Any bid submitted to the District may be withdrawn prior to the scheduled time for opening of bids.

Any bid received after the Board publicized date and time shall not be considered.

**Rejection of Bids**

The Board reserves the right to reject any or all bids and to ask for new bids. Such reservation shall be so specified in the publication or notification of bid letting.

The Board reserves the right to waive any informality in, or reject any part of, a bid.
3730 – Vendor Relations

Vendors shall make contacts through the Superintendent or designee. Vendors shall not contact other administrators or school employees directly, unless such contact is approved or authorized by the Superintendent.

Approved: March 20, 2017
3730-R – Vendor Relations

The Superintendent or designee shall authorize demonstrations of equipment by vendors.

No Board member or District employee shall accept gifts from any persons, group, or entity desiring to do business with the District; and all business-related gratuities are specifically prohibited except nominal value advertising items widely distributed with a market value of $100 or less.

The Superintendent or designee shall alert vendors of the Board’s policy concerning gifts.

Employees shall not endorse products or services in a manner that will identify them with the District. The Board, the purchasing department, or employees of the school shall not solicit funds from vendors however worthy the purpose.

The Board or Superintendent or designee may give written approval in advance for inspection trips or other informational trips at a vendor’s expense.

Samples for evaluation, supplied free of charge by a vendor, may be accepted if:

1. The business office is notified of the acceptance and given a copy of the evaluation report;

2. No pressure, either direct or indirect, is brought on a vendor to provide such samples, unless required of all vendors as a specific provision of a bid or quotation request; and

3. All vendors are given the opportunity to provide samples for evaluation.
3750 – Payment Procedures

Payment of bills, credit cards, and procurements shall be considered by the Board at regular Board meetings, upon recommendation by the Superintendent or designee.

Upon receipt of a request for payment by a District vendor, and upon receipt of all goods or satisfactory completion of all services from said vendor, the Board shall review the disbursement list at monthly board meetings subsequent to transactions.

Approved: March 20, 2017
Soliciting Funds from and by Students

The Board recognizes the existence of many worthwhile community and student activities that require the raising of funds by the sale of merchandise, tickets, or direct requests for money. Because of the need to safeguard students in the educational program, the Board limits participation of students to those activities that have the building Principal or Superintendent’s approval under this policy.

It is the responsibility of the Board to provide the necessary basic texts, materials, supplies, equipment, buildings, and facilities to conduct the approved, basic educational programs of the District. Co-curricular and school-sponsored extra-curricular programs of the District, however, such as athletic programs, school-sponsored student clubs, and curriculum-related field trips or excursions may require financial support beyond the financial capacity of the District in order to survive. Community and school fund raising organizations may contribute to the enrichment of basic programs or to co-curricular and extra-curricular activities through the contribution of funds or items as long as those contributions have been determined consistent with the above and approved by the Superintendent through the appropriate building or program administrator.

This policy is not to affect those regular school programs such as dramatics or musical concerts, etc., where students might be selling tickets for an activity in which they are taking part. Elementary students will not be asked to sell tickets for middle school or senior high school activities.

If a fund raising project is conducted to sponsor a specific purchase, activity, or trip, the purchase or trip must be approved prior to initiation of the fund raising effort.
This policy shall apply to school related groups as well as to school-community organizations.

Every attempt shall be made to coordinate fund raising activities among buildings and various organizations so that excessive demands are not made upon members of the community. Such coordination is especially important at Christmas or other holiday times when innumerable items are available for sale by the students.

Student Groups

The Principal must approve all fund raising events in advance. Requests must be on an approved application form and must be submitted to the Principal at least 30 days prior to the proposed fund raising event. After the Principal approves a fund raising event, the Principal must forward the approved application form to the finance department 10 days prior to the fund raising event.

Door-to-Door Sales

Students grades K-5 shall not sell school fund raising items or other school related materials door-to-door unless under the direct supervision and observation of a responsible adult (preferably parent(s), guardian(s), or District staff member(s)).

School-sponsored student organizations shall not have more than two fundraising events per year, and no more than one event per semester, that would involve going into the community through door-to-door sales or solicitations, unless approved by the building Principal after consultation with the Superintendent. Cards, letters, or other identifying literature shall be provided to all students authorized for door-to-door sales in the general community.
Specifics

A. Fund raising projects for special trips or special projects should not be started until approval of the trip or project is granted. Trips covered by this policy shall include out-of-state and overnight trips, as well as trips to foreign countries. (Cf. 7490 – Field Trips)

B. Any sale of commercial products, solicitation of funds in a door-to-door campaign, or contracts with businesses shall require approval of the building Principal and finance department before any oral commitment, written agreement, or contract is made or any advance publicity or group promotional activity is undertaken. Once approved, however, before sales begin or solicitations are made, contract agreements must be signed by the building Principal.

C. Fund raising projects shall be compatible with the school’s purpose, goals, and general community expectations, and shall not conflict with local business enterprises unduly.

D. The District shall transfer funds remaining in accounts of student organizations that have been inactive for one year or in accounts of classes that have been graduated for one year to accounts of other co-curricular organizations or to the District’s general fund upon recommendation of the Superintendent or designee.

Adult Groups

School-related adult organizations raising funds that are to be used primarily for the improvement of the educational or athletic program must submit a written request through the Principal to the Superintendent or designee. This request should be submitted 10 days in advance and identify the date(s) and nature of the activity (ies). No fund raising activity should
commence until approval has been granted. The purpose is not to limit the activities of these
groups unduly, but rather to:

1. Be assured that students are not being “used” or their educational program
   interrupted.

2. Assist with coordination of activities so that similar activities are not in conflict
   with each other.

3. Be assured of the appropriateness of the activity, and to be assured that all fund
   raising activities – and the use or expenditure of the funds raised there from –
   comply with local, state, and federal laws\textsuperscript{12} and regulations.

Approved: March 20, 2017
LEGAL REF: Gaincott v Davis, 281 Mich 515; 275 NW 229 (1937); Cook v Bennett, 94 Mich
App 93; 288 NW2d 609 (1979); Title IX (34 C.F.R. § 106.31(6)); Title IX

\textsuperscript{12} A school district that accepts outside financial assistance and allows vast gender differences to emerge at the
hands of a third party (the private booster club) may face claims of federal Title IX violations. Title IX regulations
caution that to “aid or perpetuate discrimination” by providing “significant assistance” to any organization that
provides benefits or services to students is a violation of Title IX. (34 C.F.R. § 106.31 (6)). “Where [athletic]
‘booster clubs’ provide benefits and services that assist only teams of one sex, the institution shall ensure that teams
of the other sex receive equivalent benefits and services.” Title IX Athletics Investigator’s Manual, Office of Civil
Rights.
Safety Training

Prior to any door-to-door sale or solicitation, the students involved, regardless of age, shall be given proper safety training and orientation by the staff member(s) responsible for the student group. Such training should include, by example, precautions against entering a home (even if invited), precautions against acceptance of food or drink from any homeowner or resident, instruction in evasive actions to take if a “customer” should attempt to grab or touch the student, cautions about aggressive animals that might be in or about the residence, precautions against accepting any offers of transportation, and the like.

Door-to-door solicitations or sales by students, regardless of age, shall be discontinued after nightfall or after 8:00 p.m. whichever comes sooner.

Expenditures and Reports

Each student activity fund shall have a District employee, recommended by the building Principal and approved by the Superintendent or designee, in charge of said fund. The custodian of the fund shall be responsible for making reports of the student activity fund to the Superintendent or Financial Services Department. The report shall show opening and closing balances of each fund, the total amount of deposits, and an itemized list of expenditures. The report shall be submitted to the Financial Services Department within 30 days of completion of fund raiser.

All payments from student activity funds shall be made from purchase orders signed by the custodian of the fund.
The District shall assume control of all inactive activity organization funds and disburse those funds to the activity account selected or expend the funds as directed by the Principal or designee in the best interests of students.
3900 – Surplus Books, Equipment, and Supplies

The Superintendent or designee is authorized to dispose of surplus, obsolete books, equipment, and supplies. An equal opportunity for any purchases shall be given to everyone.

Approved: March 20, 2017
LEGAL REF: MCL § 380.11a.
3900-R – Surplus Books, Equipment, and Supplies

Annually, prior to June 30, the administrator of each building shall supply the Superintendent or designee with a list of books, equipment, or other saleable items that may be considered obsolete. The Superintendent or designee shall verify said list.

The Superintendent or designee shall determine the means of sale and provide notification of materials to be sold and the method of sale to the general public and those parties, which in his/her estimation, would be interested in such items. A public notice shall be circulated at least 10 days before the sale and the items for sale fully described.

Monies realized from such sales shall be credited to the appropriate fund account.

Obsolete books, equipment, or supplies that cannot be sold may, at the discretion of the Board and Superintendent or designee, be donated to charitable organizations or discarded in an acceptable manner.

The sale of a single item or items in aggregate, whose estimated value exceeds $500.00, shall be approved by the Board or designee and sold by sealed bid.

A record shall be maintained by the Superintendent or designee of all properties disposed of consistent with state and federal regulations.
3950 – Surplus Land or Buildings

The sale or disposal of District land or buildings shall require Board authorization. The Board shall determine the method and procedure of disposal.

Approved: March 20, 2017
LEGAL REF: MCL § 380.11a.
Whenever any land or buildings owned by the District are placed on the market for sale, public notification shall be made and all interested parties shall be given an equal opportunity for purchase.

An appraisal of District owned property shall be requested from at least two independent appraisers. However, the Board may set a price, which in its judgment, is fair, and may reject any or all offers relative to such sale.

Before a sale is completed, the potential use of the property shall be considered, particularly as it may affect the neighborhood in which it is located. The sale of the property for educational use shall be given priority.

Money resulting from the sale of property shall be deposited in the general fund of the District unless otherwise directed by the Board or unless there is a bond issue outstanding on the facilities, in which case the receipts from the sale shall be deposited in the debt retirement fund established for that building project.
3960 – Federal Timekeeping Requirements

All employees whose compensation is paid, in full or in part, with federal funds must maintain time and effort records in accordance with established criteria. Employees must provide the information required on a timely basis and in accordance with all federal procedures. Time and effort records must be maintained in order to charge employee compensation costs to federal grants; thus, compliance with these procedures prevents disallowance of salary and wages charged to federal grants. Semi-annual certifications are required to be signed by all staff whose salary is charged to a federal grant.

Approved: March 20, 2017
4000—BUSINESS MANAGEMENT

4005  Employee Conflict of Interest - Purchases
4005-R Employee Conflict of Interest - Purchases
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4010-R Facilities Management
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4040-R Safety
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4320-R   School Vehicles
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4350    Student Transportation in Private Vehicles
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4350-R   Student Transportation in Private Vehicles
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4430    Personal and Business Transportation Services
4430-R   Personal and Business Transportation Services

4450    Food Service Management
4450-R   Food Service Management
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4460    Food Allergies (Cf. 8453)
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4470    Bidding the Food Service Program (Cf. 3660)

4500    Technology (Cf. 8940, 2810)
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        Upgrades
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4500-R   Technology
New Programs
Upgrades
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4510  Computer Network (Cf. 4520)
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       Privacy
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       District Web Page(s)
       Limiting Access
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4510-R  Computer Network
       Supervised Use
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4520  Filtering Software (Cf. 4510)
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4750-R  Naming of Facilities
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4005  Employee Conflict of Interest - Purchases

Employees in a position to influence decisions on purchases shall not have a personal financial interest either directly or indirectly in purchases for the District, or benefit directly or indirectly from any financial transaction, unless that interest has been fully disclosed and the person involved has removed himself/herself from the decision making process.

Purchases of, or use of District property, materials and manpower shall be accomplished in accordance with good business practices, and within the framework of applicable laws, regulations, and Board policies.

The Superintendent and his/her cabinet and any other administrator deemed by the Superintendent to be in a position to influence the purchase of any goods or service, shall periodically sign and file a conflict of interest disclosure document.

Approved:

LEGAL REF:  MCL 15.321 et seq; 380.1203
CONFLICT OF INTEREST DISCLOSURE FORM

BATTLE CREEK PUBLIC SCHOOLS - APPROPRIATE EMPLOYEES

Employees in a position to influence decisions on purchases or contracts shall not have a personal financial interest either directly or indirectly in any contract or purchase of the District or benefit directly or indirectly from any financial transaction or contract of the District unless that interest has been fully disclosed and the person involved has removed himself from the decision-making process.

Purchases of or use of school District property, materials and manpower by employees shall be accomplished in accordance with good business practices and within the framework of applicable laws and regulations.

The Superintendent, and any other District employee deemed by the Superintendent to be in a position to influence the purchase of any goods or services, shall sign and file the following information:

For purposes of this document, the following definitions are used:

DISTRICT: Battle Creek Public Schools

“SUPPLIER”: any person, partnership, trust, corporation, or other business entity that supplies materials, equipment, real estate, or services to the school District.

“FINANCIAL INTEREST”: means any stock, bond, or other debt, obligation, option or right to purchase stock, share in profits, investment, partnership interest, or other interest of any nature. Ownership in securities in a corporation shall not be considered to constitute a FINANCIAL INTEREST therein for this purpose provided all the following conditions are met:
(1) The securities are traded on a national securities exchange, or regularly reported in over-the-counter quotations in the financial press,

(2) The securities owned by you and to your knowledge or belief, owned by your near relatives, do not exceed 1% of the outstanding securities of such corporation of the same class, and

(3) The market value of the securities of such corporation so owned does not exceed 50% of your gross annual income.

“NEAR RELATIVE”: means your spouse and children, the parent(s)/guardian(s), sisters and brothers of yourself and your spouse, and the spouses of your brothers and sisters. It is not necessary to interrogate the members of your family. It is sufficient to give the facts, as you know them, or believe them to be.

Complete honesty and candor is required of all employees asked to submit this form.

Section 2 of Public Act 317 makes it a misdemeanor for any public servant to:

“…..directly or indirectly solicit any contract between the public entity of which he is an officer or employee and (a) himself, (b) any firm (meaning a co-partnership or other unincorporated association) of which he is a partner, member or employee, (c) any private corporation in which he is a stockholder owning more than 1% of the total outstanding stock of any class where such stock is not listed on a stock exchange or stock with a present total market value in excess of $25,000.00 where stock is listed on a stock exchange or of which he is a Director, officer, or employee, or (d) any trust of which he is a beneficiary or trustee, nor shall he take any part in the negotiations for such a contract or the renegotiations
thereof or amendment thereto or in the approval thereof, nor shall he represent 
either party in the transaction; except as provided in section 3.

Should you have inadvertently omitted a company in your statement and later there is a 
transaction involving that company to come before the Board, you have an obligation to make 
your interest in that company known immediately. If after the statement is signed you acquire an 
interest in a company doing business with the Board, that interest should be made public at or 
before such time as a transaction involving that company comes before the Board.” Failure to 
reveal a conflict of interest as outlined in this policy and in the law, may subject you to 
disciplinary action up to and including dismissal.

1. At any time since January 1, _______, have you, or to your knowledge and belief 
has any NEAR RELATIVE of yours had any direct or indirect FINANCIAL 
INTEREST in any SUPPLIER of the District?
Yes _____ No_____
If the answer is “yes,” attach a statement giving full details.

2. At any time since January 1, _______, have you or any member of such 
household had direct or indirect ownership of any business in which your 
ownership exceeds 10% of the business’ capital, or the income from such 
ownership which represents more than 10% of your gross income?
Yes _____ No _____
If the answer is “yes,” attach a statement giving full details.

3. At any time, since January 1, _______, have you been a Director, officer, sole 
proprietor, partner, agent, representative, employee, or the paid consultant or 
advisor to, or the recipient of any fee or commission from, any business enterprise 
other than your principal employer?

Battle Creek Public Business Management Section 4000
Yes _____  No ______

If the answer is “yes,” attach a statement giving full details.

It is important to the District that you make accurate and complete answers to the above questions. It is not satisfactory to answer questions “same as last report”, instead, any questions that cannot be answered “yes” or “no” should be completed in whatever detail is necessary whether elsewhere on this form or by attachment.

Please sign and date below.

I declare that to the best of my knowledge and belief, the answers I have given and the statements attached are true and correct.

(Signature) ______________________________

_________________________________  __________________________
Please Type or Print Full Name here  Date
4010  Facilities Management

All buildings and surrounding property shall be maintained and inspected by the [Director of Facilities, Operations and Transportation] on a regular basis. The [Director of Facilities, Operations and Transportation] shall develop a comprehensive program, which will ensure proper maintenance of all District-owned real property.

Approved:
Within each school, the Principal shall be responsible for the care and upkeep of the building and for the supervision of custodial services. Needs which cannot be handled by the building custodial staff shall be immediately reported to the [Director of Facilities, Operations and Transportation].

It is the duty and responsibility of all District employees to safeguard and protect all property owned and operated by the District. Students shall be instructed to use school owned equipment in the proper way and shall be encouraged to show respect for property at all times.

Community groups such as PTA and other interested parties are encouraged to participate in the beautification of school grounds in accordance with the master plan of the school District.

The [Director of Facilities, Operations and Transportation] will make annual recommendations to the Board for approval of a priority list of maintenance projects to be carried out within funds so allocated in the budget. Upon Board approval, the [Director of Facilities, Operations, and Transportation] shall proceed to implement said projects within any specific dollar limitation imposed by the Board.
4015  Insurance Program (Cf. 1190, 1220, 8460)

The Board shall insure District property unless otherwise directed by the District electors. Such insurance may be obtained from companies licensed to do business in the state of Michigan. The status of the insurance program in its entirety shall be reviewed annually by the [Assistant Superintendent for Student Services and Finance] with specific reference to adequacy of coverage, placement of insurance, and services provided by insurance agents, their representatives, associates, or companies. Any recommended changes or improvements shall be brought to Board for action.

Worker’s Compensation

Worker’s Compensation insurance shall be carried for all employees as required by law.

Except in unusual circumstances, all insurance shall be purchased based on bids, taking into consideration cost, service, potential dividends, and any other factors that may be of benefit to the District.

The Superintendent shall be responsible to develop specifications for all forms of insurance and make recommendations to the Board.

The Board shall establish a reserve fund for meeting the obligations incurred because of laws covering unemployment insurance. The amount of such funds shall be reviewed annually in relationship to obligations experienced over past years and anticipated obligations for the ensuing year.

Liability Insurance

Liability insurance shall be provided to cover Board members and members of the administrative staff in performance of duties relating to District business and operation.

Approved:

LEGAL REF:  MCL 380.1269; 380.1332; 691.1405-1409
4040  Safety (Cf. 8590)

The Board and its administrative staff shall make every effort to provide a safe environment for students to study and play and for all employees to fulfill their employment duties and responsibilities. Safety rules and practices shall be developed by the District’s administrative staff. These rules shall be reviewed annually with all employees and students.

Emergency Drills

Each building housing students will comply fully with all laws regarding required fire drills, tornado drills, and lockdown drills. The Superintendent shall satisfy all reporting requirements.

As required by law, there shall be coordination with local emergency management, fire, and/or police officials in the conduct of emergency drills.

Fire Prevention

The District’s employees shall be constantly on the alert for potential fire hazards.

Warning Systems

The Board shall seek to cooperate with local government officials, emergency preparedness authorities and other related state agencies to ensure that adequate warning systems in the event of disasters are available for use in the District.

Safety Inspections

The Superintendent or designee shall inspect building and grounds including but not limited to playgrounds, and playground equipment, boilers, bleachers and other such areas to determine whether said facilities and areas are in adequate repair and free of harmful defects under a schedule developed by the Superintendent or designee.

Cardiac Emergency Response Plan
The Superintendent or designee shall ensure that the District adopts and implements a cardiac emergency response plan for the school. The cardiac emergency response plan shall address and provide for at least all of the following:

1. Use and regular maintenance of automated external defibrillator, if available.
2. Activation of a cardiac emergency response team during an identified cardiac emergency.
3. A plan for effective and efficient communication throughout the school campus.
4. A training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.
5. Incorporation of the local emergency response system and emergency response agencies with the District’s plan.
6. A review and evaluation of the District’s cardiac emergency response plan.

Approved:

Safety Inspections

If, upon proper investigation, defects are found to exist, the individual conducting the investigation shall immediately inform the building Principal, Superintendent or Director of Facilities, Operations and Transportation in writing. The party reporting is responsible to generate a request for the work order. Necessary steps either to repair or to remove the defect shall be taken as soon as possible. Defects, which will require expenditure of money above the administrative approval threshold, shall be reported to the Board in compliance with rules regulating such circumstances. Any defects not immediately removed, repaired, or otherwise eliminated shall be blocked off with fences or other restraining devices.

Heating and Lighting

All furnaces, boilers, and lighting fixtures shall be periodically inspected to ensure maximum safety for students, District employees, and patrons. All such devices shall meet minimum standards as regulated by state and federal agencies governing such items.

Weather Hazards

Insofar as possible, walkways should be kept clean of snow and ice and be maintained in a safe condition for pedestrian traffic.

Safety Glasses

Student and employee’s eyes shall be protected at all times in shop classes and science classes with the use of safety glasses. Glasses for visitors shall be available at the building office.
Accident Reports

All accidents on District grounds, or involving District vehicles, or involving employees not on District grounds but in the process of their work hours shall be reported to the Assistant Superintendent for Human Resources by any District employee.

Recording and Reporting of Emergency Drills

Building Principals shall maintain a record of the time and date of each emergency drill held. These records are subject to review by the Superintendent or State or local officials responsible for reviewing compliance with laws. The Superintendent shall ensure that the appropriate reports regarding the timing and conduct of emergency drills are made.

Cardiac Emergency Response Plan

This Cardiac Emergency Response Plan is adopted by the Board of Education of Battle Creek Public Schools effective on September 12, 2014 pursuant to House Bill 4713 passed by the Michigan Legislature on February 25, 2014 and signed by Governor Snyder with an effective date of July 1, 2014. This plan has been reviewed and approved by the appropriate legal counsel for Battle Creek Public Schools on September 5, 2014.

Public Act 12 of 2014 requires Michigan schools to do as follows:

“The governing body of a school that operates any of grades kindergarten to 12 shall adopt and implement a cardiac emergency response plan for the school. The cardiac emergency response plan shall address and provide for at least all of the following:

(a) Use and regular maintenance of automated external defibrillators, if available.

(b) Activation of a cardiac emergency response team during an identified cardiac emergency.
(c) A plan for effective and efficient communication throughout the school campus.

(d) If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.

(e) Incorporation and integration of the local emergency response system and emergency response agencies with the school’s plan.

(f) An annual review and evaluation of the cardiac emergency response plan.”

The Cardiac Emergency Response Plan of **Battle Creek Public Schools** shall be as follows:

1. **“Use and regular maintenance of automated external defibrillators if available.”**

   (a) If the **Battle Creek Public Schools** has at least one automated external defibrillator (AED), then the **Battle Creek Public Schools** will regularly check and maintain each in accordance with the AED’s operating manual.

   (b) Each AED shall be readily accessible for use in responding to a Cardiac Emergency in accordance with this Plan. The locations of the AEDs are identified in Section 7 of this Plan and also in **Attachment B**.

   (c) All necessary steps shall be taken to ensure that each AED owned by the school shall be readily available and accessible for all activities which take place at the school including those which take place after regular school hours. AEDs shall be stored in a location that is easily accessible to authorized school personnel.
2. “Activation of a Cardiac Emergency Response Team during an identified cardiac emergency.”

(a) The members of the Cardiac Emergency Response Team are identified in Attachment A. Attachment A shall be updated regularly to ensure that it is current.

(b) A Cardiac Emergency is a medical condition requiring immediate advanced emergency medical care. Cardiac Emergencies are often due to a Sudden Cardiac Arrest (SCA) or a heart attack, but Cardiac Emergencies can have other causes. SCA occurs when the electrical impulses of the heart malfunction resulting in sudden death. Signs of SCA include:
   - Person is not moving, or is unresponsive or unconscious
   - Person is not breathing or not breathing normally (irregular breaths, gasping or gurgling, not breathing)
   - Seizure or convulsion-like activity may also occur
   - Person may have just received a blunt blow to the chest

(c) The Protocol for responding to a Cardiac Emergency is described in Section 7 and in Attachment B.

3. “A plan for effective and efficient communication throughout the school campus.”

(a) The plan for effective and efficient communication throughout the school campus shall be as follows:

(1) The Cardiac Emergency Response Protocol (see Attachment B) shall be posted as follows:
i. In each school classroom and school office.

ii. Adjacent to each AED and a copy shall accompany all portable AEDs.

iii. In the gymnasium; near the swimming pool; and in other indoor locations where athletic activities take place.

iv. At other strategic school campus locations.

(2) The Cardiac Emergency Response Protocol shall be distributed and verbally communicated to the following:

i. At the start of each school year, all non-certified and professional staff members with updates distributed as made.

ii. All athletic directors, coaches, volunteers and applicable advisors at the start of each school year and as applicable at the start of the season for each activity, with updates distributed as made.

(3) Results and any recommendations of all cardiac emergency response drills performed during the school year shall be communicated to all staff and administrative personnel.

(4) A copy of this Cardiac Emergency Response Plan shall be provided to any organization that uses the School for any purpose. A signed acknowledgement of the receipt of this Cardiac Emergency Response Plan by the organization using the school
shall be maintained in the offices of the Superintendent (or designee).

(5) The Superintendent (or designee) shall promptly notify the parent/legal guardian of a pupil to whom an AED has been used and document all actual and attempted notice.

4. “If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary techniques.”

(a) Elements –

(1) A sufficient number of staff (i.e. at least 10% of staff) will be trained in cardiopulmonary resuscitation (CPR) and in the use of an AED to enable Battle Creek Public Schools to carry out this Plan. Training shall be renewed at least every two years.

(2) The Board of Education directs the Superintendent to select a certified AED instructor to train school personnel in the usage of AEDs. Training shall be conducted by a certified instructor, who may be a staff member, currently certified by a nationally-recognized organization in conformance with current American Heart Association guidelines.

(3) For purposes of this policy, training means either traditional classroom instruction or online instruction and shall include hands-on instruction and training. The Superintendent (or designee) shall maintain documentation of training completed by each employee authorized to use the AED.
(b) Objectives –

(1) All members of the Cardiac Emergency Response Team shall receive and maintain certified training which includes the issuance of a nationally recognized certification card. The members will be required to renew their certification in accordance with American Heart Association guidelines.

(2) As many other staff members as reasonably practicable shall receive training.

(3) A comprehensive CPR/AED response plan is recommended that should include CPR/AED training for high school students.

(c) Cardiac Emergency Response Drills – If Battle Creek Public Schools elects to have a Cardiac Emergency Response Drill then Battle Creek Public Schools will have a minimum of one (1) Cardiac Emergency Response Drill each school year. Battle Creek Public Schools shall prepare and maintain a Cardiac Emergency Response Drill Report for each Cardiac Emergency Response Drill. See Attachment C for detailed information regarding a Cardiac Emergency Response Drill.

5. “Incorporation and integration of the local emergency response system and emergency response agencies with the school’s plan.”

(a) Battle Creek Public Schools shall provide a copy of this Cardiac Emergency Response Plan to the Battle Creek Police Department, Calhoun County Sheriff’s Department, Battle Creek Fire Department and any other local emergency response agencies responsible for the 911
response system and for emergency dispatch including the local Emergency Medical Services (EMS).

(1) Battle Creek Public Schools will work with the local emergency response agencies to take the necessary action to integrate this Cardiac Emergency Response Plan with the local emergency response system.

6. “An annual review and evaluation of the cardiac emergency response plan.”

Battle Creek Public Schools shall conduct an annual review and evaluation of the school’s Cardiac Emergency Response Plan. The annual review shall include the following:

(a) A review of all post-event documentation for any identified Cardiac Emergency that occurred on the school campus or at any off-campus school function. This post-event documentation shall include the following:

(1) The date and time of the Cardiac Emergency; the location of the Cardiac Emergency; the steps which were taken to respond to the Cardiac Emergency; and the names of the persons who responded to the Cardiac Emergency.

(2) The outcome of the Cardiac Emergency which shall include but not be limited to a summary of the condition of the person having the Cardiac Emergency to the extent that the information is accessible.
(3) An evaluation of the whether or not the Cardiac Emergency Response Plan was sufficient to enable an appropriate response to the Cardiac Emergency. If the Plan failed to exceed the Plan expectations, then the review shall include recommendations for improvements in the Plan.

(b) A review of Cardiac Emergency Response Drills documentation.

(c) A determination as to whether or not any additions, changes or modifications need to be made to the Cardiac Emergency Response Plan. Potential reasons for a change in the Plan can include changes in school facilities, processes, equipment, administrative decisions, personnel and other changes in conditions. This determination needs to be made annually regardless of whether there was a cardiac emergency on the school campus during the preceding year.

7. Cardiac Emergency Response Protocol

For All Responders (Staff, Faculty, Cardiac Emergency Response Team, etc.)

Sudden Cardiac Arrest events can vary greatly. All faculty, staff and CPR/AED Emergency Response Team members must be prepared to perform duties. Early action is crucial to successfully treating a cardiac arrest.

In the event a person collapses, do not move the patient unless the scene is unsafe.

Perform the following 5 steps:

1. Early Recognition of cardiac arrest

- Person is not moving, or is unresponsive or unconscious
- Person is not breathing or not breathing normally (irregular
breathe, gasping or gurgling, not breathing)

- Seizure or convulsion-like activity may also occur
- Person may have just received a blunt blow to the chest

2. **Early call to 911 and Alert within school**

- Call 911 as soon as a potentially life-threatening event is recognized
  - Provide school address, cross streets (below), patient condition; remain on the phone with 911
- Call school emergency number (insert school name to activate response – i.e., “Code CPR”):
- Give exact location (“Mr. /Ms. _____ classroom, Room # ____ , Gym, football field, cafeteria, etc.”)
- All Emergency Response Team members proceed immediately to scene of the cardiac emergency
  - Closest team member retrieves the AED en route to the scene
  - Leave AED cabinet door open; the alarm signals the AED was taken for use

3. **Early CPR**

- If CPR/AED trained, **BEGIN CPR/AED** as per standard training; have the defibrillator (AED) brought to the scene
- If not CPR/AED trained, **begin Hands-Only CPR** until the CPR trained response team or a responder arrives
• Press hard and fast in center of chest
• The 911 operator may give you directions for CPR and AED use

4. Early Defibrillation

• When the AED arrives, attach pads to patient, using the following AED instructions:
  • The AED will ONLY deliver a shock if it is needed; if NO shock is needed, NO shock is delivered
• Continue CPR until patient is responsive or EMS responder arrives (OK as is)

5. Early Advanced Life Support

• Transition care to EMS upon their arrival, to provide advanced life support

Office Staff (Main, Athletics, Security)

• Confirm exact location and condition of the patient
• May repeat page to activate the Cardiac Emergency Response Team (as above) and give the exact location
• Confirm that the Cardiac Emergency Response Team has responded
• Confirm that 911 was called; if not – call 911 STAT
• Assign a staff member to direct EMS to the scene
• Perform “Crowd Control” – directing others away from the scene
• Notify other staff: School nurse, athletic trainer, athletic director, etc.
• Consider: Delaying class dismissal, recess, other changes to facilitate CPR and EMS functions
• Designate people to cover the duties of the CPR responders
• Copy the patient’s emergency information for EMS
• Notify the patient’s emergency contact (Parent, Spouse or Guardian)
• Notify staff and students when to return to normal schedule
• Contact School District Administration

School/Building Location Information

School Name _______________________________________

Address____________________________________________

Cross Streets________________________________________

School Emergency Phone # or #s

Insert #s for school-hours & after-hours

AED Location___________________

AED Location___________________

AED Location___________________

AED Location___________________

AED Location___________________

AED Location___________________

Other school-specific location information:
Approved:

LEGAL REF: MCL 29.19
Toxic Hazards and Asbestos

The Board is concerned for the safety of students, staff, and the general public and shall attempt to comply with all federal and state statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of District officials, from the presence of asbestos materials used in previous construction, and from hazardous materials present in the District.

The Board has appointed the Director of Facilities of Operation Director of his/her designee to develop the requirements of the Asbestos Hazard Emergency Response Act (AHERA), the Michigan Occupational Safety and Health Act, and the Michigan Right-To-Know Rules and Regulations.

The Superintendent has appointed the Director of Facilities of Operation Director or his/her designee to develop and implement the District’s approved asbestos management plan and shall develop a specific job description, which shall ensure proper compliance with federal and state laws and the appropriate instruction and in-service of staff and students.

The Board should, as a matter of policy, not voluntarily indemnify anyone.

The Director of Facilities and Operations or his/her designee shall ensure that custodial and maintenance employees have required asbestos training before starting their jobs and to provide required asbestos training on an annual basis.

The Assistant Director of Facilities and Operations shall ensure that any contractors performing asbestos abatement project are appropriately licensed and qualified.

If necessary, the Board shall attempt to maintain a secure liability insurance policy to serve as a means of implementing this policy.
Approved:
LEGAL REF: MCL 380.623b; 380.1256(1) (2); 380.1274b (Mercury in the schools); 388.864; 408.1001 et seq. (Michigan Occupational Safety and Health Act)
The Superintendent or designee shall develop and implement both short and long-range plans designed to conserve energy resources of the District.

Reports on the implementation of energy conservation measures shall be made annually to the Board and the District leadership team. Savings resulting from the energy management program shall be used to supplement the District technology plan. Members of the District staff and student body are encouraged to make suggestions to the Superintendent and building Principals, which might aid in the conservation of energy.

Approved:
The Superintendent is authorized to close the schools in case of inclement weather or other emergency, which makes it unsafe for students to attend school. The Superintendent may delay the opening of school in cases of inclement weather or any other emergency until such hour as it is anticipated conditions are safe for transportation. The Superintendent’s designee will develop a process to make appropriate information available on which to base the decision to conduct field conditions inspections of highways and central city walkways.

Approved:
4080-R  Emergency Closings

As soon as the decision to close school is made, media sources shall be informed. Parent(s)/Guardian(s) shall be informed of the methods by which the announcements will be made prior to the start of school and periodically throughout the school year.

In case schools are closed for emergencies, all administrative personnel, secretaries and custodians shall report for duty at their regular assigned time unless special instructions are otherwise given by the Superintendent. If certain groups of employees are not to report, the Superintendent shall include such information in his/her school-closing announcement. Pay for days schools are closed for emergency conditions shall be according to collective bargaining agreements with the association representing the given employee, and individual contracts where applicable.

If it is necessary to dismiss school early, employees shall remain until their regular dismissal time unless authorized otherwise by the Superintendent.

Except in an extreme emergency where there is no doubt about the ability to hold school, announcement of closing shall be made in the morning of the day of closing.

The Superintendent, in consultation with the District Administrative Cabinet, and building Principals, may use his/her prerogative in scheduling activities on days schools are closed for emergency and the cancellation of activities already scheduled.
The building Principals with assistance from the [Transportation Supervisor] shall develop plans for accommodating the flow of traffic on school roadways, issue traffic regulations, and have responsibility for the assignment of parking areas to staff, students, and visitors to the schools. Convenient parking spaces shall be designated for handicapped persons based on state and federal laws.

Approved:
4100 Environment

In order to establish sound environmental and ecological oriented attitudes throughout the District, the Board recognizes its obligation to consider environmental values in any decision-making or action the Board proposes to take.

The Board shall cooperate with governmental and community agencies in order to increase the awareness and knowledge of environmental problems and possible solutions.

To the extent practical, the Superintendent or designee shall develop administrative procedures relative to purchasing and use of materials, which shall consider the environmental and ecological impact of such purchases and uses. The development of bid specifications for material used by the District shall consider generally recognized and accepted environmental and ecological concepts and principles.

Primary in all considerations of product or process will be the safety of building occupants.

Approved:
4110  Security

The Board shall attempt, through the entire staff, to ensure that staff members, students, patrons and all property owned by the District are protected at all times from possible damage or injury, outside intrusion or disturbances occurring on school grounds or in school buildings. Security devices and measures, such as, but not limited to, video cameras, motion detectors, metal detectors (stationary or portable) and alarms, may be installed in any or all District buildings, or in District vehicles to protect District personnel, students and property.

Outside lighting and/or video surveillance devices may be installed and maintained at each attendance center to provide illumination and observation of the immediate grounds. The Superintendent or designee shall designate an authorized person to establish and maintain an adequate key control system which will limit access to buildings to authorized personnel and will safeguard against the potential entrance to buildings by those not authorized. The District shall cooperate with all law enforcement agencies, to the fullest extent permitted and required by law, in enforcing security measures. (See 4120)

Approved:
LEGAL REF:  MCL 380.1291;
Access to Buildings

Access to school buildings and grounds outside of regular school hours shall be limited to personnel whose work requires it.

Keys shall not be loaned to anyone. Under no circumstances shall school employees have extra keys made unless specifically authorized to do so by the Superintendent or building Principal.

Students, no matter what their status, shall not be loaned (even for a short period) or given keys to any building doors or storage facilities, whether indoors or outdoors. Any student found to be in possession of such keys shall be subject to discipline including suspension or expulsion. Any employee found to have loaned or given students such keys will be subject to disciplinary action up to and including discharge.

Combinations to school vaults and safes shall be changed each time there are changes in personnel who have had the combinations.

All equipment shall be stored in as safe a place as possible and employees must avoid leaving equipment and supplies where they are readily accessible to others.

Classroom windows and doors are to be locked when the teacher leaves the building.

Any employee using the building in the evening or on weekends must be certain all doors are locked after entering and upon leaving.

Chaining of Doors

No exit doors shall be chained at any time whether or not the building is occupied. Principals, custodians and other responsible persons must be certain that all accessible exits are
operate whenever a building or portion of a building is in use. However, approved security bars or devices may be used to secure outside doors when school is not in session.

**Video - Retention as Evidence**

In the event a videotape from a video surveillance device contains evidence of student wrongdoing, be it a crime or a violation of the student code of conduct or bus conduct code that could result in discipline, suspension or expulsion of a pupil, the actual, original video will be pulled from service and not re-used for a period of not less than 3 years following the incident in question.

In the event a video from a video surveillance device contains evidence of employee wrongdoing, be it a crime or a violation of the Board policies or relevant work rules that could result in discipline the actual, original video will be pulled from service and not re-used for a period of not less than 3 years following the incident in question.

The media recording device that may be used as evidence in an ongoing investigation concerning employee misconduct, injury or incident will be pulled from service and not re-used for a period as determined by Human Resources. Should the media be used as evidence in the grievance, investigation or disciplinary hearing the District shall take all steps possible to arrange for a certified copy of the media to be retained by the Human Resources.
The Superintendent or designee shall institute an on-going program designed to prevent thefts and vandalism. Any known or suspected damage to, or unauthorized removal from, school property, equipment or supplies, shall be promptly reported to the Superintendent, along with any information which may assist in its recovery or replacement.

Approved:

LEGAL REF: MCL 600.2913
Students found guilty of and/or responsible for, any form of theft or vandalism shall be disciplined in accordance with the Board’s discipline policy, including possible suspension or expulsion from school.

Students that vandalize District property are subject to discipline up to and including expulsion. Recovery of damage and/or losses shall be sought from the person or persons involved. In the case of minors, restitution from their parent(s)/guardian(s) under the laws that hold parent(s)/guardian(s) liable up to $2,500 for any loss or damage, may be sought.\(^{13}\)

Upon Board approval, the Superintendent shall sign a criminal complaint in the name of the District to bring charges against perpetrators of theft or vandalism. If arrangements for restitution for damage or losses, as established by the Board and permitted by law, are to be made by the person or persons involved within a reasonable period of time, the Superintendent, with the approval of the Board, may direct the Board attorney to commence a legal action to recover all damages, costs and legal fees associated with the incident.

LEGAL REF: MCL 15.231 et seq.

\(^{13}\) 600.2913 Minor maliciously or willfully destroying property or causing bodily harm or injury to person; recovery of damages from parents.

Sec. 2913. A municipal corporation, county, township, village, school district, department of the state, person, partnership, corporation, association, or an incorporated or unincorporated religious organization may recover damages in an amount not to exceed $2,500.00 in a civil action in a court of competent jurisdiction against the parents or parent of an unemancipated minor, living with his or her parents or parent, who has maliciously or willfully destroyed real, personal, or mixed property which belongs to the municipal corporation, county, township, village, school district, department of the state, person, partnership, corporation, association, or religious organization incorporated or unincorporated or who has maliciously or willfully caused bodily harm or injury to a person.
4250 Printing and Duplicating Service - Copyright

The Board shall make duplicating equipment available for administrative and instructional use to the extent that it is economically feasible and practical according to the needs of the District.

The extent of production of instructional materials by clerical staff shall be determined by the building Principal, who shall develop guidelines for requesting such services.

The copyright laws of the United States make it generally illegal to duplicate copyrighted materials without permission. Severe penalties are provided for unauthorized copying of all materials covered by the act unless the copying falls within the bounds of the “fair use,” as set forth in 4250-R.

Employee Produced Material

The Board has exclusive ownership and proprietary rights to publications, devices, and instructional materials prepared and produced by District employees within the scope of his or her employment. All items prepared by a District employee within the scope of their employment including data processing programs are the property of the District. The Board may elect to copyright or patent such materials, devices or programs in the name of the District. All earnings or profits from such original materials, devices, or programs shall become assets of the District.

The Superintendent shall inform staff, through regulations, of the guidelines for use of copyright materials.
Copyright Compliance and Computer Software Copyright

The Board shall adhere to the provisions of the U.S. copyright laws regarding the duplication of computer software programs. The Superintendent shall develop appropriate procedures for staff to follow in this area.

Approved:
LEGAL REF: 17 USCA §101, et seq. (Copyright Act of 1976)
In accordance with Board policy 4250, the following regulations will be observed to comply with the copyright laws of the United States.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship, or research. If duplicating or altering a product is to fall within the bounds of fair use, these four standards must be met for any of the purposes:

THE PURPOSE AND CHARACTER OF THE USE: The use must be for such purposes as teaching or scholarship and must be non-profit. Fair use would probably allow teachers acting independently to copy small portions of work for the classroom but would not allow a school system or an institution to do so.

THE NATURE OF THE COPYRIGHTED WORK: Copying portions of a news article may fall under fair use but not copying from a workbook designed for a course of study.

THE AMOUNT AND SUBSTANTIALITY OF THE PORTION USED: Copying the whole of a work cannot be considered fair use; copying a small portion may be. At the same time, however, extracting a short sequence from a 16mm film or videotape may be far different from a short excerpt from a textbook, because two or three minutes out of a 20-minute film might be the very essence of that production and thus outside fair use. Under normal circumstances, extracting small amounts out of an entire work would be fair use, but a quantitative test alone does not suffice.

THE EFFECT OF THE USE UPON THE POTENTIAL MARKET FOR, OR VALUE OF, THE COPYRIGHTED WORK: If resulting economic loss to the copyright holder can be
shown, even making a single copy of certain materials is an infringement, and making multiple copies presents the danger of greater penalties.

**Prohibited Practice**

A teacher may not make multiple copies of a work for classroom use if it has already been copied for another class in the same institution; make multiple copies of a short poem, article, story, or essay from the same author more than once in a class term or make multiple copies from the same collective work or periodical issue more than three times a term; make multiple copies of works more than nine times in the same class term; make a copy of works to take the place of an anthology; and may not make a copy of “consumable” materials, such as workbooks.

**Permitted Practice**

A teacher may make—for use in scholarly research, in teaching or in preparation for teaching a class—a single copy of the following: a chapter from a book; an article from a periodical or newspaper; a short story, short essay or short poem (whether or not from a collected work); a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper; may make (for classroom use only and not to exceed one per student in a class) multiple copies of the following: a complete poem (if it has fewer than 250 words and is printed on not more than two pages), an excerpt from a longer poem (if the excerpt has fewer than 250 words), an excerpt from a prose work (if the excerpt has fewer than 1,000 words or 10 percent of the work, whichever is less) and one chart, graph, diagram, cartoon or picture per book or periodical.

A library may, for interlibrary-loan purposes, make up to six copies a year of a periodical published within the last five years, make up to six copies a year of small excerpts from longer
works, make copies of unpublished works for purposes of preservation and security and make copies of out-of-print works that cannot be obtained at a fair price.

Guidelines for Off-Air Recording of Broadcast Programming for Education Purposes

A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable re-transmission) and retained for a period not to exceed the first 45 consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately.

Off-air recordings may be used once by individual teachers in the course of relevant teaching activities and repeated once, only when instructional reinforcement is necessary, in classrooms and similar places devoted to instruction within a single building, cluster or campus, as well as in the homes of students receiving formalized home instruction, during the first 10 consecutive school days in the 45 day calendar day retention period. “School days” are school session days—not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions—within the 45-calendar day retention period.

Off-air recordings may be made only at the request of, and use by, individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recordings.
After the first 10 consecutive school days, off-air recordings may be used up to the end of the 45-calendar day retention period only for evaluation purposes by the teacher, i.e., to determine whether to include the broadcast program in the teaching curriculum. They may not be used for student exhibition or any other non-evaluation purpose without authorization.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast programs as recorded.

**Software**

Software developed by District employees shall conform to the copyright and patent provisions prescribed in Board policy. District employees shall adhere to ethical practices when using commercially developed software for developing individualized programs to meet the District’s needs.

**Software Royalties**

Software marketed with private organizations or other educational agencies may produce royalties in the form of financial remuneration, equipment or other material or devices. The allocation and deposit of all royalties shall be determined by the Superintendent.

**Employee Produced Material**

The Superintendent shall maintain full use, rights, and privileges on all software, manuals, devices, documents and programs and related materials developed by staff during work periods for which they are compensated.
**Computer Software Copyright**

It shall be a violation of Board policy and the copyright laws of the U. S. to use “pirated” or otherwise illegally obtained computer software for use on District owned equipment, whether for instructional, administrative, or any other purpose. The use of District equipment to make unauthorized copies of District owned, privately owned, or illegally obtained computer software is prohibited.

In an effort to discourage violations of copyright laws and to prevent illegal uses of the District’s computer system:

(a) The proper use of computers will be taught through planned computer curriculum and computer related instruction for students, and staff will address the ethical and practical problems caused by software piracy.

(b) District employees shall adhere to all provisions of the U.S. copyright laws, which allow for the making of back-up copies of computer programs.

“... it is not an infringement of the owner of a copy of a computer program to make or authorize the making of the copy or adaptation of that computer program provided: that such a new copy of adaptation is created as an essential step in the utilization of the computer program in conjunction with the machine and that it is used in no other manner, or that such a new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.”

(c) When software is being used on a disk sharing system, efforts will be made to secure the software from copying.
(d) Illegal copies of copyrighted programs may not be made or used on District equipment.

(e) The Superintendent is the only individual who may sign license agreements for software. Each school using the software should have a copy of the signed software duplication agreement.

(f) No District employee will illegally access any database or electronic bulletin board.

(g) No District employee will encourage or allow any student to illegally duplicate computer software or access any database or electronic bulletin board.

(h) Each Principal is responsible for establishing practices, which will enforce the Board’s policy at the school level. A copyright warning may be placed on computer equipment.
4300  Student Transportation Management (Cf. 4350)

The Board shall provide safe, economical transportation to the students of the District as required by law and appropriate. The use of buses by the District shall conform to state law. School bus routes shall be established by the Superintendent or designee.

Bus transportation will be provided to students to and from school for those students who qualify. Transportation will be provided by the District for all District sponsored extra-class activities. Students are prohibited from driving personal automobiles to District-sponsored activities held during the school day unless student self-transportation is approved as per policy 4350.

Students must observe the rules and regulations developed by the administration governing student transportation. Students will also be subject to the school’s behavior code while riding school buses. The Superintendent or designee may discipline or revoke the transportation privilege or entitlement of any student who violates the school’s behavior code or other safety rules.

All such rules shall be published in the student handbook or copies given to students and parent(s)/guardian(s) at the beginning of the school year.

Bus drivers shall report any violation of said rules to the Superintendent or designee by completing a student bus conduct report. The [Transportation Supervisor] shall take the necessary steps to ensure that the school disciplines students according to Board policy. As a disciplinary action for violation of District rules, a student may be refused school bus transportation but required to attend school.

Approved:

LEGAL REF:  MCL 257.1801 et seq.; 380.1321-1322; 380.1333; R 340.1702; R 340.281-282; Michigan Department of Education Transportation Handbook (Bulletin 431)
District transportation equipment shall be used only for the transportation of students to and from school and school-sponsored activities. The equipment may be used to furnish transportation to senior citizen groups or other community groups when this does not conflict with school activities. Upon written authorization of the Superintendent or designee, adults may be permitted to ride school buses to school sponsored activities.

Student transportation shall be considered a privilege to be enjoyed by a student only as long as he/she accepts responsibility for his/her own conduct, carefully follows all rules and regulations, and positively responds to the directions and requests of the bus driver.

**Bus Routes**

Careful consideration shall be given to such conditions as safety and hazards, number and ages of students, kind and condition of roads, safe and convenient bus stops, economy of operation, possible student exposure to crime or criminal activities, and estimated time necessary to cover the routes. Routes are to be planned to keep individual riding distance and time to a practical minimum.

**Distance Eligibility**

Secondary students who live 1.5 miles or more from the school that they attend if it is within their designated attendance areas, based on their address, shall be eligible to be transported to school. Under normal conditions, elementary students shall be expected to walk up to 1/2 mile and secondary students up to 1 mile to a bus stop. The Superintendent or designee is authorized to make exceptions to these distances if safety conditions or other equally valued circumstances warrant.
All requests for students to ride another bus must be submitted to the Transportation Department for approval and may need further approval and review by the Office of Student Services. This department will inform the school if there is a seat available for the student to ride.

The purpose for informing the transportation department will assist in providing information to the driver about the arrangements, accountability and seating availability. Students shall not be transported to different stops for birthday parties, social events, or any programs not sponsored by the District. The same policy shall apply to a non-bus student who on a specific occasion has a justifiable reason for riding a school bus to a specific destination.

Students with Disabilities

A person identified by an Individualized Education Program Team (IEP Team) to be a student with a disability under the Individuals with Disabilities in Education Act, who would otherwise be unable to participate in an appropriate special education program or service operated or contracted by the District or the Intermediate School District, shall be eligible for only that additional transportation determined by the IEP Team to be necessary for the person to participate.

Non-Public School Students

A student enrolled in a non-public school shall be eligible for transportation to the public school that the student would otherwise attend. This transportation shall be along the regular routes according to the same eligibility provisions and schedules in effect for public school students, except that the non-public school student shall then be eligible for transportation from the public school to the closest non-public school located in the District that the student is
eligible to attend or to a point within the District from which he/she may have available transportation to the non-public school in accordance with state law.

When the District provides transportation to public school students of a given grade classification (other than for special education) attending public schools outside the District, non-public school students of the same grade classification shall then be eligible for transportation in the same general direction for approximately the same distance to non-public schools located outside the District.

**Unavailability of Buses**

The [Transportation Supervisor] shall notify each building Principal and the Office of Student Services any time it is necessary to reduce the number of buses transporting students home. The Principal shall then notify the necessary staff members and shall then insure that the school telephones be monitored for at least 45 minutes after the last bus departs.
4320 School Vehicles

School buses or other District owned or leased vehicles shall not be loaned, leased, or subcontracted to any person, groups of persons or organizations except as allowed by law and subject to Board approval.

No public funds shall be spent by the Board to hire, rent, or lease any form of transportation to be used by any student, school employee, patron, or any organization to transport anyone to or from a religious activity.

** Liability **

All school vehicles shall be adequately insured.

** Safety **

Every bus driver shall have authority and responsibility for the passengers riding in school buses.

** Safety Inspection **

All school vehicles shall be inspected annually prior to the opening of school and as required by law.

The results of the inspection shall be reported to the Board.

** End of Route Vehicle Inspection **

At the end of every route driven, every driver shall do a thorough inspection of the bus, van, or any vehicle used for transporting students for any reason, to be certain that no students or any other passengers remain in the vehicle. It shall be the responsibility of the administration and the Transportation Department to develop appropriate rules, forms, or records to ensure that this policy is implemented. Any driver failing to adhere to this policy or to the rules established by the administration shall be subject to disciplinary action as determined by the Superintendent.
Records

Every bus or other vehicle driver of school vehicles shall keep accurate records pertaining to each vehicle assigned to him/her. The types of records shall be developed by the Superintendent or designee.

Licensing of Drivers

Michigan laws and regulations set standards for the physical fitness, competence, experience, training, and proper licensing of school bus drivers. The Board directs the Superintendent or designee to ensure that the District complies with these legal requirements and that all required documentation is available and up-to-date in each employees’ personnel file.

School Bus Safety Program

The Superintendent or designee and the transportation department in conjunction with building Principals shall develop and publish school bus safety rules for bus drivers and students.

Approved:

LEGAL REF:  MCL 15.231 et seq.; 257.314; 380.1333;
Safety

Any student or other person riding in school owned vehicles that violate the rules of the District concerning such passengers shall be reported to the proper District official. Violations of said rules by students or other such persons may result in disciplinary action by school officials.

Safety Inspection

Any defect found in a school vehicle shall be repaired as soon as possible. The Superintendent or designee, Assistant Director for Facilities and Operations, and subordinate mechanic staff shall be responsible for keeping school vehicles in good operating condition and ensuring compliance with applicable law.

End of Route Vehicle Inspection

At the end of each route driven, every bus driver shall inspect the bus, van, or any other vehicle used to transport students to be certain that no students or other passengers remain in the vehicle. This requirement extends to mean that an inspection will occur any time a route has been run, be it a partial route interruption where the driver is “waiting” for students to return to the vehicle (such as on a field trip,) or the final run of the day or evening. In addition, an inspection of the vehicle will be done any time that the driver is to be absent from the vehicle for 10 minutes or more before the driver exits the bus whether at the end of the route or during an interruption in the route.

An “End of Route Inspection Form,” to be provided by the administration, shall be completed and submitted to the transportation office as soon as possible after the inspection but in no case later than the normal end of the driver’s shift or assignment.
Records

Any record developed by the District for monitoring vehicle use may include but will not be limited to the following information: miles driven each trip, gas and oil usage, purpose of the trip, destination, time departing, and time of return. Such records shall be signed by each driver at the conclusion of each trip and submitted to the person responsible for collection of said records. An annual report tabulating such data in the record shall be used in the compilation of the District’s budget. A copy of said annual report may be given to the Board upon request.

Housing of School Vehicles

All school vehicles shall be housed in areas designated by the Superintendent.

Buses may be housed in the District’s central storage area.

District cars or vans shall be assigned to a designated employee who shall then be responsible for the proper care, maintenance, and housing of the vehicle.
4350 Student Transportation in Private Vehicles

Field Trips

In scheduling transportation for field trips, the Superintendent may approve the use of private vehicles in situations in which budget or schedule restrictions make it prohibitive or impractical to use school buses.

Student Self-Transportation

In cases where a student is enrolled in a Board approved shared time program or District sponsored activity at another school or program site (Example: An area career center, gifted and talented program, or dual enrollment program with an area junior college, college, or university) parent(s)/guardian(s) of the student may request permission for their child to self-transport him/herself to and from that site, subject to rules and regulations established by the Superintendent.

Approved:
LEGAL REF: R 340.282
Field Trips

When private vehicles are used for field trips, the following requirements shall be met:

1. Only an adult (non-high school student) driver with a currently valid license shall be allowed to drive the vehicle. The health and driving quality of the driver shall also be taken into consideration.

2. The vehicle shall be equipped with seatbelts and the number of passengers limited to the number of seatbelts available. Seatbelts shall be used at all times by all passengers when the vehicle is in operation.

3. The vehicle shall be generally in good condition, particularly as it pertains to safety equipment such as brakes, horn, tires, lights, etc.

4. Vehicle and driver shall be insured.

5. No open-type vehicle, such as a pickup or truck, shall be used for transporting students other than in the cab of the vehicle where proper seatbelts can be used.

6. Non-ownership insurance as a secondary coverage may be carried by the District either on a permanent or temporary basis as determined by the Superintendent.

7. A form verifying certain desired information to be signed by the driver of the vehicle shall be kept on file.

8. The vehicle be registered to the driver.

Student Self-Transportation

Parent(s)/Guardian(s) who seek permission for their son/daughter to provide their own transportation to other Board approved schools, District sponsored activities, or program sites
shall file their request, in writing, with the Superintendent stating, specifically, the nature of their request. A separate form may be developed by the administration to facilitate the request.

In all cases, parent(s)/guardian(s) requesting permission for their son/daughter to self-transport shall be required to affirm and verify that:

1. The vehicle to be used is equipped with seatbelts that are operable and in good repair and the parent/guardian will ensure seatbelts are worn at all times by their son/daughter when the vehicle is in operation.

2. The vehicle shall be generally in good condition, particularly as it pertains to safety equipment such as brakes, horn, tires, lights, etc.

3. Vehicle and driver shall be insured and proof of insurance, along with a valid Michigan Driver’s License, shall be presented prior to permission being given for student self-transport.

4. No other student passengers may be carried by the student under this policy and these rules without specific permission of the Superintendent or designee. Students found to be transporting other students, without having permission to do so, will have their permission for self-transportation revoked immediately.

5. The student shall maintain a driving record free of violations or infractions of the Michigan Vehicle Code. Violations such as tickets for speeding, reckless or careless driving, driving while intoxicated or the like, shall result in immediate suspension of the permission to self-transport.

6. The Board of Education shall be held harmless from any claims, suits, liabilities, causes of action or responsibility of any type for any accidents, injuries or death connected with the permission for student self-transport, it being specifically understood that the
parent(s)/guardian(s) and student involved assume total and complete responsibility for all liabilities connected to the permission for student self-transport.

7. A form verifying certain desired information to be signed by the driver of the vehicle shall be kept on file.

Special Use of Transportation Services

Transportation service equipment and personnel shall be used primarily to transport to and from school during the day those public and non-public school students eligible for such transportation.

Transportation equipment and personnel shall not be used for any purpose or activity that is not directly connected with and a part of the regular educational programs within the District. Exceptions may be granted to governmental agencies sponsoring approved programs for youth in the community as approved by the Board. “For profit” organizations are prohibited from using school transportation equipment by law (MCL 380.1333.)

The Superintendent or designee shall be authorized to approve the use of buses for field trips for curricular and extracurricular activities upon submission of requests from building administrators, classroom teachers, or faculty sponsors of extracurricular activities.

No fees shall be charged for transportation for field trips which are mandatory or which are a part of the regular classroom or curricular program of the schools.

Fees to cover expenses of non-mandatory and non-credit extracurricular field trips may be charged according to rules promulgated by the State Board of Education or as set by the Board.

Only students enrolled in the District and chaperones authorized by the school shall be allowed to ride buses on curricular or extracurricular field trips. The Superintendent or designee
may authorize parent(s)/guardian(s) and/or other residents of the community to ride buses to school sponsored activities if sufficient space is available.

In all cases, students shall be given priority.
Use of transportation by governmental agencies sponsoring approved programs for youth in the community may be granted upon the approval of the Board.

Approved:

LEGAL REF: MCL 257.1865; 257.1867; 380.1332-1333
The Board recognizes the needs of the District to own or lease vehicles to carry out the instructional program and the business of operating the schools. The Superintendent is authorized to determine the extent to which District owned vehicles might be used for official school business. Such vehicles shall not be used for personal travel unless authorized by law, expressly approved by the Board, and appropriate reimbursement is made to the District. Drivers of school owned vehicles shall be properly licensed.

Approved:
The Superintendent or designee must approve in writing the use of privately owned vehicles for school business. The permission may be a standing permit for those who use their own cars regularly for school purposes.

Employees who use their privately owned vehicles for school business shall be required to maintain minimum insurance coverage for liability and property damage, which shall be the primary coverage. The school non-ownership insurance shall provide the secondary coverage. School non-ownership coverage shall not apply unless the employee has been given the authorization described above.

Reimbursable mileage shall be according to a rate approved by the Board and the driver shall possess a valid Michigan driver’s license before any reimbursement shall be made. In no instance shall mileage reimbursement be claimed for travel for any purpose other than for District business.

Employees are forbidden to transport students for school purposes without authorization by the Superintendent or designee. A student shall not be sent on school errands with his/her motor vehicle, an employee’s motor vehicle, or a District-owned motor vehicle.

No teacher or other employee shall be authorized to drive a van or bus to transport students unless properly licensed and qualified to drive a bus as determined by the Michigan Department of Education.

When District-owned vehicles, which are equipped with seatbelts, are used to transport students, it is required; that the number of passengers is limited to the number of seatbelts available and that seatbelts shall be used when the vehicle is operative.
A school breakfast, lunch, and supplemental milk program shall be made available to all full time students enrolled and in regular attendance in the school District.

A food service Director will be hired by the Board to oversee the District’s lunch services. The Food Service Director shall ensure that the applicable legal requirements related to the operation of the District’s food service program are implemented, including a food safety program consistent with the Hazard Analysis and Critical Control Point system.

The Board shall participate in the surplus foods program operated under the U.S. Department of Agriculture. The Superintendent shall determine the extent of participation based upon need and economic feasibility.

A system of accounts shall be designed and be operative which sets forth separately all revenues and disbursements of the food service operation as required by law and for management information purposes.

It should be the financial objective of the food service program to maintain fiscal operations on a profit basis. Daily breakfast and lunch fees shall be set by the Board to cover actual costs of providing meals, milk, and accessories, including supervision, less the amount of food and financial assistance received from federal, state, and other sources for meals and milk.

Free and reduced price breakfasts and lunches shall be provided to eligible students according to standards as prescribed by the U.S. Department of Agriculture. The Superintendent shall make provisions to ensure that information contained in the application for eligibility is kept confidential, and that students receiving free or reduced price breakfasts, lunches or milk are not discriminated against.
Students eligible for free or reduced price breakfasts and lunches shall not be required to work in the lunch program to an extent more than other students in the school.

The Superintendent shall provide avenues for parent(s)/guardian(s) and student participation in the planning and evaluating of school breakfasts, lunches and other foods dispensed upon school premises.

The control of students using the cafeteria shall be the responsibility of the building Principal.

The Board will ensure that the District complies with USDA regulations as they pertain to competitive food services and the sale of Foods of Minimal Nutritional Value (FMNV).

Approved:
Food Service Management

4450-R  Food Service Management

Administration

Building Principals shall be responsible for developing rules and regulations in their buildings in order to administer the food service program effectively. Procedures for collection of money, controlling students, and reporting shall be established on a building level in accordance with requirements established by the Superintendent and consistent with applicable state and federal laws and regulations.

Development of Menus

The food service Director is responsible for preparing a nutritionally adequate menu in compliance with state and federal laws and regulations at least one week in advance and having it published in the District’s newspaper. The menu for each day must be served as published except in extreme emergencies.

Food Purchasing

Since food service purchasing is a daily operation, the person in charge of the food service program shall be permitted to order on a predetermined basis as needed.

Bids will be taken on all items possible in compliance with Board policy and administrative regulations on purchasing. Bids shall be taken annually on milk and bread. (Cf. 3660)

The food service Director shall be responsible for supplying the business office with minimum quantities for all items to be bid and for developing specifications for each item.

An inventory of food and supplies shall be taken by the 30th of each month and sent to the business office within the first two days of the following month.
Once the provision of an item has been awarded to a vendor for a specific period, all purchases of that item shall be made from that vendor unless said vendor cannot supply the item.

The Superintendent will ensure that materials that have been declared by the USDA to be Foods of Minimal Nutritional Value (FMNV); such as but not limited to, soft drinks, hard candies, gum, non-juice popsicles, are not available for sale or distribution to students in the identified school food service areas during school breakfast and lunch periods. Machines that dispense FMNV and are located in an identified school food services area shall be inoperable during the school breakfast and lunch periods.

FMNVs are not to be included as part of the reimbursable breakfast or lunch unit.

District funds may be used from the school food service account (SFSA) to purchase FMNV for sale outside a meal period or outside a food service area during meal periods, however, such purchases must be self-sustaining.
Dealing with Food Allergic Students

The Battle Creek Public School District takes food allergies seriously. We understand that food allergies can be life threatening. Recognizing that the risk of accidental exposure to foods can be reduced in the school setting, we are committed to working with students, parent(s)/guardian(s), and physicians to minimize risks and provide a safe educational environment for food-allergic students.

Accordingly, the Superintendent or designee shall direct the person in charge of food service programs to act affirmatively and work closely with parent(s)/guardian(s) to assure that the dietary needs of food-allergic students are taken into consideration in menu planning for the District’s food service programs.

Approved:

LEGAL REF: The Food Allergy & Anaphylaxis Network’s (FAAN) School Food Allergy Program.
Administrative Regulations

In order to help assure that the needs of food-allergic students are met in the District’s food service programs, the Superintendent and person in charge of the District’s food service programs shall:

1. NOTIFY PARENT(S)/GUARDIAN(S) OF THEIR RESPONSIBILITY TO:
   • Notify the school of their child’s allergies.
   • Provide written medical documentation, instructions, and medication as directed by a physician. Include a photo of the child on written form.
   • Work with the school team to develop a plan to accommodate the child’s needs to include time in the classroom and cafeteria, as well as an emergency action plan.
   • Replace medications after use or upon expiration.
   • Educate the child in the self-management of their food allergy including:
     1. Safe and unsafe foods
     2. Strategies for avoidance of exposure to unsafe foods
     3. Symptoms of allergic reactions
     4. How and when to tell an adult they may be having an allergy-related problem
     5. How to read food labels (if age appropriate)
   • Review policies after a reaction has occurred.

2. ASSURE THAT THE DISTRICT HAS TAKEN ALL NECESSARY STEPS TO:
• Review the health records submitted by parent(s)/guardian(s) and physicians.

• Not exclude students from school activities solely based on child’s food allergy.

• Identify a core team of, but not limited to, school nurse or appropriate designated school personnel, teacher, Principal, cafeteria manager, and counselor* to work with parent(s)/guardian(s) to establish prevention policies. All policy decisions about food allergy management should be made with core team participation. (*If available) . If the student is §504 eligible, such decisions should be made as part of the student’s §504 plan.

• See to it that everyone who interacts with the student on a regular basis understands food allergies, can recognize common symptoms, knows what to do in an emergency, and works with other District personnel to work toward eliminating the use of food allergens in the allergic student’s classroom as educational tools, arts and crafts projects, or incentives.

• Cooperate with the school nurse or appropriate designated school personnel to be sure medications are appropriately stored, see that an emergency kit is available that contains a physician’s standing order and, if appropriate, epinephrine, and that medications are kept easily accessible to designated staff.

• Designate school personnel who can administer medications.
• Always be prepared to handle a reaction and ensure that a staff member is available who can administer medications during the school day regardless of time or location.

• Review policies after a reaction has occurred.

• Work with the administrator in charge of transportation to see that school bus driver training includes symptoms awareness and what to do if a reaction occurs.

• Recommend that all buses have communication devices in case of an emergency.

• Enforce no eating on school buses.

• Discuss field trips with family to decide how to handle them.

• Follow State/District guidelines regarding sharing medical information about the student.

3. SHALL INFORM PARENT(S)/GUARDIAN(S) AND DISTRICT STAFF THAT:

• Parent(s)/Guardian(s) are discouraged from bringing or offering “homemade” or “home baked” foods for classroom parties or school/classroom fund raising events. Parent(s)/Guardian(s) shall be encouraged to bring or offer non-food “treats” or “prizes” such as may be purchased at a “Dollar Store” for children’s birthday celebrations in lieu of offering or bringing food treats to the school. The danger of complications with food allergies, discrimination against students with a diabetic condition, and the general requirement that students be served only those foods that are commercially prepared and packaged and/or that are prepared in an “approved and licensed kitchen” makes this rule necessary.
• Teachers are encouraged to avoid using food items such as candy, cookies, or other snack items as a reward for classroom behavior or accomplishments. Reward items other than food are to be used in such instances.

• To get suggestions that are more detailed for implementing these objectives and creating a specific plan for each individual student in order to address his or her particular needs, they should refer to The Food Allergy & Anaphylaxis Network’s (FAAN) School Food Allergy Program.

• The School Food Allergy Program has been endorsed and/or supported by the Anaphylaxis Committee of the American Academy of Allergy Asthma and Immunology, the National Association of School Nurses, and the Executive Committee of the Section on Allergy and Immunology of the American Academy of Pediatrics.

• Inform parent(s)/guardian(s) and staff that FAAN can be reached at: 800/929-4040.
The Board shall contract with a reputable food service management company and/or supplier(s) to provide food supplies within the District.

Said service shall be advertised for bid at least every three years. The agreement with the successful bidder shall continue for one year with options for the yearly renewal of the contract not to exceed two additional years.

Awards shall be made by the Board and shall be based upon the fees charged, experience, reputation, and financial stability of the bidder as well as compliance with the format, terms and conditions of the Invitation to Bid. The procedure for bids shall be the same as outlined in policy 3660.

Approved:

LEGAL REF: MCL 380.1272
The Board encourages the application of technology to any District function where efficiency, reliability, or student learning will be improved.

**New Programs**

New technologies or new applications of technology within the District shall be implemented only after careful and thorough planning on the part of administrative staff. Whenever possible, the administrative staff should establish pilot project(s) and evaluate their effectiveness prior to implementing a new technological program on a school-wide or District-wide level. District support shall be given only to those new technologies that substantively improve efficiency, reliability, or learning beyond current or “traditional” practice.

Whenever the Board or a District administrator allocates funds for the purchase of new technological hardware or software, an appropriate portion of the funds allocated shall be designated for the training of staff and the development of necessary supplementary materials and documentation.

**Upgrades**

The Board recognizes the need for ongoing upgrading of technological resources within the District, and shall implement a plan and a budgeting process that ensures the regular replacement of aging equipment and software.

The Superintendent or designee shall develop and submit to the Board annually a plan for upgrading the District’s technology resources based on a replacement cycle of 4 years or less. The plan shall include recommendations for expansion of resources where appropriate, based on the evaluation of pilot programs, and shall include provisions for staff training and
curriculum/materials development. The plan shall be considered by the Board as a part of the annual budgeting process.

Data Management

The Superintendent or designee shall provide for the orderly acquisition of data base software, information processing equipment, networks, and support materials to best use computer technology in support of District administrative functions. A student database shall be maintained which contains student administrative and instructional information.

The Superintendent or designee shall establish procedures, which ensure the security, safety, and confidentiality of District or Personally Identifiable Information (PII) data. Access to District or PII data in any form, including use of the database by students, staff, and volunteers, shall be limited in accord with the Board policies on District and student records. District databases shall be implemented in such a way as to facilitate access to subsets or aggregates of the data, which are not confidential.

Education and Instruction

The Superintendent or designee shall ensure that all staff and students are informed and instructed on the ethical uses of data and computer technology. The Superintendent or designee shall also ensure that all staff members, students, Board of Education members, volunteers, and any other individual that uses the District’s technology resources, including its network, sign an acceptable use agreement.

Acceptable Use and Internet Safety Policy

It is the policy of the Battle Creek Public Schools District’s Board of Education to provide students, staff, volunteers, and other authorized users access to the Battle Creek Public Schools District’s technology resources, including its computers and network resources, in a
manner that encourages responsible use. It is also the policy of the Board to comply with the Children's Internet Protection Act (“CIPA”). As required by the CIPA, the Board directs the Battle Creek Public Schools District’s administration to:

- Monitor minors’ online activities and use technology protection measures on the Battle Creek Public Schools District’s computers with internet access to block minors’ access to visual depictions that are obscene, that constitute child pornography, or that are “harmful to minors.” The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

- Use technology protection measures on the Battle Creek Public Schools District’s computers with internet access to block all access to visual depictions that are obscene or that constitute child pornography. The technology protection measures may be disabled by an authorized staff member, during adult use, to enable access to bona fide research or for other lawful purposes. The Board designates the following person to determine which staff members are authorized to disable the protection measures: Director of Technology.
- Educate minors about appropriate online behavior, including interacting with other people on social networking websites and in chat rooms and cyberbullying awareness and response.

- Prohibit access by minors to inappropriate matter on the Internet.

- Prohibit unauthorized access, including so-called “hacking,” and other unlawful activities by minors online;

- Prohibit the unauthorized disclosure, use, and dissemination of personal identification information regarding minors;

- Restrict minors’ access to materials that are “inappropriate for minors.” The Board defines materials that are inappropriate for minors to include:

  Materials inappropriate to minors will be defined by the technology department and the Director of Technology.

- Encourage the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communication.

The Board designates and directs the following person to take all steps necessary to implement this policy and to otherwise comply with the CIPA: Director of Technology

The Board directs the Director of Technology to develop, review, and revise as necessary an acceptable use agreement that must be signed by all users of the District’s technology resources before the user will be allowed to use the technology resources. Different acceptable use agreements may be developed based on the user’s status. At a minimum, the Technology Department will develop (1) an acceptable use agreement to be signed by adult users, including employees, volunteers, and board members; (2) an acceptable use agreement to be signed by students in grades (DownTo and above) and their parents; and (3) an acceptable use agreement to
be signed by students in grades (Up To Grade and below) and their parents. The acceptable use agreements must be consistent with this Board policy and must include, at a minimum:

- A statement that the use of the technology resources is a privilege that may be revoked at any time.
- A statement that a user has no expectation of privacy when using the technology resources.
- Provisions to protect the integrity of the technology resources, including a requirement that each user only access the technology resources by using his or her assigned user name and password.
- A statement that the technology resources may not be used to bully other people.
- A statement that misuse of the technology resources may result in loss of access to the technology resources and potential disciplinary action.
- A list of what constitutes “misuse” of the technology resources.
- A statement that the Battle Creek Public Schools District does not guarantee that the technology resources will be error free or uninterrupted.
- A requirement that users report any material that makes them feel threatened, harassed, or bullied.
- A release of all claims and liabilities against the Battle Creek Public Schools District for use of the technology resources.

Pursuant to section 6 of the Michigan Library Privacy Act, each school library offering public access to the Internet or a computer, computer program, computer network, or computer system shall limit minors to only use or view those terminals that do not receive obscene material or sexually explicit material that is harmful to minors. Individuals age 18 or older, or a minor
accompanied by his or her parent/guardian, may access a school library terminal that is not restricted from receiving such material. Each qualifying school library must designate at least one terminal that is not restricted from receiving such material. Library staff must take steps to ensure that minors not accompanied by a parent or guardian do not access the unrestricted terminal.

The Board directs the following person to determine which staff members will implement this paragraph in each qualifying school building library: The Director of Technology or his/her designee

Agreement for Acceptable Use of Technology Resources Students Grades K-____
__________________________________/_________________________________
Building/Program Name         Student Name

I understand that I may sometimes be permitted to use the Battle Creek Public Schools District’s computers, electronic devices, and Internet at school and at home. To use computers, electronic devices, or the Internet, I understand that I must follow school rules for computer and Internet use. I promise that:

• I will only use the computers, electronic devices, and Internet for school work.

• I will only use the computers, electronic devices, and Internet when my teacher or other school employee tells me that I am allowed to use the computers, electronic devices, and Internet.

• I will not use the Internet to try to look at websites that I know are for adults only or that I know I shouldn’t access.

• If I accidentally access a website that I know I shouldn’t look at, I will tell my teacher or other school employee right away.
Technology (Cf. 8940, 2810)

• If someone sends me something on the Internet that I know is inappropriate, I will tell my teacher or other school employee right away.

• I will not use the computers, electronic devices, or Internet to bully or harm any other person.

• If someone else uses the computers, electronic devices, or Internet to bully or harm me, I will tell my teacher or other school employee right away.

• I will not damage the computers, electronic devices, or cause problems with the computers, electronic devices, or Internet on purpose.

• I will not use the computers, electronic devices, or Internet to cheat on my schoolwork.

• I will not copy anything that I see on the computers or Internet and pretend that it is my own work.

• I will keep my password secret from all other students.

• I understand that the school can see everything that I do on the computers, electronic devices, and Internet.

• I understand that the school has filters on the computers, electronic devices, and Internet, which means I might not be able to see some information. I will not try to interfere with those filters.

• I will follow all of these rules. I will also follow any directions that my teacher or other school employee gives me about my use of the computers, electronic devices, or the Internet.

I understand that if I break any of these rules, I may be disciplined, and I may also lose my computer, electronic device, and Internet privileges.
I have read this Agreement and agree that as a condition of my child’s use of the Battle Creek Public Schools District's technology resources, which include (1) internal and external network infrastructure, (2) Internet and network access, (3) computers, (4) servers, (5) storage devices, (6) peripherals, (7) software, and (8) messaging or communication systems, I release the Battle Creek Public Schools District and its board members, agents, and employees, including its Internet Service Provider, from all liability related to my child’s use or inability to use the technology resources. I also indemnify the Battle Creek Public Schools District and its board members, agents, and employees, including its Internet Service Provider, for any fees, expenses, or damages incurred as a result of my child’s use, or misuse, of the Battle Creek Public Schools District’s technology resources.

I have explained the rules listed above to my child.

I authorize the Battle Creek Public Schools District to consent to the sharing of information about my child to website operators as necessary to enable my child to participate in any program, course, or assignment requiring such consent under the Children's Online Privacy Protection Act.

I understand that data my child sends or receives over the Battle Creek Public Schools District’s technology resources is not private. I consent to having the Battle Creek Public Schools District monitor and inspect my child’s use of the technology resources, including any electronic communications that my child sends or receives through the technology resources.
I understand and agree that my child will not be able to use the Battle Creek Public Schools District’s technology resources until this Agreement has been signed by both my child and me.

I have read this Agreement and agree to its terms.

________________________________________  ________________________________
Parent/Guardian Signature  Date

cc: parent/guardian, student file

Agreement for Acceptable Use of Technology Resources Students Grades __ and _____.

________________________/DTUser
Building/Program Name  User Name

This Agreement is entered into on: ____________________________

This Agreement is between DTUser ("Student” or “User”) and the Battle Creek Public Schools (“Battle Creek Public Schools District”)

The purpose of this Agreement is to grant access to and define acceptable use of the Battle Creek Public Schools District’s technology resources (“Technology Resources”). Technology Resources are any type of instrument, device, machine, equipment, technology, or software that is capable of transmitting, acquiring, or intercepting, any telephone, electronic, data, internet, audio, video, or radio transmissions, signals, telecommunications, or services, and include without limitation (1) internal and external network infrastructure, (2) Internet and network access, (3) computers, (4) servers, (5) storage devices, (6) peripherals, (7) software, and (8) messaging or communication systems.

In exchange for the use of the Battle Creek Public Schools District’s Technology Resources either at school or away from school, you understand and agree to the following:
A. Your use of the Battle Creek Public Schools District’s Technology Resources is a privilege that may be revoked by the Battle Creek Public Schools District at any time and for any reason.

B. You have no expectation of privacy when using the Battle Creek Public Schools District’s Technology Resources. The Battle Creek Public Schools District reserves the right to monitor and inspect all use of its Technology Resources, including, without limitation, personal e-mail and voice-mail communications, computer files, data bases, web logs, audit trails, or any other electronic transmissions accessed, distributed, or used through the Technology Resources. The Battle Creek Public Schools District also reserves the right to remove any material from the Technology Resources that the Battle Creek Public Schools District, at its sole discretion, chooses to, including, without limitation, any information that the Battle Creek Public Schools District determines to be unlawful, obscene, pornographic, harassing, intimidating, disruptive, or that otherwise violates this Agreement.

C. The Technology Resources do not provide you a “public forum.” You may not use the Technology Resources for commercial purposes or to support or oppose political positions or candidates unless expressly authorized in advance by a teacher or administrator as part of a class project or activity. You may, however, use the Technology Resources to contact or communicate with public officials.

D. The Battle Creek Public Schools District’s Technology Resources are intended for use only by registered users. You are responsible for your account/password and any access to the Technology Resources made using your account/password. Any
damage or liability arising from the use of your account/password is your responsibility. Use of your account by someone other than you is prohibited and may be grounds for suspension from the Technology Resources and other disciplinary consequences for both you and the person(s) using your account/password.

E. You may not use the Technology Resources to engage in bullying, which is defined as:

Any written, verbal, or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

a) Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;

b) Adversely affecting the ability of a pupil to participate in or benefit from the educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress;

c) Having an actual and substantial detrimental effect on a pupil’s physical or mental health; or

d) Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Use of other communication/messaging devices (including devices not owned by the Battle Creek Public Schools District) to engage in bullying may be grounds for discipline under the Battle Creek Public Schools District’s Handbook.
F. If you misuse the Technology Resources, your access to the Technology Resources may be suspended and you may be subject to other disciplinary action, up to and including expulsion. Misuse includes, but is not limited to:

1. Accessing or attempting to access material that is “harmful to minors.” Material that is “harmful to minors” includes any picture, image, graphic image file, or other visual depiction that (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole lacks serious literary, artistic, political, or scientific value as to minors.

2. Accessing or attempting to access material that is unlawful, obscene, pornographic, profane, or vulgar.

3. Accessing or attempting to access material that is inappropriate for minors. Material that is inappropriate for minors is defined as: Materials inappropriate to minors will be defined by the technology department and the Director of Technology.

4. Bullying (as defined in paragraph E).

5. Sexting, which includes, without limitation, possessing, sending, or distributing nude, sexually explicit, or sexually suggestive photographs, videos, or other visual depictions of yourself or another person.
6. Vandalism, which includes, without limitation, any malicious or intentional attempt to harm, steal, destroy, or disrupt user data, school material, or school hardware or software.

7. Hacking, which includes, without limitation, gaining or attempting to gain access to, modifying, or obtaining copies of, information belonging to others or information you are not authorized to access.

8. Unauthorized copying or use of licenses or copyrighted software.

9. Plagiarizing, which includes the unauthorized distributing, copying, using, or holding out as your own, material that was written or created by someone else, without permission of, and attribution to, the author/creator.

10. Posting or distributing confidential or inappropriate information meant to harass, intimidate, or embarrass others.

11. Allowing someone else to use your account or password or not preventing unauthorized access to Technology Resources when leaving them unattended.

12. Using or soliciting the use of, or attempting to use or discover the account information or password of, another user.

13. Attempting to or successfully disabling security features, including technology protection measures required under the Children’s Internet Protection Act (“CIPA”).

14. Misusing equipment or altering system software without permission.
15. Commercial for-profit activities, advertising, political lobbying, or sending mass mailings or spam. However, you may contact a public official to express an opinion on a topic of interest.

16. Using the Technology Resources in any way that violates any federal, state, or local law or rule, or the Battle Creek Public Schools District’s policies.

G. You must promptly disclose to your teacher or other school employee any content you view or receive over the Technology Resources that is inappropriate or that makes you feel uncomfortable, harassed, threatened, or bullied, or that contains sexually explicit content. You should not delete such content until instructed to do so by a staff member.

H. It is the policy of the Battle Creek Public Schools District, as a recipient of certain federal funds, to monitor the online activities of its minor students and provide technology protection measures on its computers with Internet access designed to prevent minors from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors.

I. It is the policy of the Battle Creek Public Schools District to prohibit its minor students from (1) accessing inappropriate matter on the Internet; (2) engaging in hacking or other unlawful online activities; and (3) accessing materials that are harmful to minors. It is also the policy of the Battle Creek Public Schools District to educate students about cyberbullying awareness and response and about appropriate online behavior, including disclosing, disseminating, or using personal information and safely and appropriately interacting with other
individuals in social networking websites, chat rooms, by e-mail, and other forms of direct electronic communications.

J. The Battle Creek Public Schools District does not guarantee that measures described in paragraphs H and I will provide any level of safety or security or that they will successfully block all inappropriate material from the Battle Creek Public Schools District’s students. You agree that you will not intentionally engage in any behavior that was intended to be prevented by paragraphs H and I.

K. The Battle Creek Public Schools District does not warrant or guarantee that its Technology Resources will meet any specific requirement, or that they will be error free or uninterrupted; nor will the Battle Creek Public Schools District be liable for any damages (including lost data, information, or time) sustained or incurred in connection with the use, operation, or inability to use the Technology Resources.

L. You are responsible for the proper use of the Technology Resources and will be held accountable for any damage to or replacement of the Technology Resources caused by your inappropriate use.

I agree to follow this Agreement and all rules and regulations that may be added from time to time by the Battle Creek Public Schools District or its Internet Service Provider. I also agree to follow all rules in the Battle Creek Public Schools District’s Handbook. Any additional rules, regulations, and policies are available in the Rule Location. As a condition of using the Technology Resources, I agree to release the Battle Creek Public Schools District and its board members, agents, and employees, including its Internet Service Provider, from all liability related to my use or inability to use the Technology Resources.
I understand that data I send or receive over the Technology Resources is not private. I consent to having the Battle Creek Public Schools District monitor and inspect my use of the Technology Resources, including any electronic communications that I send or receive through the Technology Resources.

I have read this Acceptable Use Agreement and agree to its terms.

________________________________________  __________________________
Student Signature                           Date

I have read this Agreement and agree that as a condition of my child’s use of the Technology Resources, I release the Battle Creek Public Schools District and its board members, agents, and employees, including its Internet Service Provider, from all liability related to my child’s use or inability to use the Technology Resources. I also indemnify the Battle Creek Public Schools District and its board members, agents, and employees, including its Internet Service Provider, for any fees, expenses, or damages incurred as a result of my child’s use, or misuse, of the Battle Creek Public Schools District’s Technology Resources.

I authorize the Battle Creek Public Schools District to consent to the sharing of information about my child to website operators as necessary to enable my child to participate in any program, course, or assignment requiring such consent under the Children's Online Privacy Protection Act.

I understand that data my child sends or receives over the Technology Resources is not private. I consent to having the Battle Creek Public Schools District monitor and inspect my child’s use of the Technology Resources, including any electronic communications that my child sends or receives through the Technology Resources.
Technology (Cf. 8940, 2810)

I understand and agree that my child will not be able to use the Battle Creek Public Schools District’s Technology Resources until this Agreement has been signed by both my child and me.

I have read this Agreement and agree to its terms.

________________________________________  __________________
Parent/Guardian Signature  Date

cc: parent/guardian, student file

Agreement for Acceptable Use of Technology Resources

For Employees, Board Members, Volunteers, and Adults other than Students

_______________________________________/________________________________
Building/Program Name  User Name

This Agreement is entered into on: ____________________________

This Agreement is between ____________________________________________

(“User”) and the Battle Creek Public Schools (“Battle Creek Public Schools District”).

The purpose of this Agreement is to grant access to and define acceptable use of the Battle Creek Public Schools District’s technology resources (“Technology Resources”). Technology Resources are any type of instrument, device, machine, equipment, technology, or software that is capable of transmitting, acquiring, or intercepting, any telephone, electronic, data, internet, audio, video, or radio transmissions, signals, telecommunications, or services, and include without limitation (1) internal and external network infrastructure, (2) Internet and network access, (3) computers, (4) servers, (5) storage devices, (6) peripherals, (7) software, and (8) messaging or communication systems.

In exchange for the use of the Battle Creek Public Schools District’s Technology Resources either at school or away from school, you understand and agree to the following:

Battle Creek Public  Business Management  Section 4000
A. Your use of the Battle Creek Public Schools District’s Technology Resources is a privilege that may be revoked by the Battle Creek Public Schools District at any time and for any reason.

B. You have no expectation of privacy when using the Battle Creek Public Schools District’s Technology Resources. The Battle Creek Public Schools District reserves the right to monitor and inspect all use of its Technology Resources, including, without limitation, personal e-mail and voice-mail communications, computer files, data bases, web logs, audit trails, or any other electronic transmissions accessed, distributed, or used through the Technology Resources. The Battle Creek Public Schools District also reserves the right to remove any material from the Technology Resources that the Battle Creek Public Schools District, at its sole discretion, chooses to, including, without limitation, any information that the Battle Creek Public Schools District determines to be unlawful, obscene, pornographic, harassing, intimidating, disruptive, or that otherwise violates this Agreement.

C. The Technology Resources do not provide you a “public forum.” You may not use the Technology Resources for commercial purposes or to support or oppose political positions or candidates unless expressly authorized in advance by an appropriate administrator. You may, however, use the Technology Resources to contact or communicate with public officials.

D. The Battle Creek Public Schools District’s Technology Resources are intended for use only by registered users. You are responsible for your account/password and any access to the Technology Resources made using your account/password. Any
damage or liability arising from the use of your account/password is your responsibility. Use of your account by someone other than you is prohibited and may be grounds for suspension from the Technology Resources and other disciplinary consequences (for employees, up to and including termination), for both you and the person(s) using your account/password.

E. If you misuse the Technology Resources, your access to the Technology Resources may be suspended and you may be subject to other disciplinary action (for employees, up to and including termination). Misuse includes, but is not limited to:

1. Accessing or attempting to access material that is unlawful, obscene, pornographic, profane, or vulgar.

2. Sexting, which includes, without limitation, possessing, sending, or distributing nude, sexually explicit, or sexually suggestive photographs, videos, or other visual depictions of yourself or another person.

3. Vandalism, which includes, without limitation, any malicious or intentional attempt to harm, steal, destroy, or disrupt user data, school materials, or school hardware or software.

4. Hacking, which includes, without limitation, gaining or attempting to gain access to, modifying, or obtaining copies of, information belonging to other users or information you are not authorized to access.

5. Unauthorized copying or use of licenses or copyrighted software.
6. Plagiarizing, which includes the unauthorized distributing, copying, using, or holding out as your own, material that was written or created by someone else, without permission of, and attribution to, the author/creator.

7. Posting or distributing confidential or inappropriate information meant to harass, intimidate, or embarrass others.

8. Allowing someone else to use your account or password or not preventing unauthorized access to Technology Resources when leaving them unattended.

9. Using or soliciting the use of, or attempting to use or discover the account information or password of, another user, unless authorized to do so by the Battle Creek Public Schools District’s administration or Board.

10. Attempting to or successfully disabling security features, including technology protection measures required under the Children’s Internet Protection Act (“CIPA”), unless authorized to do so by the Battle Creek Public Schools District’s administration or Board.

11. Misusing equipment or altering system software without permission.

12. Commercial for-profit activities, advertising, political lobbying, or sending mass mailings or spam. However, you may contact a public official to express an opinion on a topic of interest.

13. Using the Technology Resources in any way that violates any federal, state, or local law or rule, or any Battle Creek Public Schools District policy, rule, or agreement.
F. It is the policy of the Battle Creek Public Schools District, as a recipient of certain federal funds, to provide technology protection measures on its computers with Internet access designed to protect against access through such computers to visual depictions that are obscene or child pornography. The technology blocks may be disabled by an authorized person, during adult use, to enable access to bona fide research or for other lawful purposes.

G. The Battle Creek Public Schools District does not warrant or guarantee that its Technology Resources will meet any specific requirement or that they will be error free or uninterrupted; nor will the Battle Creek Public Schools District be liable for any damages (including lost data, information, or time) sustained or incurred in connection with the use, operation, or inability to use the Technology Resources.

H. As soon as possible, you must disclose to an appropriate school administrator any content you view or receive over the Technology Resources that makes you feel harassed, bullied, or threatened or any communication that contains sexually explicit content. You should not delete such content until instructed to do so by ____________________________.

I. You acknowledge that you may receive or have access to student education records and other data subject to confidentiality requirements of the Family Educational Rights and Privacy Act, Individuals with Disabilities Education Act, the Michigan Mandatory Special Education Act, and the National School Lunch Act and their underlying regulations (collectively, the “Acts”). You acknowledge that, to the extent you receive and have access to such data and records, you are
subject to the provisions of those Acts and their regulations and will not redisclose student data or other education records except as permitted by law.

J. You acknowledge and understand that correspondence or other data that you send or receive over the Battle Creek Public Schools District’s Technology Resources may be subject to retrieval and disclosure under the Freedom of Information Act (“FOIA”) and other federal or state statutes and regulations. You will cooperate fully and promptly with the Battle Creek Public Schools District when responding to FOIA requests or other requests for disclosure of information.

K. You are solely responsible for all charges and fees, including outside telephone, printing, and merchandise purchases, made through the Technology Resources. The Battle Creek Public Schools District is not a party to such transactions and is not liable for any costs or damages, whether direct or indirect, arising out of your use of the Technology Resources.

L. You are responsible for the proper use of Technology Resources and will be held accountable for any damage to or replacement of the Technology Resources caused by your inappropriate use.

M. Any violation of this Agreement may subject you to discipline (for employees, up to and including termination), including possible suspension of your access to the Technology Resources.

As a condition of using the Technology Resources, I release the Battle Creek Public Schools District, and its board members, agents, and employees, including the Internet Service Provider, from all liability related to my use or inability to use the Technology Resources. I agree to follow this Agreement and all rules and regulations that may be added from time to time by
the Battle Creek Public Schools District or its Internet Service Provider. Any additional rules, regulations, and policies are available in the Rule Location. I agree to pay for, reimburse, and indemnify the Battle Creek Public Schools District, its board members, agents, and employees, including the Internet Service Provider, for damages, including any fees or expenses, incurred as a result of my use, or misuse, of the Technology Resources.

I understand that data I send or receive over the Technology Resources is not private. I consent to having the Battle Creek Public Schools District monitor and inspect my use of the Technology Resources, including any electronic communications that I send or receive through the Technology Resources.

I have read this Agreement and agree to its terms.

________________________________________  ______________________
Employee Signature                        Date

cc: Employee file

Approved:
LEGAL REF:   MCL 15.231 et seq.
New Programs

Pilot technology programs may be generated by students, teachers, administrative staff, Board members, or members of the community at large. Prior to consideration of a pilot project, the person(s) desiring to lead the project must submit to the Superintendent or building Principal a detailed project proposal and plan, which must include the following:

• The need for the project, its rationale, and goals.
• A description of the project, including participants, with representation from the technology staff, and anticipated benefits or outcomes.
• An itemized list of District support required (financial and otherwise), including hardware and software needs, classroom requirements, staffing, parent(s)/guardian(s) support, in-service and training expenses.
• A list of other Districts, schools, or businesses that have implemented a similar project successfully and who may be used as a resource.
• A plan for evaluation and monitoring of the project.
• A preliminary plan for expanding the pilot project into a regular District program or offering, including “ballpark” cost estimates.

Upon submission of a pilot proposal, the administrator shall review the proposal and its alignment with District goals and objectives, suggest modifications, and make a recommendation to the Superintendent, who may in turn make a recommendation to the Board.

In establishing pilot programs, cooperation with outside agencies, especially local universities, is encouraged. Project leaders should consider the cost-effectiveness of using outside consultants for in-service training and support.

Battle Creek Public Business Management Section 4000
When a project is substantially in place and has been demonstrated successful at another school or District, the Superintendent may choose to recommend the implementation of the program without an in-District pilot, provided substantive and complete materials from the other school or District are available along with consultation and support.

**Upgrades**

District computer equipment shall be depreciated over no longer than a 4-year schedule. Each year, the District shall replace at least one-fourth of its computer hardware by installing new equipment in critical areas requiring current hardware, and moving older equipment to other applications in the District as appropriate. Additional funds may be allocated to expand computer resources in accord with pilot studies.

District computer software shall be depreciated over no longer than a 3-year schedule. Each year, the District shall order upgrades of software as appropriate and necessary for school operations, and shall allocate funds for the purchase of new software in line with District objectives. Generally, a third of the funds allocated to technology upgrades and improvement should go to hardware and a third to software; the remainder should be allocated for training and development of curriculum and support materials.

The Superintendent or designee shall develop a process for preparing the annual technology plan to present it to the Board in advance of the preparation of the general budget. The process shall consider the recommendations of District system administrators, administrative and support staff, students, and community members. The technology plan for the current year must provide flexibility to deal with rapid changes in the field, and should project District needs for 3-5 years into the future.
Data Management (Cf. 2810, 8940)

The acquisition, upgrade, and necessary support of District data management facilities shall be included in the development of the annual technology plan submitted to the Board. Any new database software or hardware must provide for appropriate security, and must offer a simple mechanism for the export of subsets and summaries of the data in a text format, in accord with Board policies on records. Where possible, the person(s) setting up a database should offer preset forms for excising confidential information fields from records during export, to facilitate District responses to requests for records.

The system or database administrator at each site is designated custodian for electronic records. All District database records shall be secured by a multi-level password system or equivalent, which allows the system administrator to control who has read-only, read-write, and full control over records and/or features in the database. Persons authorized to access a database shall be informed of proper security procedures with regard to passwords, and shall be required to change their password on a regular basis. Requests by a staff member, for access to specific data outside of what is required for that staff member’s day-to-day job must be directed to the system administrator. Except as authorized by the District’s administration, at no time shall a person who is not a regular employee of the District be given a password or otherwise allowed to access, without appropriate authorization, any District database directly. Persons who knowingly allow non-employees, including volunteers or students, to use their password for database access may be subject to discipline.

Each custodian for electronic records shall secure the records by making and maintaining back-up copies of the data on an ongoing basis.
Data, which is updated frequently, should be backed up at the end of each day, and the daily backups made should be retained for two weeks before being re-used to insure against data corruption that is not detected immediately. In addition to the daily backups, two full backups should be made on a weekly or biweekly basis, with one backup stored off-site to guard against fire or theft loss. Automatic server-based backup systems are encouraged where practical.

Education and Instruction

All District introductory computer classes, media center computer orientations, and classroom computer orientations shall include instruction on the ethics of computer use as an integral part of the curriculum or orientation. Such instruction shall include explanation and familiarization with the District’s policy on computer and network use, and may include a computer code of ethics or other statement of ethical expectations of students. Examples or ethical case studies are highly recommended to help students develop good judgment when confronted by choices during their use of District technology.

Personal Equipment and Software

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using District technology equipment, students and employees are expected to exercise care, notify technology staff of the need to perform required maintenance, and follow all operating instructions, safety standards, and guidelines. The District employs technology staff to purchase, install, support, and maintain all aspects of technology relating to the business function of the District. If technology related equipment is needed to perform a job duty, a request should be made along with written approval from a technology manager or other appropriate supervisor and submitted to authorized technology staff.
All technology equipment purchases shall be approved by authorized technology staff only. Students or employees are not permitted to install or configure hardware, software, or peripherals without proper permission and approval from the technology department. All technology purchases shall fit within the District’s technology guidelines and plan. Equipment installed that does not fit these guidelines will be removed. The District prohibits the use of District equipment and facilities by any student or employee for private, personal gain or commercial use without written authorization from the Superintendent or designee that states the limited purpose and timeframe of using the District’s equipment and facilities. Authorization will not be granted for any use that is contrary to the purposes, goals, policies, or administrative rules of the District. The use of the District’s equipment and facilities by a student or employee contrary to these rules can result in disciplinary action, up to and including long-term suspension from school for students or discharge for employees.

**Games**

Commercial arcade-style games where success is substantially related to physical skill, coordination, and reaction time are not permitted on school computer equipment. Students who as a personal or class programming assignment write an arcade-style game, however, may use school equipment for programming, testing, and debugging at the discretion of the system administrator. Games written by students, or commercial games that are substantially dependent on reasoning skills, problem solving, strategy, critical thinking, or knowledge may be allowed on school equipment as long as their use is not disruptive to the learning environment.

At all times, students and staff who have need of school technology for work related to a class assignment or other curricular project shall have priority over all other users. Staff, and students who are pursuing personal academic research, shall have priority over persons using
games. Every individual that uses the District’s technology resources including its network is subject to the terms and conditions in the District’s acceptable use agreement and as contained in Board Policy.
The Board authorizes the Superintendent to develop services linking computers within and between buildings in the District, and to provide access to the international computer network (Intranet) for students, staff and, if requested, members of the Board of Education. All computer network implementation shall be in line with the Board policy on technology and the District’s educational goals.

Use of the computer network(s) as a part of any class or school assignment shall be consistent with the curriculum adopted by the District. The District’s general rules for behavior and communications shall apply when using any computer equipment.

**Personal Accounts**

After the District receives a signed acceptable use agreement, the Board authorizes the Superintendent to provide personal accounts for students, staff, and, if requested, members of the Board, access to the District computer network and the Internet, including electronic mail and file server space for developing and publishing material on the world wide web or other networked computer media. Such access is subject to the District’s rules and acceptable use agreement and shall be provided in furtherance of the District’s educational mission, to enhance student knowledge and familiarity with technology, and to facilitate communication, innovation, and sharing of resources.

Personal accounts and all use of District computer resources are considered a privilege, not a right, and are subject to the District’s rules and policies.

Student electronic mail and electronic storage space, be subject to the District’s policy and rules on student records.
A fee may be charged by the District to defray the cost of personal accounts. However, if use of personal accounts is required for a core curricular class, no fees may be charged of a student for the duration of that class.

Privacy

The School District may collect and store Personally Identifiable Information (PII). In the event PII is collected, all information shall be secured in accordance with Board policies and Family Educational Rights and Privacy Act.

5180 - Unauthorized Release of Information and 8940 - Student Records.

System Integrity

The Superintendent shall designate person(s) trained in computer technology (“system administrators”) at the building and/or District level to implement the District’s rules and regulations and to provide computer support for students, staff and Board members. The Superintendent in concert with the system administrators shall employ hardware and software security to ensure the integrity of the system and to prevent unauthorized access to District and school records.

Network Use

The Superintendent shall develop rules and procedures for computer and network use, and shall see to it that rules are published annually for students, parent(s)/ guardian(s), staff, and Board members.

The District’s computer and network use rules shall be consistent with the following requirements:

- Users may not use District equipment to perform or solicit the performance of any activity that is prohibited by law.
• Users may not use the system to transmit or publish information that violates or infringes upon the rights of any other person, or information that is abusive, obscene, sexually offensive, or, if the user is a minor, inappropriate for minors.

• District computer equipment shall not be used for commercial purposes by any user, or for advertisement or solicitation without prior written approval from the Superintendent.

• Except with prior authorization from a system administrator or the owner of the record in question, users may not access or attempt to access the records or files of other users, or of the District, nor delete, alter, or otherwise interfere with the integrity of computer-based information or resources.

• Users may not use the electronic mail facility to send unsolicited, bulk, chain, harassing, anonymous, or other messages which are an annoyance to the recipient or which may cause a degradation of system performance.

• Users may not use the network facility to access or bring into the school environment material that is inconsistent with the educational goals of the District, including but not limited to material which is defamatory, abusive, obscene, profane, sexually explicit, threatening, racially offensive, illegal, or which aids or advocates illegal activity other than non-violent civil disobedience.

**District Web Page(s)**

Any and all Web pages representing the District shall be carried and posted only on the District’s server and shall be designed and published in accordance with rules promulgated by the Superintendent or designee.
Limiting Access

The administration may make use of technology, which attempts to block access by individual users to networked computers, data, or services in accordance with the District’s Board internet safety policy or other prohibitions.

The administration is encouraged to pursue such technology for the personal accounts of elementary school children where practical.

Complaints about content of networked information or access to blocked sites shall be handled in accordance with the District’s internet safety policy.
Planning and funding for computer networking in the District shall be handled in accord with the District’s internet safety policy, rules on technology, and acceptable use agreements.

Supervised Use

Teachers are encouraged to use the District network in researching material for classes, collaborating with colleagues, developing innovative approaches, or otherwise enhancing their background, skills and teaching. Teachers are encouraged to make use of the District network in their classes when the use of the network enhances the students’ education, is appropriately supervised, and is consistent with District goals and objectives. School administrators shall monitor technology use in the curriculum to ensure its effectiveness and develop ideas for further in-service instruction of staff.

School libraries and media centers will provide networked computers for students and staff to use for research purposes. Library/Media center staff shall make every attempt to assist users to monitor the content of material being accessed. Academic assignments have priority over personal research.

Any staff member who becomes aware of student technology use in violation of the District’s acceptable use agreement and other rules shall refer the incident to the system administrator for action, and may remove the student from the computer.

Personal Accounts

No student, staff, or Board member network account shall be activated until the individual has submitted an acceptable use agreement for network access and has been notified of the District rules for acceptable use of the network. Upon receipt of the agreement, the system administrator will provide account, password, and other log-on information and instruction.
Violations of Conditions

Upon receiving notification of a violation of District rules or policies, the system administrator may suspend or terminate a staff member or student’s personal account when directed by the Superintendent or designee. The system administrator may access all relevant files of the user in attempting to determine the veracity and/or the extent of the violation consistent with acceptable use agreement.

System Integrity and Security

Computer file servers containing student records, employee records, or other sensitive administrative documents shall be maintained on an independent network separated by an electronic “firewall” from unauthorized access by outside entities, including student users. If dial-in access is permitted to this equipment, that number will not be published.

All users, particularly staff, shall be instructed in password security. Passwords should not be based on information which is readily associated with the user (addresses, phone number, favorite flower, etc.). The system administrator may require a user to change a password if it fails to meet these criteria, or may issue randomly generated passwords to all users.

All users are expected to safeguard data integrity and should promptly report any suspected breach of security or data integrity to the system administrator.

District Web Page(s)

Guidelines for Construction of Battle Creek Public Schools WWW pages:

Purpose: District web pages should promote a positive image of the District and its programs. Web pages should facilitate and enhance the communication and educational goals of the District in a timely and professional manner.

Responsibility: The administrator in charge of technology is responsible for overseeing the content and design of all District web pages.
A Web Page Committee with a membership selected by the administrator in charge of technology and the building Principal(s) is/are responsible for developing guidelines and acting in an advisory capacity regarding all aspects of web page design and content.

Guidelines: These guidelines have been developed to ensure consistent quality and appropriate content of Battle Creek Public Schools’ web pages.

1. District web pages will be posted only on the server used by the District providing Internet access to the District as negotiated by the administrator in charge of technology. No “personal” or private web pages representing the District shall be allowed. (Example: A school “club” or individual classroom that might wish to post a web page via twisted pair telephone lines or through a “private/personal” home page would be disallowed.) Any staff member or students violating this rule shall be subject to disciplinary action.

2. The home page of each school and/or school program will present a consistent appearance. Contents, menus, background colors, heading styles, fonts, point sizes, buttons, icons, page sizes, and other graphics, and design elements should create unity within the array of the District’s building and program pages.

3. Web pages will strive for high standards of professionalism with current and accurate information; correct grammar and spelling; and with no inappropriate reference to race, gender, religion, politics, alcohol, drugs, firearms, or sex.

4. District web pages shall be free of all advertising and/or promotion of causes inappropriate to a public school educational setting.
5. No copyrighted text, graphics, or sound files will be used on District web pages without the express consent of the originator. It must be assumed that everything is copyrighted unless otherwise stated.

6. All updated and new pages must be proofread by someone other than the author/typist prior to uploading. Making sure the information is proofread is the responsibility of the person doing the uploading.

7. All links must be verified by someone other than the author/typist prior to uploading.

   This verification is the responsibility of the person doing the uploading.

8. Web pages linked from District web pages must have educational or school related value and be free of inappropriate references as stated in 3 and 4 above.

9. Permission of the parent(s)/guardian(s) must be on file prior to using a student’s photo, name, and/or original work on the Internet (See attached form). Directory information of students (address, telephone number, and other personal information) will not be indicated on District web pages or used, in any form, on any District web page.

10. District pages that provide links to off-site web sites will include a disclaimer: “The Battle Creek Public Schools makes every effort to provide a high quality web site with information and links that facilitate the accomplishment of our educational mission. Because of the unpredictable nature of the Internet however, we cannot be responsible for the content of pages not directly linked to this web site.”
Limiting Access

Sites are blocked in accordance with the District’s internet safety policy.

E-mail sites, which deposit unsolicited, bulk, chain, or offensive messages on the District server, will be blocked. System administrators may also block e-mail following a complaint from any user. Time permitting an effort will be made by the system administrator to notify the offending system operator of the violation and the District’s desire not to be contacted in the future. The system administrator shall refer repeated violators, along with any case of solicitation for child abuse or other illegal act, to the Superintendent for action in concert with law enforcement authorities.
4520  Filtering Software (Cf. 4510)

The Superintendent or designee shall be responsible for directing appropriate District technology staff, or technology consultant staff, to bring all computers used by children into full compliance with all federal requirements regarding Internet filtering software to assure that District discounts under the federal e-rate program are not jeopardized.

Student Internet activities will be monitored by the District to ensure that students are not accessing inappropriate sites. Each District computer with Internet access shall have a filtering device or software program that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors. Such filtering software may be disabled by a designated District official to enable bona fide research or other lawful purposes.

Approved:

LEGAL REF:  H.R. 4577, December 2000 Omnibus Spending Bill; 47 U.S.C. Section 254(h)
4520-R Filtering Software

In accordance with Board Policy, District computers shall have Internet filtering software in place either on the computer itself, or on the server through which the computer accesses the Internet.

District staff shall not allow students to use any computer in the District with Internet capability that does not have Internet filtering software. This includes any computer, laptop, or desktop in the District’s Libraries, except as allowed by law, or media centers, classrooms, laboratories, or offices where students are, for any reason, allowed to use a computer or any other such device with Internet access. Filtering software may be disabled by a designated District official to enable bona fide research or other lawful purposes.

Staff members violating these rules are subject to disciplinary action up to and including discharge.
Facilities Development Goals

The Board shall provide the best facilities possible within financial resources available to meet the educational needs of the students in the District. Such efforts shall not only encompass new construction and expansion when deemed necessary, but also renovation and remodeling of existing facilities to serve specific educational needs of specific groups of students. It is also necessary, in declining enrollment periods, to determine how facilities may be used and/or the interim use of facilities not needed at a given time.

Decisions pertaining to the planning, construction, renovation, and elimination of educational facilities shall be made only after sufficient attempts have been made to consider the viewpoints and needs of students, teachers, parent(s)/guardian(s), taxpayers, and appropriate members of the administrative staff.

In determining facility needs and/or elimination of facilities, priority shall be given to plans that benefit the largest number of students in the District but consider important matters such as safety, equal opportunity for students enrolled, and the economic implications to the District.

Approved:
The Board and the Superintendent shall, at all times, keep in mind the future building needs of the District and give due consideration to the acquisition of school sites well in advance of need.

Approved:
The Superintendent shall submit an annual report to the Board, which sets forth building and facilities use, needs for the ensuing school year as well as long-term projections of potential use and needs.

The report shall consider needs and use based upon new programs, enrollment changes, and worn out facilities. Not only shall the report include projected needs for new facilities or renovations to provide improved educational services and/or programs, but also the closing of facilities and the possible alternate use or disposal of such facilities. The report shall also include enrollment projections to support recommendations based upon the best information available that may affect enrollment changes in the District.

In completing this responsibility, the Superintendent may, with Board approval, engage the services of educational or architect/engineer/construction manager consultants and confer with citizens of the community and members of the District staff.
Obsolescence Determination

The administration is responsible for assessing the use of school facilities and other resources to identify schools that might be discontinued as attendance centers for educational programs. Once a school that can be closed is identified, an appropriate recommendation will be made to the Board for action.

Approved:
4700-R  Retirement of Facilities

Procedures

1. Alternatives to closing a school shall be considered. These may include:
   a. Changing of boundaries, effect upon enrollments in schools affected by changes,
   b. Shifting of programs from one building to another, and
   c. Housing of new program(s) in building under consideration.

2. Factors that shall be examined when considering a school for closing include the following:
   a. Enrollment and program
      1) Enrollment size in relation to that needed to provide quality of educational programs and services,
      2) Enrollment projections indicative of continued small student population, taking into account both neighborhood students and others,
      3) Effect upon programs for students in all schools affected by the closing,
      4) Relationship to integration efforts,
      5) Proximity of the school to community resources, and
      6) Relationship to sector plan for special education and feeder plan for regular attendance centers.
   b. Community considerations
1) Attitudes toward reducing the number of attendance units and reducing costs,

2) Hardships and/or benefits to parent(s)/guardian(s) and/or students resulting from closure; distance from where students reside to schools where assignments would be made,

3) Reactions on the part of parent(s)/guardian(s) and other school patrons, and

4) Effect upon the neighborhood in the event of closure.

c. Building characteristics

1) Age and condition of building including whether or not building is energy efficient,

2) Adequacy of building for programs; existence of a multi-purpose room and/or other special areas; feasibility of replacement or additions, if needed,

3) Suitability of the building for other uses, and

4) Capacity of buildings in adjacent attendance areas; space to house additional students.

d. Environmental factors

1) Adequacy of the building in terms of student health and safety,

2) Frequency of vandalism and amount of damage,

3) Location and size of site, and

4) Traffic hazards and/or serious deterrents to learning in the surrounding community.
Retirement of Facilities

Section 4000

e. Financial considerations

1) Staffing requirements,

2) Food service and student transportation requirements and expenses resulting from closure,

3) Comparative per student operating costs related to status quo,

4) Value of property for other uses, and

5) Saving which might accrue by reducing the number of attendance units.

3. Parent(s)/Guardian(s) and other school patrons shall be involved early in discussions pertaining to possible school closings and program relocation.

4. Use may be made of outside consultants when considering school closings. (CF 4700-R-3 5). An orderly procedure, including the provision of information to all who will be affected, shall be used when closing a school. Parent(s)/Guardian(s) shall be informed in advance regarding recommendations and possible Board action.

5. Boundaries shall be realigned when a school is to be closed, taking into account distances from other schools, traffic patterns, building capacities, enrollments, and programs.

6. Time shall be provided for adequate preparation for closing and reassignment of students and staff members.

7. Alternate use of the building or disposition of the property shall be considered in light of current and projected needs.
4750 Naming of Facilities

Whenever the Board approves a new District facility, immediate steps shall be taken to name the facility. The Board may name existing facilities after staff or community members after one year following the person’s leaving the District through retirement or the person’s death.

Approved:
In order to facilitate the naming of a facility, or a room or portion of a building, the Superintendent and the Board of education shall appoint a committee that should include citizens, students, teachers, administrators, union representatives, and representatives from the Board of education. The Superintendent shall serve as the chair of the naming committee and be considered a member thereof. The committee shall solicit and consider names for the facility and submit a list of not less than three names for the Board’s consideration. The Board shall make the final selection from the list submitted by the committee. Every effort should be made to name a new facility prior to beginning construction, and a timetable shall be established in an attempt to accomplish this objective.

In general, the Board shall name facilities or portions of facilities after staff or community members only after at least one year following the person leaving the District through retirement or death. Further, the Board will not be influenced in its decisions by personal bias or favoritism, political pressure, temporary popularity or highly emotional situations in choosing names for school facilities or portions thereof.

The Board shall not change the name of any facility without giving the opportunity for those living in the community to have input and shall deliberate over a period of at least three meetings of the Board.

Proposals or petitions for naming or renaming facilities or naming portions of facilities shall be presented to the Board through the Superintendent after which it shall be placed on the agenda as a discussion item with action deferred to a later meeting. In no case will the Board act immediately on a request or petition to name or rename a facility or portions thereof.
The Board may refer the renaming of a facility or the renaming of a portion of a facility to a committee similar to that prescribed for naming new buildings.
Responsive and Responsible Contractor Policy (Cf. 3660, 4770)

In order to be selected as the successful bidder to construct or renovate buildings in the Battle Creek Public School District, construction firms must be exemplary in their construction techniques and business practices. The purpose of this policy is to assure the Board that the District’s construction and renovation projects utilize the specified materials and equipment and employ qualified team members. The District can refuse to hire any contractor who does not meet the requirements of this policy.

The Board may reject any bid proposals that, in the Board’s opinion or findings, contain inaccurate information.

The District’s criteria in selecting a contractor(s) for school construction projects shall be determined from the lowest responsible bidder(s), whose bid(s) are responsive on the construction project(s) that meet the requirements of law, this policy, and the administrative rules for this policy developed by the Superintendent or designee. The School Board reserves the right to accept or reject a bid or combination of bids. The criteria and procedures for rejecting a bid or combination of bids shall be included in the construction bid documents.

Suspension or Revocation

The Board may, for good cause, suspend a contractor for a specified period or revoke the contract according to rules and criteria developed by the Superintendent. A contractor whose contract with the Board has been suspended or revoked shall be given the benefit of reconsideration and appeal.

The Superintendent shall promulgate appropriate administrative rules to implement this policy.

Approved:

Battle Creek Public Business Management Section 4000
Responsive and Responsible Contractor Policy (Cf. 3660, 4770)

In order to implement policy 4760, the administration hereby sets forth the following definitions and administrative rules:

**Definitions**

Construction Project – the labor and material necessary for the construction, renovation, repair, or improvements to real property that requires solicited bids so that the work, when complete, shall be ready for service for its intended purpose and shall require no other work to be a completed system or component.

Lowest Responsive Bidder – is defined as a bid or a proposal submitted by a qualified contractor (bidder) that meets the requirements and specifications of the construction project(s) form and state law.

Responsible Contractor – If selected by the Board as the lowest qualified bidder for work to be performed, the prime contractor (bidder) shall, upon request by the Board, establish his or her qualifications from the list of criteria outlined below before a contract is let. All required contractor financial and privileged information shall be kept from public disclosure unless otherwise required by law.

- Evidence that the contractor and its employee(s) have been tested and are licensed/certified, as required by applicable law, code or regulation, to perform the work that has been bid.

- A confirmation that all subcontractors, employees and other individuals designated to work on the Construction Project have and will maintain current applicable licenses/certifications as may be required by law, code or regulation.
• If applicable, the ratio of masters to journeypersons to apprentices proposed to be used on the Construction Project job site.

  If applicable, documentation confirming that the contractor maintains, participates in and contributes to a bona fide apprenticeship-training program.

  Documentation confirming that contractor has implemented a MIOSHA approved safety-training program for employees to be used on the Construction Project.

• Evidence of the contractor’s Worker’s Compensation experience modification factor (EMF) and, if that EMF is greater than 1.0, an explanation regarding same.

• A list of projects completed within the past 3 years, including dates, clients, approximate dollar value and size.

• Evidence of experience with construction techniques, trade standards, project scheduling, cost control, management of projects and building codes, particular to the Construction Project.

• Evidence that contractor has financial resources and equipment to commence and complete the Construction Project.

• Evidence that contractor has bonding capacity equal to or greater than the value of the contractor’s bid.

• A statement of the warranty offered by the contractor covering its labor and materials.

• A list of any and all litigation or arbitration proceeding involving the contractor within the past three (3) years, including an explanation of the circumstances
surrounding the dispute, the remedy sought, and how the dispute was resolved or, if pending, the status of the litigation or arbitration.

- Proof of insurance, including certificates of insurance, confirming existence and amount of coverage for liability, property damage, workers compensation and any other insurances required by the proposed contract documents.
- References from individuals or entities that have received in the past three (3) years, or that are currently receiving the contractor’s services, including information regarding records of performance and job site cooperation.
- Evidence of a quality assurance program used by the contractor and the results of any such program on the contractor’s previous projects.
- Criminal records check for each employee that will be working on the job site.
- Any unusual expertise, equipment, or ability of the contractor to perform the Construction Project, or relevant portion hereof.
- Projects involving the bidder for which performance was and/or was not delivered on time.
- Fines and penalties imposed by the federal, state or local agency on the bidder for any projects in the last three (3) years.
- Liens filed against the bidder in the last three (3) years.
- Suspensions or revocations of any professional license of any director, owner, officer, or managerial employee of the bidder, to the extent that any work to be performed within the field of such licensed profession.
- OSHA violations by the bidder or bidder’s subcontractors (including Michigan MIOSHA or other state occupational or constructional health and safety laws or
Responsive and Responsible Contractor Policy (Cf. 3660, 4770) 4760-R - 4

regulations), as well as all notices of OSHA or other health and safety citations filed against the bidder, together with description and explanation of remediation or other steps taken regarding such violations and notices of violations.

• Violations of federal, state or local law within the previous three (3) years pertaining to unlawful discrimination against any employee.

• Litigation or arbitration cases in which the bidder has been a defendant or a third party related to any construction project in which it has been engaged within the previous three (3) years.

• Violations, if any, of prevailing wage laws or other wage and hour violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past three (3) years.

• Criminal conviction related to the construction business of bidder, its officers, directors, and/or managerial employees, within the past three (3) years.

• Violations, if any, within the past three (3) years or pending charges concerning federal, state or municipal laws, codes, rules and/or regulations.

Selection Criteria

The District may qualify contractors and subcontractors selected for construction projects in order to construct or renovate schools in accordance with the following guidelines:

Before a contract is let, contractors and subcontractors selected as the companies to provide services may be required to provide:

1. General information about the contractor’s company, its principals, and its history, including state and date of incorporation.
2. Trade categories and information regarding the state and local licenses and license numbers, where required by law, held by the applicant.

Substantially Low Bid Review

In the event the amount of the lowest bidder’s bid appears disproportionately low when compared with estimates undertaken by or on behalf of the District and/or compared to other bids submitted, the Board reserves the right to inquire further of the apparent lowest bidder to determine whether the bid contains mathematical errors, omissions, and/or erroneous assumptions, and whether the apparent lowest bidder has the capability to perform and complete the contract for the bid amount.

Suspension or Revocation

The Board may, for good cause, suspend a contractor for a specified period or revoke the contract.

Causes for suspension or revocation shall include, but not be limited to, one or more of the following:

1. Inaccurate or misleading statements on the contractor’s qualification statements.
2. Declared to be in default by the Board.
3. Adjudged to be bankrupt.
4. Performance, in connection with contract work, becomes unsatisfactory to the Board, based on the Board asserting and recovering liquidated damages in an action against the contractor.
5. Contractor’s license becomes suspended or revoked.
6. The contractor’s insurance lapses.
7. The contractor fails to provide documentation as required (staff training, employee licenses, safety program, etc.)
The Board shall comply with current law for the selection of an architect/engineer/construction manager for the District’s building plans.

Contacts will be made by the Superintendent or designee with qualified architectural, engineering, or construction management firms.

Approved:

A committee of not more than three administrators and the Superintendent shall be appointed to screen the applicant firms.

When the list has been reduced to three or four, each remaining candidate shall be invited to make a formal presentation to the committee after which the committee shall make a recommendation to the Board. The Board will then approve the selection. A contract will be prepared and signed with the architect/engineer/construction manager. The school District legal counsel shall review the contract and give his/her approval before it is signed by the Superintendent or Board representatives.

Among criteria considered in the selection of an architect/engineer/construction manager shall be the following:

1. Training and experience, including that of partners and associates,
2. Planning ability and know how in interpreting educational specifications,
3. Promptness and ability to meet deadlines,
4. Specification writing, accuracy, and sufficiency of detail,
5. Imagination in design, appearance, and utility of work,
6. Adequacy of supervision and inspection of previous jobs,
7. Integrity of firm,
8. Relations with contractors and demand for quality performance,
9. Experience with government agencies,
10. Adequacy of staff for the building to be designed,
11. General business procedures of firm,
12. Examples of previous plans, specifications and construction,
13. Willingness to work with a coordinated construction plan if such is the desire of the Board,

14. Assumption of responsibility to follow up on any problems that surface after construction and during periods, in which performance and material guarantees are in effect,

15. Responsibility for correction of faulty or ineffective design, and

16. Economic factors, such as demonstrated ability to design and provide adequate, well-constructed buildings at a reasonable cost.

Selection criteria should follow Board Policy 5235 “Nepotism”.
4800 Educational Specifications

The Superintendent or designee shall assume the responsibility of working with staff to determine educational specifications for all new or renovated construction. These specifications shall be approved by the Board and then discussed in conferences with the architect/engineer/construction manager. Such specifications shall include:

1. Information concerning the plan of the school organization and estimated enrollment in the proposed building,
2. A description of the proposed curriculum and the teaching methods and techniques to be employed,
3. A schedule of space requirements, including the indications of relative locations of various spaces,
4. A desired layout of special areas and the equipment needed for such areas,
5. An outline of mechanical features and special finishes desired,
6. A description of standard codes and regulations (school District, city, county, and state) affecting the particular planning, and
7. Any other details, which may be needed or recommended relative to the specific project.

Approved:
Supervision of Construction (Cf. 4770)

Supervision of construction projects shall be primarily the responsibility of the Construction Management Team. The Construction Management Team shall hold periodic, but not less than monthly, progress meetings during which all contractors concerned should be present. Progress reports shall be issued periodically by the Construction Management Team and in sufficient quantities to supply each member of the Board.

Change Orders

After a contract is accepted, all change orders exceeding $50,000.00 shall be brought to the Board for approval.

Change orders shall be accompanied by justification by the Construction Management Team and/or the Superintendent when being presented to the Board.

Approved:
Fair Employment Clause

4900 Fair Employment Clause

It shall be the intent of the Board to award all contracts in excess of $10,000.00 to qualified contractors and subcontractors who do not discriminate against any employee or applicant for employment because of age, sex, race, color, religion, creed, age, physical handicap, ancestry, national origin, height, weight, or marital status. Contractual provisions shall assure compliance with this policy.

Prior to awarding a bid or purchase order for construction, materials, and services, a firm shall comply with all state and federal laws, and verify it. The Superintendent shall review and evaluate all such plans and his/her approval or disapproval shall be subject to review by the Board. A bidder has five working days to appeal the decision of the Superintendent.

The above policy shall not apply to those contractors employing less than five persons.

Approved:

LEGAL REF: MCL 37.1101-1606 (Person’s with Disabilities Civil Rights Act); 37.2101-2804 (Elliott-Larsen Civil Rights Act)
All contractors shall submit proof of their coverage of liability and workers compensation insurance as required by Michigan law to the business office. All bids on construction projects shall stipulate that the contractor shall provide liability coverage, which will total at least $2,000,000.00

All contractors submitting proof of insurance requirements must also provide for the Battle Creek Public Schools as “Additional Insured”.

The general contractor shall provide a Labor and Material Performance Bond equal to 100% of the contract amount to protect the District from the failure of the contractor or contractors to perform the terms and conditions of the contract.

The architect/engineer/construction manager shall assume the responsibility that all product guarantees, warranties, and workmanship guarantees for materials and performance of services are duly executed and that signed documents are delivered to the District.

Approved:

LEGAL REF: MCL 129.201-212 (Contractor’s Bond for Public Buildings or Works); 418.101, et seq. (Worker’s Disability Compensation Act)
4950 Board Inspection of New or Remodeled Facilities

A building project shall be accepted by the Board only after all details are complete and the Construction Management Team has certified to the Board that the project has been completed, along with a written approval by the Senior Lead Architect for occupancy certifying the approval of all state and local authorities where required. The Construction Management Team and the Building Principal shall complete a preliminary inspection, after which the Board shall inspect the building and give its formal approval and acceptance.

Students until so authorized by those state and local authorities where approvals for occupancy are required shall occupy no new or renovated building or addition.

Final payments to contractors will be withheld until such a time as all of the members of the Construction Management Team have “signed off”.

Approved:
The Board may sponsor open houses or dedication programs for new facilities appropriate to the nature and type of the facility.

The Superintendent or designee shall assume the responsibility for recommending to the Board appropriate dedication programs or activities. The Superintendent or designee shall work with the appropriate administrators, staff, students and parent(s)/guardian(s) in planning such program or activity, once it has been approved.

Approved:
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The goals of the personnel policies set forth in this policy and rule section are to create the best possible educational climate for the students of the District. To this end, these personnel policies are designed to prevent misunderstanding by District personnel about their duties and privileges. In order to develop and further a climate of trust and understanding, the Board seeks the involvement of all personnel in the development of policies affecting their positions.

Approved:
5020  Equal Employment Opportunity

The Board shall be an equal opportunity employer. The objective of the Board is to attract and retain individuals qualified and/or trainable for the positions in the system by virtue of job-related standards of education, training, experience, and personal qualifications.

The Superintendent is responsible for ensuring compliance and continued implementation of this policy.

Approved:

LEGAL REF:  42 USC §§ 2000e-8, 2000e-12; 44 USC § 3501, et seq.; 42 USC § 12117 (The Equal Employment Opportunity Act); 29 USC §§ 627, 630 (Age Discrimination in Employment Act); 42 USC § 1981, et seq. (Civil Rights Act); 28 CFR § 42.401; 28 CFR § 42.405 (Title VI of the Civil Rights Act); 42 USC § 2000e, et seq. (Title VII of the Civil Rights Act); 20 USC § 1681; 34 CFR § 106.8; 34 CFR § 106.9 (Title IX of the Education Amendments); MCL §§ 37.1101-1607 (Persons with Disabilities Civil Rights Act); MCL §§ 37.2101-2804 (Elliott-Larsen Civil Rights Act); Michigan Constitution Article I, § 2.

The investigation and complaint procedures outlined in Policy 8015 apply to all complaints of discrimination.

Approved:
5035 Discriminatory Harassment of Employees or Applicants

Sexual or discriminatory harassment of District elected officials, employees, or applicants for employment will not be tolerated, including sexual or discriminatory harassment by Board Members, District employees, vendors, contractors or others doing business with the District, students, parents, guardians, invitees, volunteers, or guests.

Discriminatory harassment means any harassment, intimidation, ridicule, disparagement, purposeful embarrassment, or chiding of any person because of their sex, race, color, national origin, religion, height, weight, marital status, familial status, genetic information, age, disability, or any other legally protected category.

The investigation and complaint procedures outlined in Policy 8015 apply to all complaints of discriminatory harassment.

Approved:

LEGAL REF: MCL § 37.2101, et seq., (Elliott-Larsen Civil Rights Act); MCL § 380.11a; 20 USC § 1681; 34 CFR § 106.8; 34 CFR § 106.9 (Title IX of the Education Amendments).
Employees are encouraged to report – in good faith – to appropriate District administrators or the Board any violations of existing law, Board policies, or administrative guidelines. The Board will not tolerate any form of reprisal, retaliation, or discrimination against:

• Any employee, or applicant for employment, because he/she opposed any practice that he/she reasonably believed to be made unlawful by federal or state laws prohibiting employment discrimination on the basis of sex, race, color, national origin, religion, height, weight, marital status, familial status, genetic information, age, disability, or any other legally protected category.

• Any employee, or applicant for employment, because he/she (i) filed a charge, testified, assisted, or participated – in any manner – in an investigation, proceeding, or hearing under federal or state laws prohibiting employment discrimination on the basis of sex, race, color, national origin, religion, height, weight, marital status, familial status, genetic information, age, disability, or any other legally protected category; or (ii) reported a suspected violation of such laws according to this policy.

• Any employee or applicant because he/she (i) reported, or was about to report, a suspected violation of any federal, state, or local law or regulation to a public body (unless the employee knew that the report was false); or (ii) was requested by a public body to participate in an investigation, hearing, or inquiry held by that public body or a court.
An employee or applicant for employment who believes that he/she suffered reprisal, retaliation, or discrimination in violation of this policy shall report it to his or her immediate supervisor. If there is no response to the report, then the employee may file the report with the Superintendent. It is the Board’s policy that no employee or applicant for employment who makes such a report will suffer any form of reprisal, retaliation, or discrimination for making the report.

The Board considers violations of this policy to be a major offense that will result in disciplinary action up to and including discharge for the offending employee.

Approved:

LEGAL REF:  MCL §§ 15.361 – 369 (Whistleblowers’ Protection Act)
A job description for each classification of employees shall be developed by the Superintendent. Job descriptions may need to be updated periodically. Each employee is responsible for knowing his/her job description and understanding the duties associated with it. Such job description shall be on file in the central office and not incorporated within the Board policy handbook.

Approved:
5170 Recruitment

The Superintendent or designee shall have the authority to establish a procedure for the recruitment of well-qualified personnel to staff the schools. The Superintendent or designee may request building Principals or other staff members to assist in this effort.

Identity and Employment Status

All potential employees of the District shall verify their identity and employment status to the Superintendent or designee.

The Superintendent or designee shall maintain a file on all of the District’s employees hired after November 6, 1986, proving that each employee has verified his or her identity, employment status, U.S. citizenship, or legal alien status to the Superintendent’s satisfaction. Evidence to be used to verify identity, employment status, U.S. citizenship, or legal alien status should include (i) at least two of the following documents, one of which contains a current photo of the employee: U.S. birth certificate, social security card, current U.S. driver’s license, state identification card, or military identification card; or (ii) one of the following documents: U.S. passport, certificate of U.S. citizenship, certificate of naturalization, unexpired foreign passport, or resident alien card.

Non-Discrimination

The Board shall not discriminate in its policies and practices with respect to compensation, terms, or conditions of employment because of such individual’s sex, race, color, national origin, religion, height, weight, marital status, familial status, genetic information, age, disability, or any other legally protected category. The individual must be able to perform adequately in that individual’s particular position or activity.
The Superintendent or designee shall have in place all appropriate procedures relative to the Americans with Disabilities Act. This statement of non-discrimination shall be published and disseminated to all students, parent(s)/guardian(s), employees, applicants, and the public in a manner determined by the Superintendent.

**Title I Compliance**

The Superintendent shall ensure that the District complies with the provisions of Title I of the Elementary and Secondary Education Act. Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Notice of professional qualifications shall be provided to parent(s)/guardian(s) of students in Title I schools, and staffing pattern reviews as required by law shall be conducted annually and reported to the Board.

Approved:

The Superintendent or designee will ensure that all employee manuals or handbooks comply with federal law and include:

- The education and experience required of all new instructional employees;
- Any credentials that current instructional employees must acquire;
- A timetable for the satisfaction of any new requirements; and
- The consequences for employees who fail to comply.

All employees are to be advised of the revisions of the handbooks or manuals and of any implications for existing personnel.

The Superintendent or designee (i) will ensure that the Board and parent(s)/guardian(s) of students in Title I schools are informed of their right to know the professional qualifications of their child’s teacher; and (ii) will describe where and how this information may be obtained to the extent required by law.

The Superintendent or his/her designee will monitor the workforce to ensure that qualified persons are placed in positions that require specialized training and/or experience, and that to the extent permitted or required by law, diversity is achieved.
Criminal History and Background Checks

Criminal History Checks

Upon an offer of initial employment by the Board or upon assigning an individual to regular and continuous work under contract for services as specified by law in any of the District’s schools, the individual shall have undergone both a criminal history and records check performed by the State Police and FBI. The results shall be received and reviewed before the individual is employed unless, under the guidelines in current law, the person may be employed prior to the results being received. The results shall be received and reviewed before authorizing the assignment of a worker.

Only those persons who have been offered a position or contract, or contracted service, by the Board and/or Superintendent must undergo a criminal history and records check, not all applicants.

No individual shall be employed or permitted to regularly and continuously work in the District, in any capacity, who has been convicted of an offense listed in the Michigan Sex Offenders Registration Act.\textsuperscript{14}

\textsuperscript{14}A listed offense includes any of the following:

\begin{itemize}
\item (1) Accosting or soliciting a child for immoral purposes (MCL 750.145a-c);
\item (2) Sodomy if the victim is an individual less than 18 years of age (MCL 750.158);
\item (3) A third or subsequent violation of any combination of the following:
  \begin{itemize}
  \item a. Being engaged in indecent or obscene conduct in a public place (MCL 750.167(1)(f))
  \item b. Indecent exposure (MCL 750.335a)
  \item c. A local ordinance of a municipality substantially corresponding to the above;
  \end{itemize}
\item (4) Except for a juvenile disposition or adjudication, gross indecency between males, females, or between a male and female, if the victim was under 18 years of age (MCL 750.338-338b);
\item (5) Kidnapping (MCL 750.349);
\item (6) Kidnapping under age 14 (MCL 750.350);
\item (7) Soliciting and accosting (MCL 750.448);
\item (8) Pandering (MCL 750.455);
\item (9) 1\textsuperscript{st}, 2\textsuperscript{nd}, 3\textsuperscript{rd} and 4\textsuperscript{th} degree criminal sexual assault, and second or subsequent offenses (MCL 750.520b-e);
\item (10) Assault with intent to commit criminal sexual assault (MCL 750.520g);
\item (11) Sexually delinquent persons (MCL 750.10a);
\item (12) The attempt or conspiracy to commit any of the above offenses;
\item (13) Any other violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age; and
\item (14) Any offense substantially similar to the above offenses under a law of the United States, any state, or any country or under tribal or military law.
\end{itemize}
An individual shall not be employed, or permitted to regularly and continuously work in
the District in any capacity, who has been convicted of a felony not listed in the Michigan Sex
Offenders Registration Act, unless the Superintendent and the Board specifically approve the
work assignment in writing.

If the District obtains notice from an authoritative source that an individual has been
convicted of an offense listed in the Michigan Sex Offenders Registration Act, the individual
shall not be employed, in any capacity, or allowed to work regularly and continuously under
contract in any of the District’s schools.

If the District is notified or learns that a teacher employed with the District has been
convicted of a crime listed in MCL § 380.1535a(1)-(2), the Superintendent or Board President
shall notify the State of Michigan Superintendent of Public Instruction within 15 days after
learning of the conviction.15

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15 MCL 380.1535a(1) includes a conviction for any felony and any of the following misdemeanors: (1) criminal sexual conduct in the fourth degree or an attempt to commit criminal sexual conduct in the fourth degree; (2) child abuse in the third or fourth degree, or any attempt to commit child abuse in the third or fourth degree; (3) a misdemeanor involving cruelty, torture, or indecent exposure involving a child; (4) a misdemeanor violation of Section 7410 of the Public Health Code (concerning distribution of marijuana to minors near school property); (5) a violation of section 115, 141a, 145a, 335a, or 359 of the Michigan Penal Code (concerning breaking and entering; consumption or possession of alcohol by minors, or controlled substances at social gatherings; soliciting a child for immoral purposes; indecent exposure; and damage to vacant buildings); or a misdemeanor violation of section 81, 81a, or 145d of the Michigan Penal Code (including assault and battery; domestic assault; assault and infliction of serious injury; and using the Internet to commit a crime against a minor); or a violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States – as amended by 2005 PA 130.

MCL 380.1535a(2) includes the following offenses:

(a) Criminal sexual conduct in any degree, assault with the intent to commit criminal sexual conduct, or an attempt to commit criminal sexual conduct in any degree;
(b) Felonious assault on a child, child abuse in the first degree, or an attempt to commit child abuse in the first degree;
(c) Cruelty, torture, or indecent exposure involving a child;
(d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i), 7410, or 7416 of the Public Health Code (concerning unlawful manufacture, delivery, or possession of controlled substances or controlled substance analogues; distribution of marijuana to minors near school property; and recruiting or inducing a minor to commit a felony);
(e) A violation of section 83, 89, 91, 145a-c, 316-17, 350, 448, 455, or 529 of the Michigan Penal Code (concerning assault with intent to commit murder or to steal while armed; attempt to murder; consumption or possession of alcohol by minors, or controlled substances at social gatherings; first and second degree murder; armed robbery; and using the Internet when committing a crime against a minor);
(f) A violation of section 158 of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning crimes against nature or sodomy);
Criminal History and Background Checks

Criminal history and records checks shall be used for employment purposes only. No Board member or employee shall disclose the report or its content, except a felony conviction or a misdemeanor conviction involving sexual or physical abuse, to any person other than those directly involved in evaluating the applicant’s qualifications for employment.\(^{16}\)

**Reporting Crimes and Convictions**

Pursuant to law, any person employed by the District, who has applied for a position with the District, or who regularly and continuously works under contract in any of the District’s schools, who is charged with a crime listed in MCL 380.1535a(1) shall notify the District and the Department of Education that he or she has been charged with the crime.

Any person who reports being charged with a crime, and who is subsequently not convicted, may request that the District and the Department of Education delete the report from its records. Upon such request, the District shall delete the report.

Any person employed by the District or who regularly and continuously works under contract in any of the District’s schools that pleads guilty, no contest, or is convicted of a crime listed in MCL 380.1535a(1) shall immediately notify the court and prosecuting attorney that he or she is employed with the District. The person must also notify the Superintendent and the Superintendent of Public Instruction that he or she has been convicted of the crime.

\(^{16}\) Any person that violates this policy may be found guilty of a crime.
Unprofessional Conduct

Upon an offer of initial employment by the Board, all persons shall have undergone an unprofessional conduct background check. A staff person may be hired prior to the results of the unprofessional conduct background check following the guidelines in current law.

The Superintendent or designee will promulgate appropriate administrative rules regarding the procedures to be followed in obtaining criminal history and background checks.

Approved:

LEGAL REF: MCL § 380.1230; MCL § 380.1230a; MCL § 380.1230b; MCL § 380.1230c; MCL § 380.1535a(9).
Criminal History and Background Checks

All applicants, employees, and individuals who may be assigned to work under contract in any of the District’s schools regularly and continuously shall give written consent for the District to request a criminal history and records check from both the State Police and the FBI.

The Superintendent or designee shall make all requests for criminal records checks on a form and in a manner prescribed by the State Police.

If it is necessary to hire an individual or to allow an individual to regularly and continuously work in a school during the school year or within 30 days before the beginning of that school year, the District may employ the individual as a conditional employee or allow the individual to regularly and continuously work in a school without first receiving a criminal history or records check from the State Police if:

1. A criminal history check is requested from the State Police before conditionally employing the individual or allowing the individual to regularly and continuously work in a school; and

2. The individual signs a statement identifying all crimes for which he or she has been convicted, and agreeing that if the criminal history and records check is not consistent with the statement, the employment contract is voidable.

Reporting Crimes and Convictions

1. Pursuant to law, any person employed by the District, who has applied for a position with the District, or who regularly and continuously works under contract in any of the District’s schools, who is charged with a crime listed in MCL 380.1535a(1) shall
notify the District and the Department of Education that he or she has been charged with the crime.\textsuperscript{17}

2. Any person who reports being charged with a crime, and who is subsequently not convicted, may request that the District and the Department of Education delete the report from its records. Upon such request, the District shall delete the report.

3. Any person employed by the District or who regularly and continuously works under contract in any of the District’s schools that pleads guilty, no contest, or is convicted of a crime listed in MCL 380.1535a(1) shall immediately notify the court and prosecuting attorney that he or she is employed with the District. The person must also notify the Superintendent and the Superintendent of Public Instruction that he or she has been convicted of the crime.

\textsuperscript{17} MCL 380.1535a(1) includes a conviction for \textit{any felony} and any of the following misdemeanors: 1) criminal sexual conduct in the fourth degree or an attempt to commit criminal sexual conduct in the fourth degree; 2) child abuse in the third or fourth degree, or any attempt to commit child abuse in the third or fourth degree; 3) a misdemeanor involving cruelty, torture, or indecent exposure involving a child; 4) a misdemeanor violation of Section 7410 of the Public Health Code (concerning distribution of marijuana to minors near school property); 5) a violation of section 115, 141a, 145a, 335a, or 359 of the Michigan Penal Code (concerning breaking and entering; consumption or possession of alcohol by minors, or controlled substances at social gatherings; soliciting a child for immoral purposes; indecent exposure; and damage to vacant buildings); or a misdemeanor violation of section 81, 81a, or 145d of the Michigan Penal Code (including assault and battery; domestic assault; assault and infliction of serious injury; and using the Internet to commit a crime against a minor); 6) a misdemeanor violation of Section 701 of the Michigan Liquor Control Act (concerning the prohibition of liquor sales to minors); 7) any misdemeanor that is a listed offense; and 8) a violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States – as amended by 2005 PA 130.
District employees may have ongoing opportunities to access confidential information or records that are only available to the public on a limited review basis. Much of the information processed by District employees is confidential, and law governs its release; examples include driver record and vehicle registration information, confidential student records, criminal history background check information, information obtained pursuant to a Department of Health and Human Services intervention, and professional misconduct background checks.

It is the policy of the Board that employees are prohibited from divulging information contained in the records and files of the District, except to other authorized employees who may need such information in connection with their duties or to authorized persons in accordance with law, District policies, and administrative rules.

If an employee is approached to provide information inappropriately, then the employee must refuse to release the requested information unless authorized by his/her supervisor or otherwise required to release the information under law or court order. In all cases, the employee’s immediate supervisor shall be informed immediately of any requests.

Any employee who inappropriately releases information or uses confidential information obtained in the course of his/her employment with the District for personal reasons or private gain will be disciplined in accordance with Board policies, collective bargaining agreements, and District procedures. Disciplinary action may include severe penalties, up to and including discharge.

The District shall apply the requirements set forth in this policy equally to any subcontractor employed. Subcontractors shall, as a condition of their contractual agreement with the District, be required to adopt this or a similar policy regarding their own employees.
The Superintendent or designee shall promulgate appropriate administrative rules to help assure the confidentiality of records and, particularly, those records obtained through electronic means.

Approved:

LEGAL REF: 18 USC § 2721, *et seq.* (Federal Driver Privacy Protection Act of 1994); MCL §§ 257.208c - 208d; MCL § 257.903; MCL § 380.1230.
Employee Competence

The District will take steps, through the interview, selection, assignment, and hiring process, to see that any employee, or subcontractor employee, if any, who is authorized to access driver, vehicle, and related records, or who has access to information regarding criminal background checks or unprofessional conduct checks and related records will:

1) Be adequately trained to access such records;
2) Be competent to perform that task; and
3) Conduct each record inquiry in accordance with the standards of technical competency that are generally recognized in the data service industry.

Security of Data

The District will implement the following security requirements whenever and wherever records or information obtained through any means, electronic or otherwise, is accessed, stored, or disseminated:

1. Use software and hardware that is technologically adequate to prevent unauthorized access to the information.
2. Establish operational programs to prohibit unauthorized inquiries from any terminal or other access site.
3. Institute operational programs to detect unauthorized attempts to penetrate the District’s system of electronic records.
4. Provide for the physical security of the District’s computer system, with procedures and devices designed to protect against the theft of records and information.
5. Secure from each employee (or subcontractor employee) a signed and approved System Access Request form (or other equivalent form) that grants authority and permission to access driver, vehicle, criminal, or related records directly.

District employees will immediately report any suspected data breach to their immediate supervisor or the Superintendent. Failure to report a data breach may result in disciplinary action for employees up to and including discharge.
5185  Social Security Number Confidentiality (Cf. 5180)

Purpose

The District recognizes that it collects and maintains social security numbers of employees in the ordinary course of business. The District’s Social Security Number Privacy Policy is enacted to ensure that the necessary procedures, awareness, and enforcement mechanisms are in place to safeguard confidential information and documents and ensure compliance with the Michigan Social Security Number Privacy Act (the “Act”), MCL 445.81 et. seq.

Any questions concerning Social Security Number Privacy Policy requirements should be directed to the Executive Director of Human Resources. Pursuant to the Act, this policy will be published in the District’s relevant employee work rules, handbooks, and manuals.

Definitions

A.  “Act” means the Social Security Number Privacy Act, MCL 445.81 et. seq.
B.  “Covered Individual” means all District’s employees, students, vendors, contractors, or other associated individuals.
C.  “District” means Battle Creek Public Schools.
D.  “Mailed” means delivered by United States mail or other delivery service that does not require recipient’s signature of actual receipt.
E.  “Public Display” means to exhibit, hold up, post, make visible, or set out for open view, including, but not limited to, open view on a computer device, computer network, website, or other electronic medium or device, to members of the public or in a public manner.
F. **Secure Fashion** means in the context of storage or destruction of paper and electronic documents, a method that defeats both casual and deliberate attempts at theft. This includes, but is not limited to, the shredding of documents containing social security numbers or the use of “confidential” recycling or wastepaper bins. For electronic documents, destruction shall include either the explicit deletion of documents or the storage of documents on a device protected by a password security system.

**Guidelines**

All covered individuals must safeguard the confidentiality of an individual’s social security number (“SSN”) by limiting collection, access, or disclosure of a SSN, except where necessary in the ordinary course of business or where required by state/federal law or regulation. All covered individuals are prohibited from using all or more than four sequential SSN digits of an individual in the following circumstances:

1. Publicly displaying an individual’s SSN;
2. Using a SSN as a primary account number;
3. Visibly printing a SSN on an identification card, badge, permit, or license;
4. Requiring an individual to use or transmit a SSN over the internet or computer network, unless the connection is secure or the transmission is encrypted;
5. Requiring an individual to use a SSN to gain access to an internet website or computer system or network, unless the connection is secure, the transmission is encrypted, or another unique personal identification number is also required to gain access to the computer system or network;
(6) Mailing a document where a SSN is visible without manipulation from the outside of a mailing envelope or package;

(7) Including a SSN in any document or information mailed to a person unless:

(a) A state or federal law, rule, or regulation authorizes, permits, or requires inclusion of the SSN;

(b) The document is part of an application or enrollment process initiated by the individual to whom the document is being mailed;

(c) The document relates to the individual’s health insurance benefits and directly relates to that individual’s health insurance contract, policy, or employee health insurance benefit;

(d) The document is a public record mailed in compliance with the Michigan Freedom of Information Act;

(e) The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record; or

(f) The document or information is mailed by, or at the request of, an individual or his/her parent guardian, where the individual’s SSN appears in the document or information.

Exceptions

Covered individuals may use all or more than 4 sequential digits of a SSN under the following circumstances:

(1) A use authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process;
(2) Administrative use of a SSN in the ordinary course of business by an entity or one of its vendors or contractors to:

(a) Verify an individual’s identity related to the individual’s employment; or for another administrative purpose related to an account, proposed account, transaction, product, service, or employment;

(b) Verify an individual’s claim, credit, criminal history, or driving history;

(c) Detect or deter theft or another crime;

(d) Lawfully pursue or enforce a person’s legal rights; or

(e) Provide or administer employee health insurance or retirement benefits or programs.

(3) Continue the use of the SSN as a primary account number, provided that the use began prior to March 1, 2005, and that the use is ongoing, continuous, and in the ordinary course of business. Once this use is stopped, it cannot be reinstated.

Storage and Destruction of Documents

All covered individuals shall ensure that any paper or electronic documents containing a SSN will be stored or disposed of in a secure fashion.

Access to Social Security Numbers

Only those covered individuals with a legitimate business reason shall have access to records or documents containing SSNs. The Executive Director of Human Resources shall determine which personnel have a legitimate reason to access SSNs in the ordinary course of business.
Enforcement

Any covered individual found to have violated this policy or to have unlawfully disclosed an individual’s SSN in violation of the Act will be subject to discipline up to and including discharge.

The District will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses, or discloses SSNs for unlawful purposes.

Approved:

5190 Staff Development Opportunities

The Board supports the concept of professional development for the staff and, to this end, may authorize funding for various activities in its budget.

Professional development opportunities shall follow any guidelines found in the current negotiated master contract(s).

In-Service Education

The Superintendent or designee, in consultation with various groups of the District’s staff, shall develop programs of in-service education that will promote the continuous development and improvement of on-the-job performance of its personnel.

Approved:

LEGAL REF:  MCL § 380.1254; MCL § 380.1525; MCL § 380.1526.
Technology

Whenever possible, District staff may be provided appropriate in-service activities on the use of technology. Such in-service may include: on-site in-service from the manufacturer or vendor, regional in-service from the manufacturer or vendor, travel reimbursement for in-service training, contracted in-service training from individuals or organizations, and in-service training among the District’s staff.
All staff members have the responsibility to become familiar with, and abide by, federal laws and the laws of the State of Michigan as they affect their work, the policies of the Board, and the administrative regulations designed to implement them. All staff members shall be expected to carry out their assigned duties, support and enforce Board policies and administrative regulations, submit required reports, protect District property, oversee students, abide by reasonable and legal directives of their supervisors, and contribute to the education and development of the District’s students. Any employee who fails in these responsibilities will be subject to disciplinary action as determined by the Superintendent or designee and as conditioned by applicable collective bargaining agreements.

The Superintendent or designee and building Principals shall assume the major responsibility for interpreting and enforcing this policy. All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of the actions they may take to maintain order, discipline, and an appropriate educational environment. Training will be provided that defines approved actions and informs employees that they may be liable for harm when they engage in criminal; grossly negligent or reckless conduct; or act with flagrant indifference to the rights and safety of another person who suffers harm as a result.

Staff Appearance

Staff dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. The dress and appearance of employees should be appropriate to the type of work performed.

Approved:
Use of District Equipment, Supplies, Property, and Materials (Cf. 9250)

Permission must be gained from the appropriate building Principal or immediate supervisor before any District equipment, supplies, or materials may be removed from school grounds.

The building Principal or immediate supervisor may authorize staff members to utilize District-owned equipment, supplies, office/classroom space, and materials to develop software and associated documents outside of their work assignment, provided the development of the software is in the best interests of the District. Staff using District equipment, supplies, materials, and software shall comply with all copyright laws. Staff members authorized to use District equipment assigned to them for use off school grounds (such as, but not limited to, laptop computers, cell phones, printers, or the like) shall assume responsibility for said equipment. Unless specifically authorized otherwise, all such equipment issued to teachers or administrators shall be returned to the District at the end of their annual work year.

Unless there is a specific written agreement to the contrary, physical and intellectual products created within the scope of the employment relationship shall be the property of the District.

In no case shall employees be authorized to borrow, remove, or utilize District equipment, materials, office/classroom space, or supplies in connection with any outside employment or any other personal interest. Violations of this policy will result in disciplinary action up to and including discharge and/or the filing of criminal charges.

Recognized bargaining units may use District equipment as provided for in the current negotiated master contract.

Approved:

Battle Creek Public Personnel Section 5000
LEGAL REF:  MCL § 750.362.
Possessing, Transporting, or Transmitting Dangerous Weapons (Cf. 8300)

No person shall possess, transport, or transmit a dangerous weapon on District property, property used by the District for a school-related purpose, or in a motor vehicle used for a District-related purpose unless: (a) Prior permission has been granted by the Superintendent; (b) The person is an on-duty law enforcement officer or, if off duty, the officer is otherwise required by the law enforcement agency to carry a weapon; or (c) as otherwise allowed by law.

A dangerous weapon, within the meaning of this policy, shall include, by way of description, such things as a firearm, knife, black jack, baton, iron bar, brass knuckles, martial arts devices, and incendiary and/or explosive devices. Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame, or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device.\(^{18}\) Any person, including a student, who violates this policy, will be reported to law enforcement authorities. Employees who violate this policy will be subject to discipline, up to and including discharge.

The Board will not tolerate employee possession of any facsimile or “look alike” weapon on school property at any time. It shall be a violation of this policy for any employee or other person to carry, display, or brandish any facsimile of a dangerous weapon with the intent to scare, terrify, alarm, threaten, or intimidate any other person.

Any employee in possession of a dangerous weapon or a replica or facsimile of a dangerous weapon in violation of this policy will be placed under immediate suspension, pending an investigation of the incident by the appropriate school or legal authorities. In

\(^{18}\) Pursuant to federal law, the term destructive device means: any explosive, incendiary, or poison gas, 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 device similar to any or the devices described in the preceding clauses.
accordance with applicable law and collective bargaining agreements, the Superintendent or
designee is authorized to discipline any employee who violates this policy.

Approved:

LEGAL REF:  MCL § 380.1311; MCL § 750.237a; 18 USC § 921; 20 USC § 7151.
5220 Staff-Student Relations

All District employees are expected to maintain relationships with members of the student body that are nothing but positive in their intent, conducive to an effective educational environment, do not violate appropriate staff/student interactions under law or the policies of the Board, and do not create possible liabilities to the employee or the District. Employees are reminded that a “friendly” approach to students must be tempered by the fact that employees are, and should remain, authority figures in the eyes of students. All District employees are responsible for the regulation of student conduct.

Threats to Students

Any District employee who threatens to inflict, inflicts, or causes to be inflicted, deliberate physical pain by any means to any student, may be disciplined according to provisions which may be found in the current negotiated master contract, other Board policies or as prescribed by the Board.

Employees found to be in violation of this policy may, consistent with applicable law and collective bargaining agreements, be subject to discipline up to and including termination of employment.

Approved:

LEGAL REF: MCL § 380.1312.
5230  Conflict of Interest (Cf. 4005, 5695)

District employees are prohibited from engaging in activities which may be construed as a conflict of interest and detract from the effective performance of their duties. No employee shall attempt, during the school day or on school property, to sell or endeavor to influence any student to buy any product, article, instrument, service, or other such item, which would benefit said school employee directly or indirectly. (See policy 4005-R Conflict of Interest Disclosure Form).

Any District employee shall report alleged violations of the conflict of interest policy to the Superintendent or designee. The Superintendent or designee shall make an initial investigation to determine whether said policy has been violated.

Approved:

5230-R Conflict of Interest

Annually, the Superintendent and any other District employee, deemed by the Superintendent to be in a position to influence the purchase of any goods or services, shall sign and file the “Conflict of Interest Disclosure Form” as found in 4005-R.
5235 Nepotism

Purpose

This policy is adopted to avoid conflicts of interest, the possibility or appearance of favoritism, morale problems, and the potential for emotional interference with job performance.

Application

This policy applies to all full-time and part-time non-union employees, temporary employees, contractual employment, including independent contractors, MARTC interns, and personal service contracts. This policy also applies to all applicants for employment regardless of whether the position applied for is union or non-union.

Definitions

A) As used in this policy, the term “relative” is defined to include spouse, child, parent, brother, sister, grandparent, grandchild, first cousin, uncle, aunt, niece, nephew, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, and father-in-law, whether natural, adopted, step, or foster.

B) As used in this policy, the term “administrator” is defined to include the highest level administrator or director of a District program who functions under the general direction of the Superintendent or the Executive Director of Human Resources and other members of the administrative cabinet of the Superintendent.

Prohibitions

A) Employees. Relatives of employees shall not be employed, whether by hire, appointment, transfer, or promotion in the District that would result in one relative having direct supervisory authority over another relative.
B) Should two employees become relatives by reason of marriage or other legal relationship after employment, if possible, one employee should be required to transfer to another program or school building within the District if the transfer would eliminate the violation of this policy. If a transfer is not possible, or if the violation cannot be eliminated, one employee may be required to resign.

Required Disclosure

All current employees, including persons who are not appointed, shall disclose in writing to the Superintendent’s office the existence of any familial relationship as described in this policy within thirty (30) days of the issuance of this policy or creation of the relationship, whichever is sooner. The Human Resources Department will forward to each employee a familial relationship acknowledgement form and direct the employee to read, complete, sign, and return the form to the Human Resources Department.

Affected Employees

This policy shall not apply to any person who was an employee of the District on April 15, 2002, except that from April 15, 2002 forward, no person shall be transferred or promoted or enter into a nepotic relationship in violation of this policy.

Approved:
5245 Political Activities

Staff members who intend to become candidates for political office are asked to notify the Superintendent within five days of the date on which the declaration of candidacy is filed to discuss the compatibility of the office and his/her continued employment with the District.

Employees are required to comply with all applicable state and federal laws governing the political activities of public employees.

Approved:

LEGAL REF: MCL § 15.401, et seq.
5250  Employee Use of Electronic Communications Devices

The Board recognizes that employees may carry electronic communications devices either District-issued or personally owned and hereby adopts this policy.

District-Issued Communications Devices

The District may elect to issue certain communications devices to employees in order to increase the efficiency of District operations. Issuance and use of District equipment shall be subject to rules promulgated by the Superintendent or designee.

Personally Owned Communications Devices

Employees may carry and use personally owned cellular telephones or pagers/beepers on District property subject to rules and regulations promulgated by the Superintendent or designee.

Personal Use of District Cord, Cordless, and Cell Telephone

The District provides to some employees a desk telephone, cell telephone, and other electronic communication devices so said employees can conduct business at or away from their respective work stations. It is understood that each employee may use the device assigned by the District to the employee for receiving and sending work-related and personal communications without charge by or reimbursement to the District. Nevertheless, the District may charge or require reimbursement from the employee if the Superintendent or designee determines, in the Superintendent/designee’s sole discretion, that charges associated with the employee’s use of a device are excessive.

Approved:

LEGAL REF:  MCL § 380.1303.
5250-R Employee Use of Electronic Communications Devices

While employees are allowed to possess and carry electronic communications devices on school property, such possession and use are subject to the following administrative rules:

**District-Issued Communications Devices**

Communication devices issued by the District may include, for example, cellular telephones, walkie-talkies, personal digital assistants (PDAs), laptops, tablets, citizens band radios, either installed in vehicles or hand-held, and pagers/beepers.

Employees in receipt of District-issued equipment shall be held responsible for the safekeeping of the equipment and shall exercise reasonable efforts to see that the equipment is not lost, stolen, or damaged. Reckless or irresponsible use of District equipment, resulting in loss or damage, may result in the employee having to reimburse the District for any associated costs of replacement or repair. District-owned communication devices will be used in accordance with District guidelines.

Personal and District-issued equipment shall be used in a manner that does not disrupt instruction and should not be used during school-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness, unless there is a reason of personal health or safety involved.

Any District-issued equipment is to be surrendered back to the District immediately upon request.

**Personally Owned Electronic Communications Devices**

Employees may possess and carry cellular telephones, pagers/beepers, PDAs, tablets, or laptops during the school day on District property.
Personally owned hand-held citizens band radios, portable police scanners, and long or short-range walkie-talkies should not be used or carried by employees on District property during the school day unless by specific permission of their immediate supervisor. Cellular telephones and pagers-beepers should not be used during the employee’s normal duty times to send or receive messages of a personal nature, but such use is allowable during normal break times, lunch times, preparation times, or emergencies. Use of cellular telephones or audible pagers-beepers should be curtailed during instructional time or at District-sponsored programs, meetings, in-services, parent(s)/guardian(s) conferences, or any other time when there would be a reasonable expectation of quiet attentiveness. If employees use personal cell phones or communication devices for business purposes and receive reimbursement from the District, the District has a right to demand that the cell phone or communication device is conveyed to the District for investigative purposes. If inappropriate content was uploaded during work hours or the cell phone or communication device was used for a purpose that violates any school board policies, the individual’s contract, or District rules, then the employee may be subject to discipline up to and including termination.

Employees operating a school bus, or any other District-owned or District-leased vehicle, are prohibited from operating the vehicle while using a cellular telephone, whether personally owned or District issued, except: (1) during an emergency situation; (2) to call for assistance after stopping the vehicle, if there is a mechanical breakdown or other mechanical problem; (3) when the vehicle is stopped and where a cellular telephone is owned by the District and used as a digital two-way radio; or (4) when the District bus or other vehicle is parked.

Any employee violating the above rules may be subject to disciplinary action.
5255  Social Media

It is the policy of the Battle Creek Public Schools Board of Education that student or staff use of social media while on school property, during instructional hours, or using District owned property (laptops, tablets, etc.) may not interfere with the educational purpose of the District. This policy supplements the District's other applicable policies.

For the purposes of this policy, "social media" refers to any publicly accessible Internet-based service that enables a user to share communications, images, or videos with others, or to participate in social networking. Social media includes, but is not limited to, blogs and social networking sites such as Facebook, Twitter, Instagram, Snapchat, and YouTube.

Students

A student’s social media use interferes with the educational purpose of the District when it causes or it is reasonably foreseeable that it will cause a substantial disruption within the school environment. Improper use of social media includes, but is not limited to, posting the following:

- threats of violence;
- threats of bullying, or cyber-bullying;
- threats of harassment or actual harassment;
- advocacy of illegal items or activities;
- vulgar or offensive language; or
- lewd and lascivious material.

Such use detracts from the District's educational mission and will be subject to disciplinary action including temporary mobile device confiscation and up to expulsion, depending on the severity of the violation.

Staff
At all times on social media, staff shall:

- maintain professionalism;
- make clear that any personal views expressed on their social media are their own, not the District’s;
- engage in appropriate student-teacher relationship; and
- report any inappropriate behavior or activity they view on social media, including conduct which endangers the safety of minors.

At all times on social media, staff shall not:

- use their District email addresses to register on social networks, blogs or other online tools utilized for personal use;
- engage in unprofessional, discriminatory, or sexually provocative communications with students or other staff members;
- make statements or take positions on behalf of the District;
- release confidential information or personally identifiable information about students (if a staff member does disclose confidential or personally identifiable information about a student or staff member, the staff member may be subject to discipline, whether the disclosure was inadvertent or intentional); or
- post or share anything that would violate federal or state law.

Personal use of social media by a staff member during District time or on District owned equipment is prohibited. Staff may use social media during work hours if the use is related to their official duties but only if the use does not interrupt instructional time or impair their ability to perform their official duties. Any communications posted or sent using the District’s Internet network may be subject to disclosure for investigations, discovery, and public record requests.
Staff use of social media in violation of this policy detracts from the District's educational mission and will result in disciplinary action in accordance with Board policies, collective bargaining agreements, and District procedures. Disciplinary action may include severe penalties, up to, and including, discharge.

Approved:
An official personnel file shall be maintained by the District for each employee. Personnel files kept by the District concerning employees shall be kept in a secured location and under the custodianship of the Human Resources Department. Complete personnel files of employees who have left the District shall be similarly kept, but in an inactive file for not less than seven years. A permanent record of the employee’s years of work, assignments, and salary/wage paid shall be kept in perpetuity.

Personnel files shall be maintained consistent with all applicable laws.

Approved:

Employee files shall include, but not be limited to: Application, recommendations, college or educational credentials, transcripts, correspondence, anecdotal notes, and evaluation reports.

The Board may have access to personnel files of employees when such access is deemed necessary by the Board in the employee-employer relationship. Individual Board members shall not have access to personnel files or records except as may be allowed by law and accorded to any other citizen.

Administrators or supervisors in the course of conducting their duties shall have access to the personnel files of employees.

Additional provisions regarding employee personnel files may be found in a current copy of the negotiated master contract.

Permanent records of an employee’s years of work, assignments, and salary/wages paid may be retained on the appropriate medium.
5330 Travel Expenses (Cf. 1168, 3600)

The Board shall provide reimbursement for expenses incurred in travel related to the performance and duties of the District’s employees when approved in advance by the Superintendent or his/her designee. The District shall comply with all budget transparency requirements regarding travel expenses.

Approved:
Receipts for transportation, parking, hotels or motels, meals, and such other expenses for which receipts are ordinarily available shall be attached to expense vouchers. For the authorized use of a personal car, staff members shall be reimbursed at a mileage rate established by the Board. Authorization for travel expenses is governed by applicable procedure as established by the Superintendent and Board.
The Health Insurance Portability and Accountability Act of 1996 (HIPAA) grants individuals the right to receive notice of the uses and disclosures of their protected health information (PHI) that may be made by the District, and sets forth the individual’s rights and the District’s legal obligations with respect to PHI. The District declares itself a hybrid entity under the law.

The District will maintain all PHI in accordance with law. PHI does not include information contained in student education records covered by the Family Educational Rights and Privacy Act (FERPA) or employment records held by the District in its role as an employer.

PHI will only be available to designated employees who need to have access to those records in their employment capacity with the District and with other authorized entities. Employees will not disclose or use PHI unless an appropriate written consent/authorization exists, an actual emergency exists, or unless otherwise authorized by law. The District will train all employees who may have contact with PHI on the law and the District’s policies and procedures as necessary and appropriate for the employee’s position. Any employee failing to comply with District policies, procedure, or law may be disciplined or terminated.

The District will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against any individual for exercising his or her rights; participating in any process; filing a complaint; testifying, assisting, or participating in an investigation, compliance review, proceeding, or hearing; or in good faith opposing any act or practice the individual believes is unlawful, in accordance with law. The District’s privacy official is:
The District privacy official’s duties include but are not limited to:

• Developing and implementing the District’s policies and procedures regarding PHI;
• Receiving and evaluating requests for amendments of PHI;
• Answering questions regarding privacy issues;
• Providing training to District employees; and
• Reviewing and deciding appeals concerning complaints initially decided by the contact person.

The District contact person/security official is:

Executive Director of Human Resources
Battle Creek Public Schools
3 Van Buren St. W
Battle Creek, MI 49017
269-965-9500

The District contact person/security official’s duties include, but are not limited to:

• Receiving and reviewing complaints;
• Determining whether a violation of policy or procedure has occurred, determining the potential harmful effects, and deciding upon an action to minimize the harm;
• Referring violators to appropriate administrators for possible discipline;
• Providing information about matters covered in the District’s privacy notices;
• Ensuring that notices of privacy practices are distributed as required by law;
• Developing and implementing the District’s security policies and procedures.
Staff Smoking and Tobacco Products

Approved:

LEGAL REF: 20 USC § 1232g (FERPA); 42 USC § 201, et seq. (HIPPA); 45 CFR § 160.101, et seq.; 45 CFR § 164.102, et seq.
5340  Staff Health and Safety

The Board shall attempt to ensure staff health, safety, and protection during working hours. The Board shall comply with the provisions of the federal and Michigan Occupational Safety and Health Act as they apply regarding the employee’s right to know of hazardous conditions or materials. The Superintendent or designee shall develop appropriate procedures for informing staff.

Approved:

LEGAL REF:  Michigan Constitution Article VIII, §3; MCL §§ 408.1001-1094 (Michigan Occupational Safety and Health Act).
Staff Smoking and Tobacco Products

In the interest of providing a safe and healthy environment for employees, students, and visitors, and in accordance with the Michigan Smoke Free Act, 2009 PA 188, and the Tobacco-Free Schools Act, the Battle Creek Public Schools Board of Education adopts the following Tobacco-Free Policy:

Statement of Intent

Tobacco products include, but are not limited to cigarettes, cigars, spit tobacco, snuff, tobacco strips and sticks and dissolvable products. Examples of non-tobacco nicotine products include, but are not limited to, e-cigarettes, smokeless, battery operated devices designed to deliver nicotine with flavorings or other chemicals to the lungs of users without burning tobacco. This does not include products that are classified as “nicotine replacement therapy” prescribed by a physician to help tobacco users quit.

Tobacco products shall not be used by any person on or in the District’s property.

Enforcement

The use of tobacco on or in District property may be a misdemeanor under Michigan law. All employees, students, and visitors share in the responsibility of adhering to and enforcing the policy.

Violations should be brought to the attention of the building supervisor. The building supervisor will investigate any reported violations of the policy. If necessary, the violations will be referred to the Superintendent or the Superintendent’s representative for appropriate action.

Employees and students who are found violating the Tobacco Free Schools Act will be considered in violation of Battle Creek Schools’ Policy and will be subject to discipline.
Employees may obtain assistance, in a smoke cessation program, through their health insurance.

Approved:
LEGAL REF: MCL 33.12601 et seq.; MCL 750.473; OAG No. 5336; 20 USC 7183
Copies of this Policy will be posted and the posting will be made known to all employees. Signs displaying the following statement, or a similar statement, will be posted at appropriate entrances:

**USE OF TOBACCO PRODUCTS IS PROHIBITED**
The Board is concerned with the well-being of its employees, the successful accomplishments of its mandate to provide education to the students of the District, and the need to maintain employee productivity. Accordingly, it is the policy of the Board to maintain a drug and alcohol free workplace for all employees.

1. **Further Policy** - It is further the policy of the District that unlawful manufacture, distribution, dispensation, possession, use, or being under the influence of a controlled substance or alcohol is prohibited on District premises, premises on which District programs are located, District vehicles, or when any employee of the District is performing his/her position responsibilities or is in attendance at any District business, activity, or function.

2. **Medical Marihuana.** Medical marihuana is considered a controlled substance for the purposes of this policy. Although Michigan’s Medical Marihuana Act (MMMA) decriminalized the use of marihuana in certain circumstances, the MMMA prohibits the use of medical marihuana on a school bus and on the grounds of any preschool, primary, or secondary school. Federal law also makes the possession of marihuana illegal. Staff who are authorized to use and possess medical marihuana under the MMMA (i.e. diagnosed by a physician with a debilitating medical condition and legally prescribed marihuana to alleviate physical symptoms of the condition) are still prohibited from the manufacture, distribution, dispensation, possession, use, or being under the influence of medical marihuana on school premises, in a school district vehicle, performing his or her assigned duties, or in attendance at any school activity or function. If a staff
member uses or possesses medical marihuana in a way that violates this policy, even if a doctor prescribes the use of medical marihuana to the staff member, the staff member will be subject to discipline, up to and including dismissal.

3. **Responsibility** - The Board hereby delegates to its Superintendent or his/her designee, the responsibility to effectuate, oversee, and implement the requirements of this policy. The Superintendent is charged with the responsibility of making a good faith effort to maintain a drug and alcohol free workplace through the implementation of this policy.

4. **Requirements** - The unlawful manufacture, distribution, dispensation, possession, use, or being under the influence of a controlled substance or alcohol by any employee while on school premises, in a school District vehicle, performing his/her assigned duties, or attending any District activity or function is strictly prohibited. Compliance with these requirements is mandatory and shall not be construed to be voluntary.

a. **Testing**

   (1) **Applicants:**

      All job applicants will undergo screening for the presence of illegal drugs as a condition of employment.

      Applicants will be required to submit a urinalysis test at a laboratory chosen by the District, and applicants will also be required to sign a consent agreement that will release the District, its Board, individual Board members, and employees from liability.
Any applicant tested positive for illegal drugs will be denied employment at that time, but may initiate another inquiry with the District after six months.

(2) Employees:

Subject to the terms of the current collective bargaining agreement, when a supervisor has a reasonable suspicion that an employee’s behavior is impaired and said impairment may be the result of drugs or alcohol, an employee must undergo drug testing. Upon suspicion of drug or alcohol use while at work, the employee will be taken to a laboratory chosen by the District and required to submit to a urinalysis test. Arrangements will then be made to transport the employee home.

b. Employment Expectations

(1) Employees shall abide by the terms of this policy.

(2) An employee who refuses to be tested when required by this policy will be subject to the full range of disciplinary action, including dismissal. No applicant who refuses to be tested shall be extended an offer of employment. Attempts to falsify test results (e.g., by altering or substituting the specimen provided) will be deemed a refusal to take the drug test when required.

(3) Employees shall notify the Superintendent of any criminal drug or alcohol statute conviction for violation in the workplace no later than five (5) days after such conviction.
c. Within thirty (30) days of receiving notice of a criminal drug or alcohol statute conviction for a violation occurring in the workplace or otherwise in connection with the assignment of an employee, the Superintendent or his/her designee shall:

(1) Take appropriate personnel action against such an employee, up to and including termination. The District shall also take all necessary steps to comply with Sections 1230a-1230e of the Revised School Code if the employee is convicted of a criminal drug offense requiring District action under those sections of the Revised School Code; or

(2) In appropriate cases, allow such an employee to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by federal, state, or local health, law enforcement, or other appropriate agencies. Such rehabilitation shall be undertaken at no direct cost to the District, unless otherwise approved by the Superintendent and Board. The District shall develop and maintain for employee reference a current list of drug and alcohol counseling, rehabilitation, and employee assistance programs available throughout the District or elsewhere in the community.

Whether an employee will be allowed to participate in a drug or alcohol abuse assistance or rehabilitation program, rather
than be disciplined, shall be a matter within the discretion of the District.

An employee who is allowed to participate in such a program shall be subject to discipline, including termination, in the event the employee fails to satisfactorily participate.

d. Within ten (10) days after receiving notice that an employee has been convicted under a criminal drug or alcohol statute for a violation occurring in the workplace, the Superintendent or his/her designee shall notify any federal agency from which the District has received a grant to perform work on a site or any program where the drug violations giving rise to such conviction occurred.

e. The District shall establish a drug and alcohol free awareness program to inform employees about:

(1) The dangers of drug and alcohol abuse in the workplace;

(2) The Board’s policy of maintaining a drug and alcohol free workplace;

(3) Any available drug and alcohol counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug and alcohol violations occurring in the workplace.

f. The District shall take steps to ensure that District employees are aware of the terms of this policy. The District shall assure the distribution of this
policy to employees and the posting of copies of this policy in appropriate places in work site settings.

g. All sanctions against employees for violation of this policy including non-renewal, suspension, and termination shall be in accordance with District policies, District regulations and procedures, and applicable laws.

h. All non-District-employees performing services for the District shall pass a drug and alcohol test prior to rendering services for the District, and such individuals are also subject to random drug and alcohol testing. The responsibility and cost of the drug and alcohol testing under this paragraph shall be borne by the non-District-employee or the non-District-employee’s employer; the Superintendent may request documentation to verify compliance with this paragraph.

Approved:

5357 Family and Medical Leave

It is the policy of the District to fully comply with all of the provisions of the Family and Medical Leave Act of 1993 (“FMLA” or “the Act”) and related regulations. The policy and related District procedures will be interpreted and applied so as to comply with the Act and related regulations. In the event of conflict, the Act and related regulations shall control.

The District allows eligible employees to take up to twelve (12) weeks of unpaid leave per year for their own serious health condition, a child birth, or to provide care for the employee’s newborn child, newly-adopted child, newly-placed foster child, or a child, parent, or spouse with a serious condition.

The District has adopted the rolling twelve-month method of calculating FMLA leave entitlement. This method determines FMLA leave entitlement based upon how much FMLA leave an employee has taken the preceding twelve months, which is measured backwards from the date the leave is to commence.

This policy supersedes any and all other policies governing medical or family leaves of absence previously adopted by the District. All provisions of this policy and FMLA related procedures adopted by the administration shall prevail except as modified by, or as may be inconsistent with, any applicable collective bargaining agreement between the District and any labor organization having exclusive representation rights in a defined bargaining unit of District employees. To the extent that this policy and related procedures conflict with a collective bargaining agreement(s), the agreement(s) shall prevail to the extent of such conflict or inconsistency where the contract provides greater rights to the employee than are otherwise secured through FMLA.
The Superintendent (or designee) shall review this policy and District procedures to bring them into full compliance with the United States Department of Labor employment standards of the Wage and Hour Division and FMLA.

The Executive Director of Human Resources will develop procedures to ensure full compliance and consistency with the federal regulations. The Human Resources Department will train employees in the application of District procedures and the FMLA requirements and entitlements.

Approved:

LEGAL REF: 29 CFR § 825.200 (Family and Medical Leave Act of 1993).
1. **PURPOSE**

   *Basic Leave Entitlement.* District Family and Medical Leave Policy allows eligible employees to take up to 12 work weeks of unpaid leave per year for their own serious health condition, childbirth, or to provide care for the employee’s newborn child, newly-adopted child, newly-placed foster child, or a child, parent, or spouse with a serious health condition. Further, certain eligible employees may receive up to 12 work weeks of unpaid leave for military exigencies and up to a total of 26 work weeks of unpaid leave to care for a covered military service member.

   Additional information and forms relating to the Family and Medical Leave Act (“FMLA”) are available from the Administration.

2. **DEFINITIONS**

   A. *“Leave Year”.* The District has selected the 12-month rolling backwards period for determining the “12-month period” for non-military related leave. The 12-month rolling period is calculated backwards from the date the requested leave commences. This method determines FMLA leave entitlement based upon how much FMLA leave an employee has taken the preceding 12 months, measured backwards from the date the leave is to commence.

   For “Military Caregiver Leave,” the leave period begins the first day the leave begins, regardless of past non-military leave taken and regardless of the leave period for other FMLA qualifying leave.

   B. *“Spouse”* means a husband, wife, or same-sex spouse, but does not include unmarried domestic partners. If both spouses work for the school district, their
total leave in any 12-month period may be limited to an aggregate of 12-weeks if
the leave is taken for either the birth or placement for adoption or foster care of a
child or to care for a sick parent. The aggregated amount of leave in a 12-month
period is 26 weeks in situations where the leave is based on the care for a covered
service member.

C. “Parent” means biological, adoptive, step, or foster parent, or any other
individual who stood in loco parentis to the employee when the employee was a
child. A parent-in-law does not meet this definition.

D. “Child” means a son or daughter under age 18, or a son or daughter 18 years or
older who is incapable of self-care due to mental or physical disability.
Employees who are in loco parentis include those with day-to-day responsibility
for care and financial support of the “child”. A biological or legal relationship is
not necessary.

E. “Next of Kin of a Covered Service Member” means the nearest blood relative
other than a spouse, parent, son, or daughter, in the following order: blood
relatives who have been granted legal custody of the covered service member by
court decree or statutory provision, brother and sister, grandparent, aunt and
uncle, and first cousin, unless the covered service member designated in writing
another blood family member as his or her nearest blood relative for purposes of
military caregiver leave.

F. “Military Family Leave” means either “Military Caregiver Leave” or “Qualifying
Exigency” Leave as set forth below:
(1) “Military Caregiver Leave.” An eligible employee may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. The covered service member must be a current member of the Armed Forces, which includes membership in the National Guard or Reserves. The covered service member must have sustained the serious injury or illness in the line of duty while on active duty which may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

(2) “Qualifying Exigency Leave.” An eligible employee with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may also use their 12-week leave entitlement to address certain qualifying exigencies. The Department of Labor defines qualifying exigencies as: (1) short-notice deployment (up to seven days from date of notification), (2) military events and related activities, (3) childcare and school activities, (4) financial and legal arrangements, (5) counseling, (6) rest and recuperation (up to five days for each instance), (7) post-deployment activities occurring within 90 days following the termination of active duty status, and (8) additional activities arising from the service member’s active duty or call to active duty not encompassed in the other categories, but agreed to by the employer and employee.
G. “Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves:

1. inpatient care (an overnight stay);

2. a period of incapacity from work requiring “continuing treatment” by a healthcare provider. “Continuing treatment” by a healthcare provider must involve a period of incapacity of more than 3 full consecutive calendar days (including subsequent treatments or periods of incapacity relating to the same condition) that also involves either: (1) treatment of two or more times within 30 days of the first day of incapacity by a healthcare provider; or (2) treatment on at least one occasion by a healthcare provider which results in a “regimen of continuing treatment under the supervision of the a healthcare provider.” (e.g., a course of prescription drugs, physical therapy). The first (or only) in-person treatment visit to the healthcare provider must occur within 7 days of the first day of incapacity;

3. a period of incapacity from work due to pregnancy or for prenatal care;

4. a period of incapacity from work requiring treatment for chronic or permanent/long-term conditions (e.g., asthma, diabetes, epilepsy, cancer); or

5. a period of absence to receive multiple treatments by a healthcare provider for a non-chronic condition that, if left untreated, could result in a period of incapacity of more than 3 consecutive calendar days (e.g., dialysis for kidney disease or chemotherapy for cancer).
Unless complications arise, the common cold, flu, upset stomach, headache, routine dental problems and cosmetic treatments do not meet the definition of “serious health condition.”

H. “Instructional Employee” means a person whose principle function is to teach and instruct students in a class, a small group, or an individual setting. This term includes teachers or auxiliary personnel principally engaged in direct delivery of instruction (e.g., signers for hearing impaired). This definition does not include auxiliary personnel such as counselors, teacher assistants, aides, psychologists, social workers, and non-instructional support personnel.

I. “District” means Battle Creek Public Schools.

3. GENERAL

A. Eligibility. An employee who has worked at least 1,250 hours during the 12-month period before commencement of the leave is eligible for FMLA leave after having completed at least 12 months of service, including previous service with the District up to 7 years before commencement of the leave. Instructional employees will not be eligible if it is clearly demonstrated that the employee did not work the requisite hours during the 12-month period, unless otherwise provided by a collective bargaining agreement.

B. Eligible employees may use FMLA leave for one or more of the following reasons:

(1) The birth of a child and care for a newborn;

(2) The care for a newly-adopted child or child recently placed in an employee’s home for foster care;
(3) To care for a spouse, child (who is less than age 18, or 18 but incapable of self-care), or a parent (but not parent-in-law) who has a serious health condition;

(4) An employee’s own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job; or

(5) To address certain qualifying exigencies or caregiving associated with a covered service member. The employee may be required to provide information supporting the need for military family leave.

C. An eligible employee may take up to 12 weeks of unpaid leave during any 12-month period for a purpose which qualifies for a leave under the FMLA policy.

As identified in Section 2.F.(1)., an eligible employee may take up to 26 weeks “Military Caregiver Leave” measured from the first day the military-related leave commences during a single 12-month period.

An eligible part-time employee is entitled to leave on a pro-rata basis.

If spouses are both employed by the District and both are eligible for FMLA leave, then spouses may take up to a combined total of 12 weeks of leave for the birth and care of a newborn child, the placement of a child in the spouse’s home for adoption or foster care, or the care of a seriously ill parent. This limitation does not apply to the care of a spouse or child with a serious health condition or to the employee’s own serious health condition. For example, if spouses each take 4 weeks to care for a newborn child, each spouse will have eight weeks remaining within the 12-month period to use for other kinds of
FMLA leaves, if necessary. Family leave to care for a newborn child or for adoption or foster care placement of a child must be completed within 12 months of the birth, adoption, or placement of the child.

4. **NOTICE**

   **A. Notice by Employee.** The employee shall give notice for FMLA leave according to the following:

   (1) When the need for FMLA is *foreseeable* (i.e., for birth of a child, adoption, foster placement, or planned medical treatment for yourself or a family member or to care for a covered service member) 30-days’ notice is required. If the employee fails to give 30-days’ notice with no reasonable excuse, then the District reserves the right to delay the employee’s FMLA leave until at least 30-days after the leave request is made.

   (2) When the need for FMLA leave is *unexpected*, absent unusual circumstances, the employee must provide notice to the District either the same business day or the next business day after the employee learns of the need for the FMLA leave.

   With respect to both foreseeable and unexpected leave, employees must comply with District policies, work rules, collective bargaining provisions, and customary time off or call-in notice procedures.

   At the time of requesting leave from work, the employee is required to complete District-approved forms for leave utilization. The District will provide a copy of this policy and District-approved forms which advise the employee of his/her FMLA rights and responsibilities. When any leave from work is
requested, the District will inquire about the circumstances to determine if the requested leave appears to qualify as FMLA leave. Any leave request determined by the District to qualify as FMLA leave will be credited against the employee’s FMLA leave for the 12-month period described in Section 2.A. of this policy.

B. **District Notification of FMLA Leave.** Once the District receives sufficient notice that leave qualifies for FMLA leave, the District will (within 5 business days, absent extenuating circumstances) notify the employee, in writing, whether the employee is eligible for leave.

5. **SUBSTITUTION OF PAID LEAVE TIME**

When leave from work qualifies for FMLA leave, an employee must first concurrently exhaust earned and/or accrued paid time off which will be credited against the FMLA leave, unless otherwise specified by an agreement or individual employment contract.

For example, if an employee has earned and/or accrued paid vacation or personal leave, the District may require that the employee first concurrently apply that leave time to his/her FMLA leave until the earned or accrued paid leave time is exhausted. The District may also require that any earned or accrued paid vacation or personal/sick leave be exhausted concurrently with the FMLA leave before the unpaid portion of the FMLA leave to care for the employee’s own serious health condition or that of a spouse, child, or parent (where permitted for the latter purpose under the contract or policy governing the employee). Any remaining FMLA leave to which the employee is entitled will then be taken on an unpaid basis. An employee may also use applicable accumulated paid leave off during FMLA leave.
6. **MEDICAL CERTIFICATION**

A. If an employee requests FMLA leave due to a serious health condition or to care for a parent, child, or spouse with a serious health condition, or to attend to specific matters concerning a covered service member, the employee may be required to provide medical certification from a healthcare provider of the serious health condition involved and, if applicable, verification that the employee is needed to care for the ill family member and for how long.

B. The employee may be required to provide supporting information concerning military family leave. Forms for this purpose will be provided by the District when the employee notifies the District of the need for the leave. Employees must provide the requested medical certification within 15 days of being supplied with the necessary certification form from the District; if the medical certification is not received within this time, a request for FMLA leave may be delayed or denied.

C. After an employee submits the required medical certification, the District may require, at its option and expense, that a medical certification be obtained from a healthcare provider of the District’s own choosing to verify the need for the requested FMLA leave. If the first and second certifications differ, the District may require (at its option and expense) that a third certification be obtained from a third healthcare provider who is jointly selected by the prior two healthcare providers. The third medical certification will be final and binding on both
parties. If the employee refuses to be examined by the third healthcare provider or refuses to cooperate in the examination, the employee will be bound by the second certification.

D. The District may request medical recertification for leave taken because of an employee’s own serious medical condition or the serious medical condition of a family member. Recertification may be requested pursuant to the following:

(1) The District may request recertification no more often than every 30 days and only in connection with the absence by the employee, unless paragraphs 2 or 3 below apply.

(2) If the initial medical certification indicates that the minimum duration of the condition is more than 30 days, the District will wait until the minimum duration expires or 6 months, whichever is less, before requesting a recertification, unless paragraph 3 applies.

(3) The District may request recertification in less than 30 days if: (a) an employee requests an extension of leave; (b) circumstances described by the previous certification have changed significantly; or (c) the District receives information that cast doubt upon the employee’s stated reason for the absence or the continuing validity of the certification.

The employee must provide the requested recertification to the District within 15 calendar days, unless it is not practicable under the particular circumstances to do so despite the employee’s diligent good faith efforts. The District may ask for the same information as that permitted for the original certification. The employee has the same
obligations to participate and cooperate in the recertification process as in the initial certification process. Any recertification requested by the employer shall be at the employee’s expense, unless the District provides otherwise (e.g., District policy or collective bargaining agreement).

7. INTERMITTENT/REDUCED LEAVE SCHEDULE

A. If an employee requests intermittent leave or a reduced leave schedule, the District may require the employee to explain why the intermittent/reduced leave schedule is necessary. An employee must meet with the District and attempt to work out a leave schedule which meets the employee’s needs for leave without unduly disrupting the District’s operations.

The employee should meet with the District before treatment is scheduled. If the meeting takes place after treatment has been scheduled, then the District may, in certain instances, require an employee to attempt to reschedule treatment.

B. The District may assign an employee to an alternative position with equivalent pay and benefits, but not necessarily equivalent job duties, that better accommodates the employee’s intermittent or reduced leave schedule. The District may also transfer the employee to a part-time job with the same rate of pay and benefits. A “light-duty” assignment, however, will not be considered FMLA leave. Where benefits (e.g., vacation) are based on the number of hours worked, the employee will receive appropriate benefits based upon hours worked. When a transfer to a part-time position has been made to accommodate an intermittent or reduced-leave schedule, the District will continue group health
benefits on the same basis as provided for full-time employees until the 12 (or 26 weeks for the care of a covered service member) weeks of FMLA leave are used.

C. An intermittent and/or reduced leave schedule is available for an eligible employee to attend to a serious health condition requiring periodic treatment by a healthcare provider, or because the employee (or family member) is incapacitated due to a chronic serious health condition. An employee on pregnancy leave (unless a serious health condition is involved) or leave for care of an adopted, foster, or newborn child is not eligible for intermittent leave.

D. If an eligible instructional employee requests intermittent or a reduced leave schedule to care for a family member having a serious health condition, or for the employee’s own serious health condition, which is foreseeable based on planned medical treatment, and the instructional employee would be on leave for more than 20% of the total number of working days over the leave period, the District may require the instructional employee to choose either to:

(1) take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

(2) transfer temporarily to an available alternative position for which the instructional employee is qualified, which has equivalent pay and benefits and which better accommodates recurring leave periods than does the instructional employee’s regular assignment.

8. **BENEFITS**

A. During the period of an approved FMLA leave, the District will continue the employee’s health insurance premium uninterrupted. If the employee makes a
contribution toward coverage, then the employee must make arrangements to continue his or her contributions during the leave to continue the basic health insurance coverage at its existing level. An employee’s failure to pay his or her share of health insurance premium during FMLA leave may result in loss of coverage if the employee’s contribution is more than 30 days late. If the employee’s premiums are in arrears, then the District will provide the employee at least 15 days’ written notice that coverage will be dropped prior to cancelling coverage.

(1) Except as required under COBRA, the District’s obligation to maintain health benefit premium contributions for an employee on FMLA leave ceases when: (a) the employment relationship would have terminated, irrespective of the FMLA leave (e.g., reduction in force); (b) when the employee advises the District of his or her intent not to return from leave; or (c) when the FMLA leave expires and the employee has not returned from leave.

(2) Employee contributions will be required either through payroll deduction or by direct payment to the District. The employee will be advised in writing at the beginning of the leave as to the amount and method of payment. Employee contribution amounts are subject to any change in premium rates that occur while the employee is on leave.

(3) If the District remits any employee premium contributions in arrears from the employee while on FMLA leave, the employee will be required to reimburse the District for delinquent payments (through authorized payroll
deduction or otherwise) upon return from leave. If the employee fails to return from unpaid leave for reasons other than: (a) the continuation, recurrence, or onset of a serious health condition of the employee or a covered family member; or (b) circumstances beyond the employee’s control, then the District may seek reimbursement from the employee for the portion of the premiums paid by the District on behalf of that employee (also known as the “employer contribution”) during the leave period, excluding the period where the District or the employee has substituted paid leave for FMLA leave.

(4) An employee is not entitled to seniority or benefits accrual (e.g., holidays, vacations) during the unpaid leave, unless otherwise specified by the collective bargaining agreement or individual employment contract. An employee who takes FMLA leave will not lose any seniority or employment benefits that accrued before the date leave began.

B. Disability Plans and FMLA Leave.

(1) Workers’ Compensation Leave. If the employee has a work-related illness or injury that qualifies as a “serious health condition” under this policy, then leave from the job for which the employee receives workers’ compensation payments will be considered FMLA leave. The employer and employee may agree to have paid leave supplement worker’s compensation benefits, i.e., where worker’s disability compensation benefits provide replacement income for only a portion of the employee’s salary.
(2) **Disability Plan Leave.** The District may designate any employer-sponsored disability plan leave as FMLA leave.

9. **RETURN TO WORK**

A. Upon conclusion of FMLA leave, an employee will be returned to the same position the employee held when leave began or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided the position remains.

B. If an instructional employee (i.e., a person whose principle function is to teach and instruct students in a class, a small group, or an individual setting) begins FMLA leave more than 5 weeks before the end of a semester, the District may require that the leave be taken until the conclusion of the semester if the leave is to last at least 3 weeks and the instructional employee would return to work during the 3-week period before the conclusion of the semester.

If an instructional employee begins FMLA leave (other than for the instructional employee’s own serious health condition) during the 5-week period before the end of a semester, then the District may require that leave be taken until the end of the semester if the instructional employee would return to work during the 2-week period immediately before the end of the semester and if the leave period is to last more than 2 weeks.

If an instructional employee begins FMLA leave (other than for the instructional employee’s own serious health condition) during the 3-week period before the end of a semester and the leave will last more than 5 working days,
then the District may require the instructional employee to take leave until the end of the semester.

C. *Fitness-for-Duty Certification.* An employee shall submit a written statement from a physician which addresses the employee’s ability to return to work and perform the essential functions of the position, consistent with District policy or collective bargaining agreement. In the case of intermittent or reduced schedule leave, where reasonable job safety concerns exist, the District may require the employee to provide a fitness-for-duty certification up to once every 30 days before he or she may return to work.

10. **KEY EMPLOYEES**

A. *Definition.* A “key” employee is an eligible salaried FMLA-eligible employee who is among the highest paid 10% of District employees.

B. *Job Restoration.* While the District will not deny FMLA leave to an eligible key employee, the District may deny job restoration to a key employee when the restoration to employment will cause the District substantial and grievous economic injury or substantial, long-term economic injury.

C. *Qualifications.* Each employee who is designated as a key employee will be notified of that fact when he/she requests FMLA leave or at the commencement of such leave, whichever occurs first; if the notice cannot be given then because of the need to determine whether the employee is a key employee, then the employee will be notified as soon thereafter as practical.

In any situation in which the District determines that it will deny restoration or employment to a key employee, the District will issue a hand-
delivered or certified letter to the key employee explaining the finding that the required injury to the District exists. Additionally, the District will inform the key employee of the potential consequences with respect to reinstatement and maintenance of health benefits should employment restoration be denied. When practical, the District will communicate this determination before the commencement of the FMLA leave; the key employee may then take FMLA leave or forego it. If the FMLA leave has already begun, then the key employee will be provided a reasonable time in which to return to work after being notified of the District’s intention.

D. **Timelines.** If a key employee does not return to work in response to the District’s notification of its decision to deny restoration of employment, then the District will continue to provide the key employee with health benefits (to the extent of the FMLA leave period) and the District will not seek to recover its cost of health benefit premiums. A key employee’s FMLA rights will continue until the employee gives notice that he/she no longer wishes to return to work or until the District denies reinstatement at the end of the leave. The key employee has the right, at the end of the FMLA leave, to request reinstatement and the District will reevaluate the extent of its injury due to the requested reinstatement based on the facts at that time. If the District again determines that the reinstatement will still cause the injury, then the key employee will be notified in writing by hand-delivered or certified letter of the denial of his/her reinstatement to employment. If the District finds that reinstatement will not result in the required injury, then the key employee will be granted reinstatement.
11. **FAILURE TO RETURN FROM LEAVE**

An employee’s failure to return to work upon expiration of FMLA leave will subject the employee to termination unless an extension is granted, as required by law or under a collective bargaining agreement. An employee who requests an extension of FMLA leave due to the continuation, recurrence, or onset of her or his own serious health condition – or of the serious health condition of the employee’s spouse, child, or parent – must submit a written request for an extension to the employee’s immediate supervisor. This written request should be made as soon as the employee realizes that she or he will not be able to return at the expiration of the leave period. Medical certification or recertification will be required to support any request for leave extension.

12. **EFFECT OF COLLECTIVE BARGAINING AGREEMENT(S)**

All provisions of this policy shall prevail except as modified by, or as may be inconsistent with, (i) any applicable collective bargaining agreement between the District and any labor organization having exclusive representation rights in a defined bargaining unit of District employees; and (ii) existing law. To the extent that this policy conflicts with the terms of a collective bargaining agreement(s), the agreement(s) shall prevail to the extent of such conflict or inconsistency where the contract provides greater rights to the employee than are otherwise secured through the FMLA.

13. **FORMS**

These forms, where applicable, must be filed with the District in accord with District policies and procedures:

A. **WH-380-E Certification of Health Care Provider for Employee’s Serious Health Condition.**
B. WH-380-F Certification of Health Care Provider for Family Member’s Serious Health Condition.

C. WH-381 Notice of Eligibility and Rights & Responsibilities.

D. WH-382 Designation Notice.

E. WH-384 Certification of Qualifying Exigency For Military Family Leave.

F. WH-385 Certification for Serious Injury or Illness of Covered.

G. Service Member For Military Family Leave.
The employment of professional staff shall be secured through written contracts according to their status. The Superintendent or designee is authorized to sign contracts, unless it violates the law, policies of the Board, or the provisions of an applicable collective bargaining agreement. All provisions of individual contracts shall comply with the negotiated master agreement.

Compensation and Benefits

Provisions of this section are generally covered in the negotiated master agreement and/or staff contract.

Approved:

LEGAL REF: MCL § 380.1231.
Hiring (Cf. 5020)

The Board has the legal responsibility of approving the staffing levels for all categories of District personnel. In addition, the Board is responsible for the formal approval of all teacher and administrative contracts. Once the Board – through the budget adoption process – has approved staffing levels, the Board delegates to the Superintendent or designee the authority to recruit, screen, select, and recommend the employment of all staff members to fill the positions approved in the budget, and to sign employment contracts on the Board’s behalf. In carrying out this responsibility, the Superintendent or designee shall involve appropriate administrative and/or non-certified staff members as needed and use special criteria developed by the Board and/or staff.

Recommendation

Unless the Board can establish that the Superintendent has violated law, the policies of the Board, or the provisions of an applicable collective bargaining agreement in the selection of candidates recommended for a contract, the Board should approve the Superintendent’s recommendations. Members of the Board should not involve themselves, either personally or as a collective body, in the recruitment, interviewing, or selection process for any position to be filled in the District other than the position of Superintendent. The Superintendent shall inform the Board of staffing recommendations.

New instructional and administrative staff being hired by the District shall be able to demonstrate expertise and experience in the use of contemporary technologies to aid in the process of instruction. Questions regarding the candidate’s ability to apply technologies to the teaching/learning/administrative process shall be included in all interviews of prospective candidates for teaching or administrative positions.
Approved:
All teachers during the first five full school years of employment shall be on probation, unless he or she has previously received tenure at another Michigan school district. Should the teacher have tenure at another Michigan school district, the teacher shall serve two full years as a probationary teacher. A teacher who has not previously received tenure in another Michigan school district may complete the probationary period in four full school years if he or she is rated “highly effective” on his or her three most recent annual year-end performance evaluations and has taught for at least four full school years.

During the probationary period, the Superintendent or designee will ensure that the teacher is provided with an individualized development plan (IDP) and given an annual year-end performance evaluation, as provided for under current law. Additional performance evaluations or classroom observations, in addition to those required under the Teachers’ Tenure Act, may be required as noted in the Board’s policy and procedure.

Tenure

Teachers attain continuing tenure, as a matter of law, after the satisfactory completion of their probationary period. Once tenure has been attained, the teacher shall remain on continuing tenure as provided for under current law.

The Board may recommend the discharge or demotion of a continuing tenure teacher only for a reason that is not arbitrary and capricious.

Continuing tenure will not be granted to any annual assignment of extra duty for extra pay.
Administrative Tenure

Administrators or teachers employed in assignments other than that of classroom teacher, shall be employed without continuing tenure in their other position, but will retain continuing tenure status in their teaching position.

Administration of Tenure

Provisions for evaluation of administrators and teachers are a priority of the Board. The Superintendent or designee is responsible for developing evaluation procedures that comply with existing law.

Approved:

LEGAL REF:  MCL § 38.71, et seq.
The District shall adopt and implement an evaluation system for teachers and administrators that complies with existing law. For all other employees, the District shall develop and implement evaluation procedures consistent with the negotiated agreement, the District’s evaluation policies, and other rules, regulations, and procedures of the District.

All evaluation instruments are on file in the central office.

Approved:

LEGAL REF:  MCL § 38.71, et seq.;
The Board has established the following qualifications in determining who shall be eligible to serve as master/mentor teachers in the District:

**Master Teacher:**

- Demonstrates excellence in teaching a specific content area of instruction;
- Has a minimum of five years teaching experience, and participates in professional learning to remain current and maintain a high level of expertise in the profession;
- Is an active and open listener, who is sensitive and responsive to the ideas of others;
- Is competent in communication skills and demonstrates successful, positive, and productive relationships with students, colleagues, parents, and the community;
- Demonstrates competency in creating a climate of high achievement for every student;
- Plans and executes instructional delivery using the teaching and learning cycle: Assessment Evaluation Planning Teaching (Learning);
- Uses data to plan instruction to meet the learning needs of every student; and
- Demonstrates attitude and behavior that are consistent with the District’s mission, vision, and beliefs.

**Mentor Teacher:**

- Exhibits the qualities of a Master Teacher;
- Is an active participant in the role of mentor for the duration of the probationary period of the new educator/mentee;
Facilitates regular, supportive reflective conversations around teaching and learning with the new educator/mentee;

Provides guidance in planning and executing instructional delivery using the teaching and learning cycle: Assessment Evaluation Planning Teaching (Learning); and

If possible, is a practitioner in the same certification or specialty area as the new educator/mentee and is also located in the same building.

Approved:

LEGAL REF: MCL § 380.1526.
The Board may discipline, dismiss, or demote, any probationary teacher, or approve the recommended dismissal of any tenured teacher or administrator, upon recommendation by the Superintendent in accordance with the Michigan Teachers’ Tenure Act and consistent with any legally binding employment contract.

The Superintendent shall make written recommendations to the Board: (i) concerning an employee on probation that in his/her judgment should be considered for dismissal; or (ii) to proceed on charges against any tenured teacher being considered for dismissal.

Any action for non-renewal of the Superintendent’s contract or the contract of any Assistant Superintendent, Principal, Assistant Principal, and other administrators who do not assume tenure in that position shall be under the provisions of law. (MCL 380.1229)

Approved:

LEGAL REF: MCL § 38.71, et seq.; MCL § 380.1229; MCL § 380.1230d.
This procedure does not apply to discrimination or harassment complaints, which are governed by Board Policy 8015. Other complaints about a member of the professional staff will be investigated fully and fairly, and the employee’s rights to due process shall be protected at all times under these rules, applicable law, or in compliance with appropriate collective bargaining agreements.

Whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it shall be referred to the administration for study and possible solution. The employee involved will be informed and shall be given every opportunity for explanation, comment, and presentation of the facts as the employee sees them.

The employee involved may request a closed session of the Board for a full study and decision by the Board. Statutory provisions for closed sessions of the Board shall be observed.

Generally, all parties involved, including the administration, will be asked to attend such a meeting to present additional facts and to clarify the issues.

The Board shall conduct such meetings in as fair and just a manner as possible. The Board may request a disinterested third party to act as moderator to help the Board reach a satisfactory solution.
5560  Resignation of Professional Staff

Teachers and administrators may resign by giving written notice to the Superintendent at least 60 days prior to September 1 of the ensuing school year, unless other arrangements are mutually agreed upon. The Superintendent or designee shall immediately accept the resignation, in writing, and shall, in the letter of acceptance, include a copy of the Michigan Teachers’ Tenure Act. Any teacher or administrator discontinuing his/her service in any other manner shall forfeit any rights to continuing tenure as a teacher previously acquired, and such action shall become part of the personnel record of said teacher or administrator.

In instances where a teacher or administrator wishes to leave on shorter notice, the Superintendent may permit an earlier release on condition that satisfactory arrangements can be made for replacement. The Superintendent’s decision in such matters shall be final.

Other employees may resign at any time, as conditioned by applicable collective bargaining agreements. “At will” employees may resign at any time.

Once a resignation is tendered to the Superintendent, and has been accepted in writing by the Superintendent, that resignation is final.

The Superintendent, at his/her option, may develop procedures for an “exit interview” of all employees who will not be returning to the District.

Approved:

LEGAL REF:  MCL § 38.71, et seq.
5640  Non-School Employment – Staff

Employees shall not be permitted to engage in outside employment that, by its nature or duration, will impair the effectiveness of their instructional service, adversely affect their professional status, reflects detrimentally on the District, raises a question of conflict of interest, or requires or implies the use of any District facilities or equipment. If an employee accepts outside employment, then the employee must immediately report his employment to the Human Resources Department.

Approved:
Teaching employees may be permitted by the Superintendent to perform technical or instructional services as consultants to other Districts, government agencies, or private industry.

All professional, technical, and administrative employees engaging in consulting work in the occupation that are employed by the District must provide written notice to the District. Employees shall not work in an area that will be considered as a conflict of interest.

Approved:
Requests for approval to serve as a consultant shall be submitted in writing to the Superintendent, who shall forward the same together with his/her recommendation to the Board for consideration.
5650 Tutoring for Pay

No teacher shall tutor his/her own students for pay. All tutoring arrangements made by a teacher for his/her own students must have supervisory approval, and written notice of such arrangements must be provided to the Superintendent.

Approved:
Substitute teachers shall be obtained – from the District designated vendor – to provide for a level of instruction commensurate with the regular teacher’s performance as nearly as practicable. All substitutes shall be duly certified or licensed as provided for under current State Department of Education rules.

Approved:

LEGAL REF:  MCL § 380.1236.
Each teacher shall make suitable arrangements for securing necessary substitutes in the building.

Whenever a teacher is to be absent from teaching duties, such teacher shall notify the Principal as early as possible or shall arrange to have some other responsible person notify the Principal as early as possible of the teacher’s inability to report for work. The length of the teacher’s absence shall be predetermined, if possible. In any event, upon returning to duty, the teacher shall notify the Principal in time to discontinue the service of the substitute.
An employee, in the performance of his/her duties, shall:

- Recognize basic dignities of all individuals with whom he/she interacts in the performance of his/her duties;
- Exercise due care to protect the mental and physical safety of students, colleagues, and subordinates for whom he/she is responsible;
- Be accountable for maintaining his/her integrity;
- Avoid accepting anything of substantial value offered by another which is known to be or which may appear to be for the purpose of influencing his/her judgment or performance of his/her duties;
- Accurately represent his/her qualifications; and
- Be responsible to present any subject matter in a fair and accurate manner.

Approved:
5710  Compensation Guides and Contracts- Non-Certified Staff

Definition

“Non-certified staff” is defined as all employees who are not required or expected to hold teacher certification or other professional licensure, nor required to complete the renewal hour requirements of State law for teachers or administrators. This classification shall include, by example, but not limitation: Teacher aides/assistants, secretarial and clerical staff, maintenance staff, security personnel, paraprofessionals, custodial staff, and information technology staff.

Pay Rates

Non-certified staff shall be paid according to pay rates established by the negotiated master contract and as the Board establishes.

No public funds will be spent by the Board in the form of wages or salary for any school employee to sponsor any religious activity. No public funds will be spent by the Board to pay any expenses of any student or school employee to attend any religious activity or conference.

Approved:
A job description for each classification of non-certified employees shall be developed by the District’s administration. The Superintendent may involve the noncertified employees in the development of job descriptions. Job descriptions shall not be included in these policies and rules, but will be filed and published in the appropriate handbook. Revisions to job descriptions shall be reviewed with affected employees prior to the implementation of those revisions. Each employee will be provided with a copy of his or her job description at the time of employment, transfer, promotion, or placement.

Approved:
The Superintendent or the Human Resources Department will recruit non-certified personnel to fill existing or proposed vacancies and recommend that the District hire the best-qualified person available.

In recruitment or filling vacancies, the Superintendent or the Human Resources Department shall comply with the provisions of any applicable negotiated master contract.

Approved:
5740  Non-Certified Positions

All non-certified positions in the District shall be established initially by the Board, unless required by statute.

Only the Board may abolish a position that it has created.

Approved:
5750  Part-Time and Substitute Non-Certified Staff

The Superintendent or designee is authorized to employ part-time and/or substitute non-certified personnel to the extent consistent with the current negotiated master contract(s).

The Superintendent or designee shall be responsible to establish procedures for arranging substitutes in case of non-certified staff absences.

Approved:
5780 Non-Certified Staff Probation

All non-certified staff shall be considered to be on probation during the first 90 calendar days of employment or as otherwise provided in a contract or negotiated master work agreement. The Superintendent or designee shall provide for appropriate supervision and evaluation of the employee prior to the end of said period. If a person other than the Superintendent performs the evaluation, then that person shall make a recommendation to the Superintendent as to the continued employment of the probationary staff member.

Approved:
5790 Supervision of Non-Certified Staff

The Superintendent or designee has the responsibility to arrange for the supervision of all non-certified employees not directly under the supervision of a building Principal. A building Principal has the responsibility to supervise all non-certified employees who are assigned to the building, as provided within the context of 5725.

Approved:
5800 Evaluation of Non-Certified Staff

Evaluation shall be based on the achievement of results specified in the employee’s position description and on specific goals and objectives.

Employees shall be evaluated during the probationary period, unless otherwise stated in a negotiated master agreement or work agreement, with a report submitted to the Superintendent or designee prior to the end of the probationary period with a recommendation as to continued employment.

The process of evaluation shall be developed cooperatively by the administrative staff and each of the support staff employee groups. The evaluation process shall comply in all respects with provisions in the negotiated master contracts applicable to each employee group.

Approved:
5830  Suspension and Dismissal of Non-Certified Staff

The Superintendent may suspend, discipline, or dismiss non-certified staff only for a reason that is not arbitrary or capricious unless otherwise stated in an employment contract or collective bargaining agreement. The Superintendent shall adhere to any relevant provisions contained in the negotiated master contract with the employee’s collective bargaining unit.

The Superintendent is authorized to suspend non-certified staff with or without pay.

At-Will Employees

Non-certified employees who are not part of a recognized bargaining unit may be terminated at any time upon written notice from the Superintendent or designee. The written notice may state the reason(s) for the termination at the option of the Superintendent.

Approved:
Any non-certified staff member desiring to resign from his/her position with the District shall submit a written resignation to the Superintendent or designee at least ten working days prior to the effective date of the resignation. Unless otherwise agreed to by the Superintendent, failure to give at least ten working days’ notice will, to the extent authorized by law, void any potential benefits that might accrue to the employee following separation from the District, unless otherwise stated in the collective bargaining agreement.

The Superintendent or designee is authorized to accept resignations of noncertified personnel on behalf of the Board and they become final upon his/her acceptance.

The Superintendent shall inform the Board of any resignations.

Approved:
5860 Reduction of Non-Certified Staff

When reduction in staff is necessary – and when reduction is not covered in binding contracts – the Superintendent or designee shall make recommendations for reduction, which in his or her judgment will be beneficial to the District.

Approved:
In making program and staffing decisions, the Board of Education shall retain the most effective teachers who are certified and qualified to instruct the courses within the established curriculum, academic levels and departments. The Board of Education shall determine the size of the teaching staff in response to curricular, fiscal, and other operating conditions and retains the exclusive right to do so. To the extent that such determinations involve the requirements of Section 1248 of the Revised School Code, MCL 380.1248, this policy shall guide the implementation of that statute.

To the extent that such determinations involve the adoption and implementation of a reform plan under Section 1280c of the Revised School Code (Priority Schools), MCL 380.1280c, and corresponding regulations and guidance, this policy and Battle Creek Public Schools’ redesign plan shall control.

A. General Provisions

1. This policy applies to “teachers”, which term refers to those Battle Creek Public Schools employees whose employment is regulated by the Teachers’ Tenure Act, MCL 38.71, et seq.

2. The Superintendent shall be responsible, acting within budgetary approval and consistent with any applicable school redesign plan approved by the Michigan Department of Education, for establishing the number and type of teaching assignments to implement the approved curriculum. If the Superintendent determines that insufficient funds are budgeted for the existing complement of faculty or that a reduction in teaching staff is necessary due to programmatic or curricular considerations (including, but not limited to, implementation of a school redesign plan).
plan), he/she shall recommend to the Board the number of teaching positions and the academic levels or departments to be reduced.

3. Similarly, if after a reduction of teachers, the Superintendent determines that Battle Creek Public Schools’ programs and curriculum cannot be delivered through the existing complement of faculty and that sufficient funds are budgeted to support an increase in the number of teachers, he/she shall recommend to the Board the number of teachers to be added and the affected academic level(s) or department(s). If a school is operating under a redesign plan which authorizes a reduction in existing staff, recall of teachers is contingent upon compliance with the redesign plan.

4. Decisions involving the reduction and recall of teachers shall be guided by the following:

a. Retaining the most effective teachers who are certified (or otherwise approved or authorized) and qualified to instruct the courses within the established curriculum, academic level(s), and department(s).

   i. This Policy shall not require retention or recall of a probationary or tenured teacher whose most recent performance evaluation contains an overall rating of “ineffective” or “minimally effective” in preference to any probationary or tenured teacher rated either “effective” or “highly effective”, as reflected in that teacher’s most recent performance evaluation.

   ii. A probationary teacher who is rated as “effective” or “highly effective” on his/her most recent annual year-end performance evaluation is not subject to being displaced under this policy by a tenured teacher solely because the other
teacher has attained tenure under the Teachers’ Tenure Act, MCL 38.71, et seq.

b. All teachers must be properly certified, approved, or authorized for all aspects of their assignments. The certification, authorization, or approval status of a teacher shall be:

i. Determined by applicable statutes and regulatory authority, including, but not limited to, the Revised School Code, the Teacher Certification Code, and the Michigan Department of Education’s Rules for Special Education Programs and Services; and

ii. Based upon documentation on file with the Superintendent’s office. A teacher shall maintain current and valid certification, approval or authorization, as applicable, and shall be responsible for filing a copy of his/her teaching certificate, approval, or authorization with the Superintendent’s office in compliance with Section 1532 of the Revised School Code, MCL 380.1532. If a teacher petitions for nullification of his/her teaching certificate or any endorsement, he/she shall promptly provide written notice of that petition to the Superintendent’s office.

c. All teachers must be qualified for all aspects of their assignments, as determined by the Board based upon documentation on file with the Superintendent’s office and considering:

i. Compliance with applicable state or federal regulatory standards, including, but not limited to, those standards established as a condition to receipt of foundation, grant, or categorical funding;
ii. Compliance with applicable accreditation requirements;

iii. Professional training and academic preparation for an instructional assignment that are anticipated to contribute to the teacher’s effectiveness in that assignment;

iv. Formal or specialized training in the subject area(s) or grade level(s);

v. Completed college and continuing education courses and professional development in the instructional subject area(s);

vi. Prior teaching experience that is relevant to an instructional assignment and that is anticipated to contribute to the teacher’s effectiveness in that assignment. This may include, but is not limited to, consideration of the following factors:

i. the building and department, academic level and grade level;

ii. instructional subjects;

iii. recency of relevant and comparable teaching assignments; and

iv. previous effectiveness ratings;

d. All teachers shall supply to Battle Creek Public Schools current information and documentation supporting the teacher’s qualifications, as provided above. Reduction and recall decisions shall be based on the teacher’s certification and qualifications, as reflected in Battle Creek Public Schools’ records, at the time that such decisions are made. It is the laid-off teacher’s responsibility to maintain current contact information (address, phone and e-mail address) in the Superintendent’s office. Failure to maintain current contact information may negatively impact the recall of an eligible teacher under this policy;
e. All teacher reductions and recalls are subject to formal action and approval by the Board of Education;

f. The Superintendent shall provide written notice of Board-approved layoff or recall decisions to each affected teacher; and

g. A teacher’s length of service with Battle Creek Public Schools or the teacher’s attainment of tenure under the Teachers’ Tenure Act shall not be the primary or determining factor in layoff and recall decisions.

h. If the layoff or recall decision involves two or more teachers and each has the same year-end evaluation scores used to determine each teacher’s effectiveness rating under the performance evaluation system adopted by the Board to implement Section 1249 of the Revised School Code, the teacher with the higher score reflected in the Domain 3 - Instruction portion of the evaluation will have preference in the process of reduction or recall, as is applicable. If this score is also tied, seniority will determine preference for reduction and recall.
B. **Reduction in Staff Process:**

All teacher layoff decisions shall be implemented by the following process:

1. If one or more teaching positions are to be reduced, the Superintendent shall 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 for layoff shall be based upon the year-end evaluation score used to determine each teacher’s effectiveness rating under the performance evaluation system adopted by the Board to implement Section 1249 of the Revised School Code.

2. Teachers within the affected academic level(s) or department(s), who are certified and qualified for the remaining positions and who have the highest effectiveness scores will be retained and the teachers within the affected academic level(s) or department(s) who have the lowest effectiveness scores will be laid-off.

3. When a teaching position has been identified for reduction and there exists a concurrently vacant teaching position for which the incumbent teacher in the position to be reduced is both certified and qualified, and if that teacher has received an overall rating of at least “effective” on his/her most recent year-end performance evaluation, that teacher may be assigned to the vacant position unless the Superintendent determines that the educational interests of Battle Creek Public Schools would not be furthered by that assignment.

4. If more than one teacher whose position has been identified for reduction is certified and qualified for a concurrently vacant teaching assignment, the teacher with the
highest year-end evaluation score used to determine the teacher’s effectiveness rating under the performance evaluation system adopted by the Board to implement Section 1249 of the Revised School Code shall be afforded priority for the assignment unless the Superintendent determines that the educational interests of Battle Creek Public Schools would not be furthered by that assignment.

C. **Recall Process**

1. A teacher is eligible for recall under this Policy for not less than 24 months following the month in which the layoff becomes effective.

2. The Superintendent shall first identify the academic level(s) or department(s) where a teaching vacancy exists.

3. Before or in lieu of initiating the recall of a laid-off teacher, the Superintendent may reassign on-staff teachers to fill vacancies in accordance with Battle Creek Public Schools Policy 5862/Teacher Placement.

4. After or in lieu of any reassignment of existing teaching staff, the Superintendent may take the following actions to fill a vacancy:
   a. Recall the laid-off teacher with the highest effectiveness score on his/her most recent year-end evaluation under the performance evaluation system adopted by the Board to implement Section 1249 of the Revised School Code and who is certified and qualified for the vacancy.
   b. Post the vacancy and consider all applicants if the Superintendent determines (i) that Battle Creek Public Schools’ educational interests would not be furthered by recalling the laid-off teacher with the highest effectiveness score on his/her most
recent year-end evaluation; or (ii) that no teacher on layoff meets the certification
and qualification requirements for the position as otherwise stated herein.

5. Battle Creek Public Schools will provide written notice of the Board’s recall decision
to any recalled teachers and establish the time within which the teacher must accept
recall, in writing, in order to preserve the teacher’s employment rights.

6. A 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, shall forfeit all
rights to recall and continued employment unless the Superintendent, in his/her sole
discretion, has extended the time limitation, in writing.

Approved:

LEGAL REF:  MCL 38.71, et seq; MCL 380.11a (K-12); MCL 380.601a (ISD); MCL 380.1248;
MCL 380.1249; MCL 380.1280c; MCL 380.1532; MCL 423.215.
The Board considers the appropriate placement of effective teachers as an essential ingredient in promoting student academic growth, attaining successful educational outcomes for students, and providing quality educational services. For purposes of this policy, the term “teacher” shall refer to those employees of the District whose employment is regulated by the Teachers’ Tenure Act, MCL § 38.71, *et seq.* The term “placement” shall include decisions involving the assignment and transfer of teachers as well as decisions involving the filling of vacant teaching positions with on staff teachers. Those placement decisions are delegated to the Superintendent. Placement does not include staffing decisions made in the context of recall of a teacher from layoff, which are governed by District Policy 5861. Placement also excludes decisions to initially hire, dismiss, or non-renew a teacher, which are reserved to the Board and are not delegated under this Policy. Teacher placement decisions shall be guided by the following standards:

1. These decisions will be premised on staffing the established curriculum with the most effective teachers who are certified and qualified to instruct the courses within the established curriculum, grades, and departments.

2. All teachers must be properly certified (or otherwise approved or authorized) for all aspects of their assignment. The certification (or authorization/approval status, as applicable) of a teacher shall be determined by provisions of the Revised School Code, the Teacher Certification Code, the Michigan Department of Education’s Rules for Special Education Programs and Services, and other applicable statutes and regulatory authority.
3. Teacher placement decisions shall be made on the basis of a teacher’s qualifications, which shall be determined by the following standards:
   a. Compliance with applicable state or federal regulatory standards, including, but not limited to, those standards established as a condition to receipt of foundation, grant, or categorical funding.
   b. Compliance with applicable accreditation requirements.
   c. Assessment of the extent of a teacher’s professional training and academic preparations are relevant to an instructional assignment and are predictive of the teacher’s effectiveness in that assignment.
   d. Assessment of the extent to which a teacher’s prior teaching experience is relevant to an instructional assignment and is predictive of the teacher’s effectiveness in that assignment.

4. Teacher placement decisions shall be made on the basis of teacher effectiveness – in addition to certification and qualifications. Effectiveness is determined through the teacher effectiveness criteria established in Section 1248 of the Revised School Code and as articulated in District Policy 5861/ Reduction and Recall of Teachers.

Approved:

LEGAL REF:  MCL § 380.11a (K-12), MCL § 380.601a (ISD), MCL § 380.1233, MCL § 423.215, MCL § 388.1763, MCL § 38.71, et seq.
Teacher Discipline

The Board believes that maintaining appropriate procedures and standards for addressing teacher misconduct and other inappropriate behavior is a critical ingredient in furthering an effective educational environment and in providing quality educational services necessary for the attainment of successful educational outcomes for students. This policy is intended to provide standards and procedures by which administrative personnel shall make determinations as to whether teacher discipline is warranted and, if so, in arriving at an appropriate disciplinary response.

Although discipline is corrective, other significant purposes of discipline are to promote accountability of teachers to maintain proper conduct, provide notice to teachers of behavioral expectations, and inform teachers of the consequences of any future disciplinary infractions, offenses, or other misconduct.

For purposes of this policy, the term “teacher” shall refer to those employees of the District whose employment is regulated by the Teachers’ Tenure Act, MCL § 38.71, et seq.

Discharge, demotion, or other discipline of teachers under this policy shall be made only for a reason(s) that is not arbitrary or capricious. This standard signifies that a disciplinary decision must be supported by results of a disciplinary investigation and that any resulting disciplinary action must have a rational relationship to the teacher’s conduct which forms the basis for a disciplinary decision.

Before imposing any disciplinary measure under this policy, the administrator shall investigate whether a teacher has engaged in an offense, infraction, or other misconduct which could result in a disciplinary consequence. An administrator shall investigate the alleged violation before imposing a disciplinary measure upon the teacher.
The investigation should include discussions with any witnesses to the event(s) upon which possible teacher discipline is premised, including witnesses or other sources suggested by the teacher being investigated. The teacher who is the subject of the disciplinary allegation shall be provided with an opportunity to respond to those allegations as part of the investigation process.

The following procedures shall be used for disciplinary actions up to and including a recommendation for discharge:

1. Oral or written notice will be given by the administration to the teacher of the incident, complaint, or charge that forms the basis for the investigation and potential disciplinary action.

2. If the complaint alleges child abuse or neglect, the matter shall be reported to Child Protective Services consistent with Policy Number 8580 and state law.

3. The teacher will be given notice of the time, date, and location of a meeting to provide the teacher with an opportunity to respond to the disciplinary incident, complaint, or charge. This opportunity to respond shall include the right of the teacher to dispute the factual basis of the incident, complaint, or charge, as well as the nature of any contemplated disciplinary action in the event that the disciplinary incident, complaint, or charge is factually substantiated.

4. A teacher represented by an exclusive bargaining agent under the Public Employment Relations Act shall, upon request, be entitled to union representation at any investigative meeting which the teacher reasonably believes could ultimately result in disciplinary action. Alternatively, a teacher shall, upon his/her request, be entitled to have another member of their bargaining unit accompany him/her to any investigative meeting which the teacher under investigation is required to attend when that teacher reasonably believes...
that the investigation may ultimately result in his/her discipline. The obtaining of a representative shall not unreasonably delay an investigative meeting.

5. The Superintendent (or designee) is authorized to place a teacher on administrative leave, with pay, pending the completion of a disciplinary investigation of the alleged or suspected offense, infraction, or misconduct. This authority can be exercised in those circumstances when, in the judgment of the Superintendent (or designee), the nature of the charges, the behavior or record of the teacher, or other circumstances make it inadvisable for the teacher to remain at work while the investigation is ongoing. Placement on administrative leave under this provision is not regarded as, in itself, a disciplinary measure or penalty.

6. If criminal charges are filed against a teacher before or during the pendency of a disciplinary investigation, then a probationary teacher may be placed on unpaid leave during the pendency of the investigation after notice and an opportunity to be heard. Under these circumstances, a tenured teacher’s salary shall not be discontinued other than through observance of the pertinent standards and procedures specified in the Teachers’ Tenure Act. The District need not delay the institution of tenure charges or other disciplinary action against a teacher during the pendency of any criminal charges against the teacher.

7. If an investigation of teacher conduct supports a determination that the teacher has engaged in an offense, infraction, misconduct, or other behavior warranting disciplinary action, then the administrative decision as to the level of discipline shall be guided by the following standards:

a. The seriousness of the offense, infraction, or misconduct;

b. The teacher’s prior disciplinary and employment record;
c. How teachers within the District engaging in similar or like offenses, infractions, or misconduct have been disciplined in past comparable circumstances involving similarly situated teachers provided the current expectations, policies, rules and laws are similar; and

d. The existence of aggravating or mitigating factors.

8. Disciplinary measures include but are not limited to: verbal reprimand, written reprimand, paid or unpaid suspension, and discharge. Nothing in this policy or the identification of these levels of discipline requires that the above disciplinary measures be applied progressively or sequentially. The Board reserves the right to apply the disciplinary sanction it determines to be appropriate to a specific set of circumstances.

9. When disciplinary action is taken against a teacher it shall be confirmed in writing. The document confirming the discipline will be provided to the teacher and placed in the teacher’s personnel file.

10. The Superintendent (or designee) is delegated the authority under this policy to impose all teacher discipline with the exception of:

a. The discharge of either a probationary or tenured teacher;

b. The non-renewal of a probationary teacher; and

c. The demotion of a tenured teacher, as defined in the Teachers’ Tenure Act.

Each of the above disciplinary actions may only be imposed by this Board upon written recommendation of the Superintendent and upon adherence to any applicable procedures set forth in the Teachers’ Tenure Act.

Approved:

LEGAL REF: MCL § 380.11a, MCL § 423.215, MCL § 38.71, et seq.
5935 Military Leave

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Superintendent or designee shall grant military leave to employees for voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees as required by law and/or collective bargaining agreements. A service member who returns to the District for work following a period of active military duty must be reinstated to the same or similar position and at the same rate of pay, unless otherwise provided by law.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or District service, unless otherwise provided in a collective bargaining agreement.

The District will not discriminate in hiring, reemployment, promotion, or benefits based upon membership or service in the uniformed services. The Superintendent or designee may enact rules to implement this policy.

Approved:

6000—NEGOTIATIONS

(This section on negotiations is confined to professional employees negotiating under the Public Employment Relations Act, MCL 423.201 et seq.)

6001  Goals and Objectives
6050  Recognition of Bargaining Units
6100  Board Negotiating Agents
6150  Superintendent’s Role in Negotiations
6200  Confidentiality of Negotiations Information
6400  Contract Ratification
6001 Goals and Objectives

The Board recognizes its legal obligation to negotiate wages, hours, and terms and conditions of employment with duly and legally recognized employee groups. It is the intent of the Board and its authorized representatives to adhere to the confines of the law and to discharge its obligations in an orderly and positive manner within the restrictions of the Public Employment Relations Act.

It is the intent of the Board to participate in the negotiations process in order to maintain the primary function of the District, which is the education of students.

Approved: April 17, 2017
LEGAL REF: MCL 423.201
6050  Recognition of Bargaining Units

The Board shall not recognize by stipulation any bargaining unit within the District. All units desiring recognition by the Board shall do so through an election conducted by the Michigan Employment Relations Commission as provided by statute.

The following bargaining units have been recognized by the Board:

• Battle Creek Educational Support Personnel Association
• Battle Creek Educational Secretaries Association
• Battle Creek Paraprofessional Association
• Battle Creek Education Association

Approved:  April 17, 2017
LEGAL REF: MCL 423.212-214
The Board shall appoint a member of the staff, or the Superintendent, or an outside consultant or attorney, to serve as chief negotiator in its negotiations with each employee group recognized under the Public Employment Relations Act.

The Board shall appoint other member(s) of the administrative staff to each negotiating team to assist and counsel the chief negotiator.

The appointed chief negotiator shall be fully empowered to reach a tentative agreement on collective bargaining agreements on behalf of the Board within the parameters established by the Board.

Approved: April 17, 2017
The Superintendent may serve as the chief negotiator for the Board at the discretion of the Board. If the Superintendent is not serving as the chief negotiator, he/she may serve as a negotiating team member or as a consultant to the negotiating team.

The Superintendent shall serve as the liaison between the Board and the bargaining team and shall be responsible to keep the Board informed on the progress of negotiations.

The Superintendent shall arrange for the chief negotiator, if other than him/herself, to meet with the Board to develop negotiation goals and objectives, establish parameters and provide periodic updates on the progress of negotiations.

The chief negotiator shall be expected to maintain close communication with the Superintendent on the status of negotiations including proposals discussed or offered at the bargaining table.

Approved: April 17, 2017
6200  Confidentiality of Negotiations Information

Board members and administrators are to keep information regarding the progress, status, or issues involved in negotiations confidential. Unless otherwise determined by the Board, only the Superintendent is authorized to release negotiations information.

Board members violating this policy are subject to discipline by the Board that may include removal from a Board officer role, removal from committee assignments, and/or public censure.

Administrative staff members violating this policy are subject to discipline as determined by the Superintendent with notification to the Board.

Approved:  April 17, 2017
6400  Contract Ratification

Before the ratification of any negotiated master contract, the Superintendent shall conduct or direct a thorough proofreading of all substantive changes to the master contract.

The Superintendent shall forward the final draft of any substantive changes to the negotiated master contract, along with a front “summary sheet” outlining those contract articles that have been substantively changed, to the Board prior to the Board’s scheduled ratification meeting. Unless noted on the list of changes to the master agreement, or the summary sheet, the Board shall assume that other sections of the master contract remain unchanged, with the possible exception of non-substantive, minor spelling, grammatical, punctuation, or format corrections.

Approved:  April 17, 2017
7000—INSTRUCTIONAL PROGRAM

7050  Curriculum Development
  Technology
  Resources
  Distance Learning
  Personnel (Cf. 2560, 1220)
  Financial (Cf. 3200)
  Planning
  Research
  Pilot Projects
  Pilot Project Evaluation
  Federal Compliance
  Curriculum Adoption

7050-R Curriculum Development
  Personnel (Cf. 2560, 1220)
  Research
  Pilot Projects
  Pilot Project Evaluation
  Curriculum Adoption

7052  Multicultural Education

7052-R Multicultural Education

7053  Environmental Education

7055  Comprehensive School Health Education

7057  Quality Character Education

7060  Curriculum Guides and Course Outlines

7060-R Curriculum Guides and Course Outlines

7110  Core Curriculum
  Elementary Program
  Core Curriculum
  Supplemental Curriculum
  Delivery of Curriculum
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7050 - Curriculum Development

The Board, believing that “student academic achievement” is the number one priority and purpose of the District, hereby adopts this policy.

The administration, with the cooperation of certified staff, shall develop a comprehensive curriculum Pre K-12 which is based on valid educational research and which encompasses a philosophy of education compatible with the needs of the student, the resources of the District, and the legal standards for the State of Michigan.

The administration shall evaluate the District’s curriculum in view of the Board’s goals and objectives as outlined in the District improvement plan. The findings, conclusions, and recommendations of the staff shall be transmitted to the Board.

Technology

The Board supports the use of computers and related technology to enhance classroom instruction. The use of computers and related technology should significantly increase the opportunity for the expansion of student reasoning and thinking ability, the improvement of the management and delivery of instruction to all students and other uses in support of the Board approved curriculum.

Distance Learning

The administration is encouraged to explore the possibilities of various “distance learning” instructional tools to enhance the curricular offerings of the District including, but not limited to: teleconferencing, web-based instruction, satellite transmissions, and interactive CD-ROM’s. Any such distance learning efforts will be appropriately piloted before being incorporated into the curriculum on a regular basis. All distance learning efforts will comply

Personnel (Cf. 2560, 1220)

The Board requires the use of District personnel in working with the Board curriculum committee and outside resources as necessary in the development of comprehensive curriculum and related materials.

Financial (Cf. 3200)

The Board encourages the Superintendent to investigate, continuously, the availability of other-than-District funds to defray expenses incurred in the development of a District-wide curriculum.

Planning

The Board advocates a policy of continuous curriculum study. The Superintendent is encouraged to use resource personnel in a manner consistent with Board policies. The Superintendent is also encouraged to solicit input and feedback from District patrons and students in a manner consistent with these policies.

The Superintendent shall have the responsibility to organize the certified staff in appropriate committees to plan, study, modify, change, or develop a District-wide curriculum.

Research

The administration shall develop a research and evaluation program, which will provide the Board with data to be used in the development of curriculum areas. Administration is encouraged to use research findings of other agencies, departments, colleges, and universities.
Pilot Projects

The use of pilot projects is encouraged by the Board before District-wide implementation of any curriculum area is initiated. Pilot projects shall be reviewed by the Board curriculum committee prior to going to the entire Board.

All instructional material, including teacher’s manuals, electronic/digitized media, or other supplementary instructional material which will be used in connection with any research or experimentation program or project, shall be available for inspection, at a reasonable time and place, by the parent(s)/guardian(s) of the student engaged in such program or project. For the purpose of this policy, research or experimentation program or project means any program or project in any applicable program designed to explore or develop new unproved teaching methods or techniques.

Notwithstanding anything to the contrary, the administration can take whatever measures are required to ensure the integrity and validity of tests given under the pilot program.

Pilot Project Evaluation

Before any pilot project proposal is submitted to the Board for approval, an evaluation format shall be developed and included with the pilot project. (Cf. 8940, et seq.)

Federal Compliance

To comply with the provisions of the Every Student Succeeds Act, the Superintendent will, in writing, inform the professional staff of the federal requirements concerning sex education and the prohibitions and restrictions concerning distribution of contraceptives or materials that encourage sexual activities. The District will comply with federal and state guidelines concerning age appropriate sex education.
The Superintendent will ensure that any programs for limited-English proficient (LEP) students have a primary goal of mainstreaming those students into the regular classrooms, and that those programs emphasize English language instruction.

**Curriculum Adoption**

No course of study shall be eliminated or new course added without approval of the Board, nor shall any basic alteration or reduction of a course of study be made without such approval.

Approved: June 19, 2017  
LEGAL REF: 20 USC 7906 (ESSA); MCL 380.1282
The administration shall seek out available resources for use by the certified staff in the development of District-wide curriculum, in accordance with these rules and Board policy.

Personnel (Cf. 2560, 1220)

The Superintendent or designee shall submit to the Board the proper budget requests for payment of fees and honorariums for the use of resource personnel at a reasonable time before the services of such personnel are used by the District.

Research

The Superintendent may budget for educational research and evaluation programs, accelerate implementation of such programs, encourage evaluation of technological advances in education, support the use of tools or techniques to enhance the teacher’s effectiveness or productivity, and develop a reasonably detailed budgeting system that includes periodic reviews designed to assist the Board in policy planning and general oversight of the operation of the curriculum in the District.

Pilot Projects

The Superintendent is encouraged to investigate the availability of outside funds to be used in financing any pilot project in the District.

Where feasible, and prior to the full-scale adoption of such programs, innovative instructional programs may undergo pilot testing so that it may be understood how they may function fully. Programs approved for pilot testing by the Board may:

1. Be planned to extend over a specific period of time, after which the extension or continuation of the program shall take positive Board action;
2. Include a detailed description of the evaluative procedures to be used in order to determine the effectiveness and/or success of the program;

3. Provide for an updating procedure to keep the Board informed of its progress; and

4. Provide for a plan of public information in order that the public may be aware of the program, its purpose, and its progress.

Pilot Project Evaluation

The administration will develop evaluation instruments to be used in any pilot project. Such instruments may include, but shall not be limited to, the following areas: type and form of data to be gathered; personnel to be used in the project; anticipated costs of the project; anticipated input in terms of hardware and software; anticipated outcomes in terms of student productivity, student achievement, teacher utilization, teacher productivity, building use, and non-certified staff use; and standard tests to be administered, if any.

Curriculum Adoption

The administration shall submit plans for changes in the curriculum to an appropriate Board committee for study, and any recommendations of said committee shall be presented to the Board for action.
7052 - Multicultural Education

The District’s learning environment shall reflect diverse cultural traditions and contributions so that students may develop a broader knowledge base and have a sense of respect for and tolerance of culturally diverse peoples, their customs, and historic legacy.

The Superintendent shall:

(a) Develop a process to include a multicultural perspective into standard curriculum development for all subject areas;

(b) Develop procedures and guidelines for textbook selection that include multicultural evaluation criteria;

(c) Whenever possible, develop supplementary and/or text material when commercially available material fails to meet District guidelines for comprehensive and accurate instructional material;

(d) Provide training and in-service to expand the knowledge and background of administrative and teaching staff in the use of materials which contain a multicultural perspective;

(e) Provide administrative guidelines to direct the development of a multicultural perspective, monitor student and staff involvement in the process, and assess the results in terms of in-service and materials developed and selected.

Approved: June 19, 2017
The prime responsibility for ensuring multicultural experiences within each school rests with the building Principal who will set the tone for acceptance of diverse populations as well as monitor the presentations of teachers and their classroom settings as they relate to multicultural issues. The Principal will further serve as a contact for providing resource persons and materials to the teaching staff.

Multicultural activities should be taught in an interdisciplinary manner, incorporating the activities into existing curricular activities. Classroom activities and displays of instructional materials should represent groups that exist in the classroom as well as groups not represented within the classroom.
7053 - Environmental Education

Environmental and ecological principles will be taught as an integral part of the course of studies at the elementary level and as special instructional units or separate subjects at the middle school/junior high and secondary levels. Instruction should be aimed at the development of knowledge of human interrelationships with the environment.

Approved: June 19, 2017
7055 - Comprehensive School Health Education

The Board understands that a comprehensive school health education is a priority of the state and a critical component of a coordinated school health program. As recommended by the State Board of Education, the Board hereby adopts this policy.¹⁹

The administration, with the cooperation of the certified staff, shall develop a Comprehensive School Health Education Program based on the nationally recognized Michigan Model for Comprehensive School Health Education and the Michigan Board of Education “Policy on Comprehensive School Health Education,” as adopted June 8, 2004.

Approved: June 19, 2017

¹⁹ Michigan State Board of Education Policy on Comprehensive School Health Education: “The Board recommends that each school district adopt, implement, and evaluate a research-based, theory-driven comprehensive health education program, such as the nationally recognized Michigan Model for Comprehensive School Health Education.”
7057 - Quality Character Education

The Board understands that a quality character education is a priority of the state and a critical component of the coordinated school health program. The Board hereby adopts this policy.

The administration, with the cooperation of the certified staff, shall develop a Quality Character Education Program that follows such programs as the Michigan Model for Comprehensive School Health Education.

In addition, the Quality Character Education Program of the District shall include and embrace the principles set forth in the Michigan State Board of Education Policy on Quality Character Education as adopted and recommended June 8, 2004.

Approved: June 19, 2017
7060 - Curriculum Guides and Course Outlines

The Board approves the curriculum, which is designed to accomplish the mission and goals of the District. Every course shall have a written curriculum guide or course outline based upon the mission and goals.

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LEGAL REF: MCL 380.1282
Curriculum guides and course outlines shall be based on the following criteria:

1. A challenging academic program shall be provided for all students;
2. Courses of study shall be articulated from pre-kindergarten through twelfth grade;
3. Minimum objectives shall be identified for each course and subject, and at the elementary level shall be identified by grade level;
4. Enrichment and supplemental objectives appropriate for all students shall be identified for each course and subject; and
5. Procedures and materials for evaluating the attainment of learning objectives shall be provided.

The administration shall monitor the use and effectiveness of the District’s curriculum and recommend to the Board necessary revisions and modifications.
7110 - Core Curriculum

The Board shall establish and periodically reconsider the core curriculum or basic program for the District. Handbooks outlining any course offered in the District should be approved by the Superintendent, and shared with the Board, in advance of the school year in which the courses are to become operative.

Elementary Program

The District’s elementary grades are established as grades K-5.

Core Curriculum

Every elementary school, including magnet schools within the District, shall teach the core curriculum.

Supplemental Curriculum

The Board shall supplement the elementary core curriculum by providing instruction in supplemental areas as the financial resources of the District permit.

Delivery of Curriculum

The Board shall provide for the delivery of the core curriculum and supplemental program by the following mechanism(s): through collaboration with Calhoun Intermediate School District.

Student Goals

The Board has identified goals for the District’s elementary students. These goals are compatible with the District’s mission, the Board’s goals, and established performance objectives.

The student goals are as follows:

- The ability to read, write, communicate, and reason within the curriculum.
• Positive self-esteem through emotional, social, intellectual, and physical wellbeing.
• Respect, courtesy, tolerance, and concern for others.
• Problem-solving and decision-making skills in diverse situations.
• Self-motivated learning for successful living in a global society.

Middle/Junior High School

The District’s middle/junior high school grades are established as grades 6-8.

Core Curriculum

The core curriculum in the District’s middle/junior high school(s) and/or magnet school(s) is comprised of the following subject areas:

• Mathematics.
• English Language Arts.
• Science.
• Social Studies.

Supplemental Curriculum

The Board shall supplement the middle/junior high school core curriculum by providing instruction in supplemental areas as the financial resources of the District permit.

Delivery of Curriculum

The Board shall provide for the delivery of the core curriculum and supplemental program by the following mechanism(s): through collaboration with Calhoun Intermediate School District.
Student Goals

The Board has identified student goals for the District’s middle/junior high school students. These goals are compatible with the District’s mission, the Board’s goals, and established performance objectives. The goals are as follows:

- The ability to read, write, communicate, and reason within the curriculum.
- Positive self-esteem through emotional, social, intellectual, and physical wellbeing.
- Respect, courtesy, tolerance, and concern for others.
- Problem-solving and decision-making skills in diverse situations.
- Self-motivated learning for successful living in a global society.

Senior High School

The District’s senior high school(s) grades are established as grades 9-12. In addition to the requirements outlined below, the Board shall ensure that the senior high school curriculum satisfies the Michigan Merit Curriculum.

Core Curriculum

The core curriculum in the District’s senior high school(s), alternative school(s), and/or magnet school(s) is comprised of the following subject areas:

- Mathematics.
- English Language Arts.
- Science.
- Social Studies.
- Fine Arts.
- Foreign Language.
Supplemental Curriculum

The Board shall supplement the high school core curriculum by providing instruction in supplemental areas as the financial resources of the District permit.

Delivery of Curriculum

The Board shall provide for the delivery of the core curriculum and supplemental program. Collaboration with Calhoun Intermediate School District may occur.

Student Goals

The Board has identified student goals for the District’s senior high school students. These student goals are compatible with the District’s educational mission, the Board’s goals, and established performance objectives. Student goals are as follows:

- The ability to read, write, communicate, and reason within the curriculum.
- Positive self-esteem through emotional, social, intellectual, and physical wellbeing.
- Respect, courtesy, tolerance, and concern for others.
- Problem-solving and decision-making skills in diverse situations.
- Self-motivated learning for successful living in a global society.

Co-curricular Activities

Co-curricular activities should be used as a means of developing a wholesome attitude and good human relations, as well as knowledge and skills.

The Board supports such co-curricular activities and may attempt to make them available on a voluntary basis to all students. The purpose of such activities shall be compatible with the Board’s curriculum goals, District mission, and school mission.
Each school, under the direction of the Principal and subject to approval by the Superintendent, may place a co-curricular activities program, suited to the needs of the students, in that particular building.

Parent(s)/Guardian(s), students, and faculty should be utilized in determining the type and range of activities to be offered.

Participation in co-curricular activities is considered a privilege, carrying with it the responsibility of good behavior in school. Failure on the part of any student to meet this responsibility renders him/her liable to suspension from representing the school, participating in the activity, and/or holding class organizational office.

The building level administrators, subject to approval by the Superintendent, shall be responsible for the organization of all student activities and shall provide adequate supervision, administer student finances, and approve all student activities with the assistance of delegated members of the faculty.

In planning the program of activities, the Superintendent and staff shall take into consideration the breadth of activities offered through other community organizations.

Approval and Review

All new co-curricular activities and organizations shall be reviewed and approved by the building Principal and/or Superintendent. Activities, which may require the expenditure of general school funds, shall require Board approval.

Evaluation

Each activity shall be evaluated at least annually to determine if its purposes are being fulfilled and if it is meeting the needs of the students of that particular building.
Student Funds

Funds remaining in accounts of student organizations, which have been inactive for one year, or in accounts of classes, which have been graduated for one year, shall be transferred by the Board to accounts of other co-curricular organizations or to the District’s general fund upon recommendation of the Superintendent or designee.

Approved: June 19, 2017
LEGAL REF: MCL 257.811; 380.1151-1153; 380.1155; 380.1157; 380.1166; 380.1169-380.1170; 380.1278; 380.1282; 380.1289; 380.1316; 380.1502; 380.1506; 380.1507; 388.1709; 388.1761; 380.1804; 380.1806; 380.1813 (Homebound and Hospitalized); OAG, 1977-1978, No 5291, p 420 (April 12, 1978); OAG, 1979-1980, No 5659, p 648 (February 28, 1980)
Work-Study Programs

Participation by students in a work-study program will be handled by the administration on an individual basis.

Co-curricular and Extracurricular Activities

The Principal shall coordinate the extracurricular program or designate a staff member to assume this responsibility.

All new extracurricular activities shall be approved by the building Principal and recommended to the Superintendent for his/her approval. All recommendations to the Superintendent shall include a statement of purpose of the activity, potential membership to be served, and potential financial obligations, which the Board might have to assume from general school funds.

A faculty sponsor shall be appointed for each activity within the provisions of the master agreement.

Membership and participation in all activities shall be voluntary and limited to students enrolled in the schools. Students shall have the right to participate in all extracurricular activities without discrimination.

Activities sponsored by outside agents shall be carefully reviewed and approved by the Superintendent for participation if they are co-sponsored by the school. Secondary Principals must be certain that such outside-sponsored activities do not conflict with standards and criteria established by the National Association of Secondary School Principals.
Every effort should be made to keep extracurricular activities from unduly interfering with the regularly scheduled school day and to provide a balanced program of appropriate academic studies and activities for each student.

The administration shall develop rules and regulations covering extracurricular activities in individual buildings. Such rules shall list responsibilities of students and advisors or chaperones.

All activities sponsored by school groups must be adequately supervised, and all Board policies and administrative regulations regarding student and teacher conduct, use of facilities, use of transportation, and all other applicable policies and regulations shall be followed.

**Homebound Instruction**

Parent(s)/Guardian(s) may request homebound instruction from the Superintendent or designee if needed. An application form will be forwarded to the family physician for his/her recommendation and signature.

The re-entering of the student to regular classes discontinues the homebound instruction.
Pursuant to state law, sex education may be provided by the District. In order to offer this instruction, a Sexual Education Advisory Board must be established. Students will not be permitted to take the class unless the student’s parent/guardian is notified in advance of the course and its contents, is given an opportunity to review course materials, is allowed to observe the instruction, and is notified of the right to have the student excused from the class. (See “Parent/Guardian Notification” below.)

Sexual Education Advisory Board

The Sexual Education Advisory Board (hereinafter “Advisory Board”) shall recommend materials and methods to the Board of Education in compliance with current statutory requirements as defined in MCL 380.1507. All instruction and materials shall be age-appropriate and medically accurate. Prior to the adoption of any revision to materials or methods of instruction in sex education, the Board of Education shall hold two public hearings. The hearings shall be held at least 1 week apart and shall be posted pursuant to MCL 380.1201.

The Advisory Board shall minimally include the constituencies described in 380.1507(5) (parents/guardians, educators, pupils, clergy, and community health professionals). One half of the members shall be parents/guardians who have at least one child attending a school operated by the District, and a majority of those parent/guardian members shall be individuals not employed by a school district. The Board of Education shall recommend a process for selecting Advisory Board members that reflects, reasonably, the District population. One of the co-chairs leading the Advisory Board shall be a parent/guardian.

The Advisory Board must establish goals and objectives for pupil knowledge and skills designed to reduce rates of sexual activity, pregnancy, and sexually transmitted diseases; review
materials and methods; and make implementation recommendations to the Board of Education. The recommendations shall incorporate the required content of MCL 380.1507(5)(b) and such other material as the Advisory Board finds to be pedagogically sound.

It is recommended that the District align the curriculum to the content recommendations in the State Board of Education Policy to Promote Health and Prevent Disease and Pregnancy (September 2003). Every two years, the Advisory Board shall evaluate, measure, and report upon attainment of the goals and objectives. The report shall be made available to the parents/guardians of the District.

To comply with the provisions of the Every Student Succeeds Act and Michigan Statutes, the Superintendent will, in writing, inform the professional staff of the federal requirements that apply to sex education and the prohibitions and restrictions covering distribution of contraceptives or materials that encourage sexual activities. The District will comply with federal and state guidelines concerning age appropriate sex education.

**Parent/Guardian Notification**

Sex education is not to be provided to any student under the age of 18 unless the parent/guardian is notified in advance of the instruction and the content of the instruction. Parents/Guardians are to be given an opportunity to review materials to be used and to have their child excused from the instruction by filing an annual or continuing written notice that the child is to be excused from the class. If a parent/guardian files a continuing written notice to exclude their child from sex education classes, present or future, then the student shall not be enrolled in a sex education class at any time unless the parent/guardian submits a new, written authorization for that enrollment.
Any student is to be excused without penalty or loss of academic credit, from attending class sessions in which the instruction is provided.

Approved: June 19, 2017
LEGAL REF: MCL 380.1282; 380.1507; 380.1507b; 380.1169; 380.1506; 388.1766; 388.1766a; 20 USC 7906 (ESSA); State Board of Education Policy to Promote Health and Prevent Disease and Pregnancy (September 2003)
7120 - Curriculum Alignment

The Board recognizes the need to have its approved curriculum aligned with instructional materials, media, textbooks, and technology in order to affect positively student learning and to verify locally identified assessment standards and objectives.

All courses approved by the Board shall include descriptions, objectives, learning activities, and criterion test items. The teaching and testing of students shall align with approved course objectives. Student instructional strategies shall take into consideration each students’ potential, learning style, and special needs.

The Board advocates the use of technology and technological applications in order to meet the objectives of curriculum alignment.

Approved: June 19, 2017
Philosophy

The Board endorses special programming efforts to encourage any student who is in danger of becoming a dropout back to learning.

Goals and Objectives

The Board shall combine academic study with the stimulation and challenges necessary to engage the minds of all students and with the variation of pace, topic, and activity important to sustaining their interest.

The major goals of the District’s dropout prevention program shall be to:

1. Identify individual needs at the earliest stage and provide instruction designed to improve and expand basic reading, writing, and speaking skills so that every student is capable of keeping up with his/her classmates throughout his/her school career;

2. Develop an incentive and reward system which reinforces pride in academic achievement and replaces the expectation of failure so prevalent in the dropout scenario;

3. Offer a teaching and counseling curriculum designed to provide students graduating from high school with valuable skills, career direction, and the possibility of future employment;

4. Encourage high risk students to participate in school activities in order to combat the school isolation common to dropouts; and

5. Communicate with parent(s)/guardian(s) and students regarding the value of education in their lives.
The Superintendent shall incorporate the philosophy and goals of this policy into the school setting.

Approved: June 19, 2017
LEGAL REF: MCL 380.1204a
The Board may periodically approve the establishment of alternatives to the regular school program. Such alternatives may include, but will not necessarily be limited to, program improvements developed by the staff of individual schools or specially designed schools approved by the Board.

All proposals for alternative school programs shall be presented by the Superintendent to the Board for its consideration and action.

Approved: June 19, 2017

LEGAL REF: MCL 380.1282; 380.1596; 380.1301; OAG, 1985-1986, No 6271, p 13 (February 7, 1985)
7100 - Special Programs

Exceptional students shall be educated in regular classrooms, insofar as practicable, and shall be assigned to special education classes or facilities only when the nature of the student’s exceptionality makes inclusion of the student in the regular classroom impractical or when the student is unable to profit from the regular classroom.

When appropriate programs, services, or facilities are not possible within the District’s schools, the Board shall make every effort to provide these students with access to schools where such instruction and accommodations are available.

Administrative responsibility for special education programs in the District shall be the responsibility of the Superintendent who shall work closely with the intermediate District in providing special education services. All diagnostic, evaluation, and placement procedures established shall be in accordance with state and federal guidelines.

Approved: June 19, 2017

LEGAL REF: 20 USC §1400, et seq. (Individuals with Disabilities Education Act [IDEA]); 29 USC §794 (Rehabilitation Act of 1973); 42 USC §12115 (Americans with Disabilities Act); 29 CFR §1601.30; MCL 380.4(2), 380.6(7); 380.1311; 380.1702; 380.1703; 380.1711; 380.1751; 380.1766; R 340.1701-1873
7156 - At-Risk Students

The Superintendent or designee shall investigate and recommend programs that will address the needs of at-risk students. At-risk students are identified by the Michigan Department of Education.

Program planning should examine, but is not limited to, the following: classroom learning experiences; primary prevention programs; staff development requirements; District liability; community resources; crisis response/intervention teams; peer counseling; parent(s)/guardian(s) education; student study teams; K-12 guidance and counseling curriculum; attendance policy and procedures; student discipline; and alternative programs.

Approved: June 19, 2017
LEGAL REF: MCL 388.1631a
Federally funded programs are a vital and necessary adjunct to the educational program of the District’s schools.

**Title I Programs**

The Board shall ensure that the District’s Title I programs operate in accordance with federal laws and conditions. The Superintendent is responsible for administering the District’s Title I programs; assessing the educational needs of all students, particularly the needs of educationally deprived children; developing appropriate communication channels between all parties; developing in-service training for parent(s)/guardian(s) and staff; and developing appropriate evaluation procedures. The requirements of the Every Student Succeeds Act shall be followed, and rules and regulations promulgated to ensure that the District is in compliance.

Approved: June 19, 2017
LEGAL REF: 20 USC 6318 (ESSA)
In order to meet the federal guidelines established for Title I programs fully, the administration shall: provide timely notification to parent(s)/guardian(s) about their child’s Title I selection, instructional objectives, progress reports, and achievement levels on state academic assessments as soon as possible after the test is taken; establish dates and sites for parent/guardian-teacher conferences; help promote parent(s)/guardian(s) participation in school activities; consult with parent(s)/guardian(s) about how the District can work with parent(s)/guardian(s) to achieve Title I program objectives; and solicit parent(s)/guardian(s) suggestions in the planning, development, and operation of the program.

Each school served by a Title I program shall schedule an annual meeting at a convenient time to provide parent(s)/guardian(s) of Title I students an opportunity to participate in the design and implementation of the Title I program and to provide information concerning the right of parent(s)/guardian(s) to be involved. All parent(s)/guardian(s) of Title I students shall be invited to this meeting.
State of Michigan Parent/Guardian Involvement Initiative

The Board strongly encourages and welcomes the involvement of parent(s)/guardian(s) in all of the District’s educational programs. It is recognized and appreciated that parents/guardians are the “first teachers” of their children, and that their interest and involvement in the education of their children should not diminish once their child enters the schools of the District. Accordingly, the Board directs, by the adoption of this policy, that the administration shall design a program/plan that will encourage parent(s)/guardian(s) participation that may include, but not be limited to: the development and review of instructional materials; input on the ways that the District may better provide parent(s)/guardian(s) with information concerning current laws, regulations, and instructional programs; and District offerings of training programs to instruct parent(s)/guardian(s) how to become more involved in their child’s educational programs.

Pursuant to state law, the Superintendent shall provide a copy of the District’s Parental Involvement plan to all parents.20

District Plan

In accordance with the requirement of the Every Student Succeeds Act, the Battle Creek Public Schools Board of Education encourages parent(s)/guardian(s) participation in all school programs. Parent(s)/Guardian(s) shall be offered substantial and meaningful opportunities to participate in the education of their children by this policy.

20 MCL 380.1294 (“(1) No later than January 1, 2005, the board of a school district or intermediate school district, or the board of directors of a public school academy shall adopt and implement a parent involvement plan designed to encourage parental participation. (2) The board or board of directors shall provide a copy of the parent involvement plan to the parent or legal guardian of each pupil. The board of directors may provide the copy of the policy by including the policy in its student handbook or a similar publication that is distributed to all pupils and parents. (3) The board or board of directors shall provide a copy of the parent involvement plan to the department upon request by the department.”).
The Board directs that the following actions be implemented by the administration to ensure compliance with state and federal law and to invite parent(s)/guardian(s) to become involved highly in the education of their children:

• The involvement of parent(s)/guardian(s) in the planning, implementation, evaluation, and improvement of District programs/services through participation on building School Improvement Teams;

• Invitations to parent(s)/guardian(s) to attend at least one annual meeting, with additional meeting opportunities being available as needed, designed to provide information about programs and services, and to solicit parent(s)/guardian(s) suggestions on program development, planning, evaluation and operation;

• Assistance to parent(s)/guardian(s) in understanding Title I and other District programs including the providing of information in a language understandable to the parent(s)/guardian(s) if practicable;

• Parent(s)/Guardian(s) notification of Title I student selection and criteria for selection;

• Information regarding child’s achievement and progress;

• A provision for input by staff at regularly scheduled parent/guardian-teacher conferences and any additional communication as requested by the staff or parent(s)/guardian(s);

• Opportunities to enhance parent(s)/guardian(s) capacity to work with children in the home on school learning;

• Professional development opportunities for teachers and staff to enhance their understanding of effective parent(s)/guardian(s) involvement strategies;
• Ongoing communication between school and parent(s)/guardian(s); and
• Other appropriate activities (i.e. Family Math Nights, parent(s)/guardian(s) sessions, science, theatre, etc.).

Written Plans/Policies

The District, as a recipient of Title I funds, hereby adopts the following policy statement regarding the development of a District-wide plan for parent(s)/guardian(s) involvement in the development of a Title I plan. Individual buildings may personalize the District plan to meet the particular needs of their school, subject to review by the Superintendent or designee. The Board directs the administration to:

• Involve parent(s)/guardian(s) in the development of the plan;
• Develop a plan that provides for the involvement of parent(s)/guardian(s) in the Title I activities of the school;
• Provide the necessary technical, research, staff, and administrative support to schools in the planning and implementing of effective parent(s)/guardian(s) involvement activities to improve student academic achievement and school performance;
• To integrate and coordinate the plans/policies for parent(s)/guardian(s) involvement in Title I programs with parent(s)/guardian(s) involvement in other programs;
• To review and evaluate the District’s plan annually and to share the results of that review and evaluation with the Board;
• To assure that the policy/plan contains a compact that outlines how parent(s)/guardian(s), the school staff, and the school students will share the responsibility of improved student achievement; and

• To distribute the District plan to parent(s)/guardian(s) of participating children and to the local community.

Migrant Education Program (MEP) Parent(s)/Guardian(s) Involvement

Parent(s)/Guardian(s) of students in the MEP will be involved in, and regularly consulted, about the development, implementation, operation, and evaluation of the program.

Limited English Proficiency (LEP) Parent(s)/Guardian(s) Involvement

In accordance with federal law, parent(s)/guardian(s) of LEP students will be provided notice regarding their child’s placement in, and information about, the District’s LEP program. Parent(s)/Guardian(s) will be notified about their rights regarding program content and participation, including the right to choose among programs if alternatives are available. The notice must also include an explanation of the value of the program in terms of academic development, mastery of English, and the achievement of promotion and graduation standards. The notice will also include an explanation of the right to remove the child from an LEP program and to place the child in the regular program. The notice must be in a format that families can comprehend and, if possible, in a language that is understood by the family.

Approved: June 19, 2017
LEGAL REF: 20 USC 6318 (ESSA); MCL 380.1294; 380.1295; MDE Collaborating for Success – Parent Engagement Toolkit, September 2015.
The Board may enter into partnership programs between the District or the schools of the District, and business and/or educational institutions for the mutual benefit of the students, professional staff, and the outside organization. Such partnerships may include, but are not limited to, adopt-a-school programs, cooperative vocational education agreements, or the lending of equipment. Partnership agreements should ensure an awareness of the use of technology in the workplace.

Approved: June 19, 2017
For each partnership created within the District, a joint steering committee will be formed composed of at least the building Principal or a District-level administrator and a line officer of the business or an appropriate administrator of the educational institution. The steering committee will have additional members representing staff of both the school and the partner. Responsibilities of the steering committee will be to determine appropriate goals and objectives; schedule-meeting times; decide appropriate activities; and identify available resources to help meet the goals and objectives.

There will be an annual review of the partnership’s goals and objectives by the steering committee. An annual report of this review will be made by the committee to the Board.

Initial partnerships will be created for one year. After the initial year, a partnership may continue as long as there is mutual benefit to those involved and as long as the annual report of the joint steering committee recommends its continuance.
The Board, in partnership with local employers, strongly supports school-to-work opportunities as an instrument to help the District prepare students in grades 9–12 more effectively for the world of work. The school-to-work program will be offered and operated under the provisions of the Michigan Department of Education (MDE) Pupil Accounting Manual and other MDE rules and guidelines for work-based and experiential learning experiences.\(^{21}\) The school-to-work program assists the District in providing students with the following learning experiences needed to develop particular career-based knowledge, attitudes, and transferable skills:

- School-based learning that includes career exploration programs designed to create awareness of job and career opportunities and that integrate career exploration with academic and vocational learning.

- Work-based learning that provides students with a planned program of work experiences in productive work settings to achieve desired educational outcomes and that is coordinated with school-based learning.

- Connecting activities that are designed to ensure effective correlation and coordination between the learning that occurs in school and at the work-site.

The Superintendent is authorized to design and implement school-to-work activities and programs that create school-based, work-based, and connecting activities learning opportunities, but that endeavor to avoid an increased District risk of liability. Accordingly, all work-site organizations shall provide an ACORD Certificate of Insurance evidencing the following insurance coverages on a yearly basis:

• Commercial General Liability coverage with limits of $1 million per occurrence/$1 million aggregate.

• Workers’ disability compensation coverage meeting statutory requirements.

In addition, the District should be named as an additional insured on the policy whenever possible.

This policy will be effective for all work-based learning programs, except those involving student/visitor work-based learning opportunity types.

The Superintendent shall establish guidelines for instructional staff to follow in implementing this initiative.

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The following administrative rules and guidelines are provided for school-to-work staff to follow in implementing the District’s school-to-work initiative. In operating the District’s school-to-work program, all involved staff shall work toward assuring that:

- Learning opportunities are appropriate for the academic level of the student.
- Learning opportunities are supported by concurrent classroom instruction when required.
- Work-based learning experiences meet all appropriate district safety guidelines in addition to all state and federal regulations concerning child labor laws and safety, and any other legislative or administrative rule or regulation covering youth in the workplace.
- Students are appropriately supervised.
- All students are being provided with appropriate opportunities to participate in school-to-work activities.
- Each learning activity/program will have written objectives with a clear identifiable correlation to career preparation and a means for assessing how well each student is achieving the objective that is documented.
- Emphasis is on developing a high-quality work ethic and work product excellence by every student.
- Informed parental consent is obtained for participation in school-to-work activities and programs.

The District coordinator in charge of school-to-work programs and other involved staff shall follow the guidelines established in the School Placement (Work-Based Learning)
School-To-Work Opportunities

Coordinator Handbook: Suggested Policies, Procedures and Practices for Work-Based Learning Coordinators, published by the Michigan Department of Education in June 2013, regarding the following:

**Screening of Employers**

Potential employers will be screened properly to evaluate the appropriateness of placement at their place of business for a particular participant and their educational objectives and the safety conditions present at the work-site.

**Supervision at the Work-Site**

Adult supervision at the work-site will be sufficient to ensure the safety of the student participant and to evaluate participant learning according to the training agreement and plan. Adequate adult supervision shall be provided by someone who is 18 years of age or older in accordance with R 408.6207.

**Finding Placements for Students**

Staff will assist students in finding work-based learning programs in order to help ensure that a placement meets program standards for employers, provides a safe work environment, and is appropriate for the student and their educational goals.

**Providing a Job Board for students seeking employment**

The District will post a sign at the Job Board to help mitigate any potential liability. The sign shall read:
Important!

The Battle Creek School District provides this Job Board as a service to the community. Posted jobs are not screened, sponsored, nor supervised by the District. Therefore, the District is not legally responsible for any harm or injury incurred by the applicant in pursuing or performing the job. Job applicants assume all responsibility for traveling to and from the job and fulfilling the terms of employment. Questions about the job should be directed to the contact person listed on the posting.

Keeping Records

School-To-Work Program records will be kept in accordance with the Michigan Department of Education “School Placement (Work-Based Learning) Coordinator Handbook: Suggested Policies, Procedures and Practices for Work-Based Learning Coordinators” (June 2013) and the Michigan Department of Education “Records Retention and Disposal Schedule for Michigan Public Schools” (December, 2010).

Reviewing the School Coordinator’s Handbook

The District will review the contents of the “School Coordinator Handbook” regularly to ensure that the “handbook” provides current information, addresses program needs, is effective in training staff to identify the risks associated with work-based learning programs, and assists staff in choosing appropriate risk management strategies.
The Board is committed to providing equal opportunity to compete in interscholastic athletics for both boys and girls and directs its Superintendent or designee and those responsible for athletic programs to recommend programs, which will meet this goal.

All interscholastic activities recognized and approved by the Board shall follow the guidelines established by the Michigan High School Athletic Association.

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LEGAL REF: MCL 380.1289; OAG, 1977-1978, No 4795, p 190 (August 11, 1977); OAG, 1985-1986, No 6352, p 252 (April 8, 1986); and rules and regulations as published by the Michigan High School Athletic Association
The Board, with support from its administrative staff, recognizes that competing in athletics is not a right but a privilege, and expects athletes to assume their responsibilities in adhering to the Interscholastic Athletics policy, 7210, as recommended by the athletic council through the Superintendent or designee and approved by the Board. Policy 7210 and these rules shall be published in the student handbook. Students who are members of athletic teams represent themselves, their school community, parent(s)/guardian(s), and team. Conduct at all times, both on and off the athletic field, will be of the highest standard.

The Board supports a code of conduct for coaches and that their ability as coaches should be measured by not only games won and lost, but also their effect upon the development of the character of the athlete and attitude toward the school, the team, and teammates.

**League Membership**

Membership of the District in an interscholastic athletic conference or league shall be subject to Board approval upon recommendation of the Superintendent and the athletic staff. The Board shall review the constitution and bylaws of such organization and its rules and regulations before giving its approval. The designated voting delegate to the conference governing body is a representative of the District. Therefore, before voting on changes in bylaws, rules, or regulations that will affect in any way the District or the school’s athletic teams, said representative shall advise the Board of the proposed change and follow its direction in voting if such direction is given.

Likewise, the District or its schools are eligible to vote on changes in the Michigan High School Athletic Association’s Constitution, bylaws, or rules and for membership to the Association Athletic Council. The Principal, through the Superintendent, shall bring such
matters to the attention of the Board prior to casting a vote in order to ascertain how the Board feels on the matter to be voted upon and to receive direction if such is the desire of the Board.

The Principal, through the Superintendent, shall make recommendations as to the action to take and provide the Board with background information and rationale for the recommendations.

**Coaches**

It shall be the District’s practice to employ qualified coaches and, to the extent possible, secure them from the school’s teaching faculty. If it is necessary to secure persons from outside the staff, the Superintendent shall recommend only those persons who are qualified to coach the sport, work with young people, and who have knowledge of first aid and the physical needs and limitations of students who are participating in the sport. In-service training shall be provided to acquaint the outside coach with the school system, Board, and administrative policies and rules governing interscholastic athletics and basic instruction in first aid. The Superintendent is delegated the authority to appoint teaching staff members or outside coaching personnel to coaching staff positions and shall so inform the Board. If outside coaching personnel are employed, the Superintendent shall inform the Board, in advance, of that necessity and his/her reasons therefore.

**Budgets**

Budgets for athletics shall be presented to and approved by the Superintendent, who shall in turn inform the Board. If the budget requires additional expenditures, other than coaches’ salaries, from the Board’s general fund, then it shall require Board approval.
Physicals

No student may practice for any athletic team until he/she has been examined and approved by a Medical Doctor (M.D.), Doctor of Osteopathic Medicine (D.O.), Physician’s Assistant, or Nurse Practitioner and until written consent to participate in the specific sport has been obtained from the parent(s)/guardian(s). Parent(s)/Guardian(s) consent will not be necessary for students who have reached their 18th birthday. Students shall also comply with the District’s requirement relative to insurance before participating. A student who is under a doctor’s care for illness or injury shall not be allowed to participate in an athletic practice or contest until he/she has written permission from the physician to do so.

Membership in Michigan High School Athletic Association

The Board shall annually enroll the District’s high school as a member of the Michigan High School Athletic Association and participate in the approved inter-school athletics activities sponsored by said association. The Superintendent or designee shall be responsible to supervise and control said activities. It is further the intent of the Board to accept the constitution and bylaws of said association and adopt as its own the rules and regulations of the association as minimum standards.
Instructional Services

The Board encourages the use of instructional services available to the District.

Para-Professionals

The Board recommends the use of para-professionals where practicable.

Resource Teachers

The Board encourages the utilization of resource persons who are available in the community.

Textbook Selection and Adoption

In accordance with Michigan school law, textbooks and workbooks used in the District shall be adopted by the Board. Once adopted, textbooks shall not be changed without Board approval and shall be used for at least five years, except in unusual situations.

The Superintendent or designee shall be responsible, with the advice of the professional staff, to recommend to the Board textbooks and other educational materials for adoption. The Board shall make every effort to implement those recommendations.

Textbooks should be continuous and sequential in nature when possible. Insofar as possible, all textbooks should present balanced views concerning the international, national, and local issues and problems of our times.

Textbooks should:

- Provide materials to stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards;
- Provide materials that will help students develop abilities in critical thinking and reading;
• Provide materials that will develop and foster an appreciation of American cultural diversity and development;

• Provide an effective basic education for all students; and

• Allow sufficient flexibility for meeting the special needs of individuals and groups.

The Superintendent or designee shall develop administrative rules outlining a procedure to select textbooks that meet the above criteria. This process shall include a review of available material by instructional staff members. The recommendations resulting from each review will be given thorough consideration.

Any citizen who objects to the final selection made by the Board should follow the procedures outlined in the District’s procedure on public complaints about the curriculum or instructional materials. (Cf. 7400-R)

**Use of Textbooks**

The use of textbooks as a sole resource tool in the classroom is discouraged. The teachers are encouraged to develop, use, and maintain a relevant and up-to-date core of resource materials in the classroom.

**Deposit on Textbooks**

The Board may determine a refundable deposit fee for the use of the District’s textbooks and establish a procedure for the free use of textbooks.

**Technology**

The Superintendent or designee shall develop a plan that coordinates the purchase of technological equipment for the District. Such plan shall provide for equipment or hardware, software compatibility, and future applications.
The Superintendent or designee shall provide for appropriate staff in-service training on the utilization of technological equipment and uses of equipment and software relative to the instructional program and administrative applications.

Approved:       June 19, 2017
LEGAL REF:      MCL 380.1421-1422
Classroom Materials

Each building Principal will submit an instructional materials budget to the Superintendent or designee each year at a time designated by the Superintendent or designee. The instructional materials budget shall be compiled by the Principal based on instructional needs of the school building. It is desired that input be received from designated staff members.

Para-Professionals

The Board endorses the use of paid adult para-professionals, as resources allow, assisting teachers in working with students. Para-professionals may be employed by the Board with general funds or by means of federal or state funds. Their positions may be dual assignments (i.e. Title I, recess, and library) provided by appropriate funding.

Selection

All Para-professionals are to be screened by the Superintendent or designee and/or building Principal, based on the job description.

Supervision

Paid teacher aides engaged in non-instructional duties shall be under the direction and supervision of the building Principal.

Paid teacher aides engaged in instruction-related duties shall be under the direction of a certified teacher and supervised by the building Principal.

Textbook Selection and Adoption

Selection of textbooks for use in the District shall be a cooperative effort of the teacher(s) who will use the textbook and the curriculum committee.
The procedure outlined below will be followed for District-wide use in implementing the Board’s policy on the selection of textbooks and supplementary instructional materials, hereinafter referred to simply as “textbooks.” The procedure carries out the Board’s intention that the textbook selection process guarantees involvement of District staff.

Textbook needs in various subject matter areas shall be considered on a cyclical basis.

Thereafter, the staff will recommend textbook areas for study and adoption on a rotating basis at least every five years.

The selection procedure for each subject area covers one school year and that textbook selection procedure may be in process for two or more subject matter areas concurrently.

The District-level curriculum committees may include these members: a Principal who will serve as chairperson and one representative from each building in the District whose subject matter specialty corresponds to the subject matter area up for adoption. The Superintendent and the other Principals may serve as ex officio members of the committee.

Within the month before school opens each year, the Superintendent shall meet with the District-level curriculum committee to determine textbook needs for the school year beginning one year hence. By the end of October, the committee shall have concluded these activities:

- Evaluated textbooks currently in use for relevance to current District instructional goals and for physical condition and supply;
- Identified sources of alternate textbooks; and
- Contacted publishing houses or producers for sample textbooks.

Between semesters, the committee chairperson shall meet with the District Principals to review the new sample textbooks and to distribute them among the District’s schools.
Building Principals shall have the responsibility for coordinating evaluation of the sample textbooks, using methods that include but are not limited to:

- Establishing a building-level curriculum committee composed of teaching staff in the subject matter area up for adoption;
- Requesting individual staff members in the appropriate subject area to evaluate the samples using standardized evaluation instruments prepared or obtained by the committee; and
- Arranging, through the building level curriculum committee or individual teachers, to pilot several of the samples during the spring semester.

By the end of February, the Principal shall present to the District-level curriculum committee three recommendations from his/her school for each course up for adoption in each grade level in the current cycle. Each recommendation shall be in writing with discussion involving:

1. Overall purpose, including appropriateness for the course and grade level;
2. Cost in relation to budget;
3. Quality of writing and material;
4. Readability and popular appeal;
5. Format;
6. Timeliness or permanence; and
7. Reputation of the publisher/producer.

The District-level curriculum committee shall review the recommendations from each building. By the end of March, the committee shall present an analysis of the building-level committee recommendations to the Superintendent. The analysis shall include a list of the
District-level committee’s own recommendations for three textbooks in each course, up for adoption in each grade level in the current cycle. The recommendation for each of the three textbooks in each area will indicate whether the textbook is the committee’s first, second, or third choice. It also will explain the reason for the choice in the same terms listed above.

At the April meeting of the Board, the Superintendent shall present the recommendations of the District-level curriculum committee to the Board.

At the May meeting, the Board officially will consider the textbooks in the subject area up for adoption. The Superintendent shall arrange for the purchase and delivery of the textbooks adopted by the Board.

Lost, Damaged or Destroyed Student Textbooks

The cost to the student for a lost or destroyed textbook will depend on the number of years the textbook has been used.

Outdated and Old Textbooks

If old textbooks are still in good condition, they will be kept as reference books. Worn out and defaced textbooks will be destroyed or disposed of as determined by the Board.

Student Purchase of Textbooks

Any or all textbooks may be purchased from the District at the full purchase price or at a prorated price because of condition or age.

Book Deposit Requirements and Administration

A book usage record will be kept in all buildings for all students. The school name will be stamped in all books, and the books will be numbered. A record shall be kept showing the number of each book issued to each student. An inventory shall be kept of all rental books or sets of books.
7380 - Instructional Program Prohibitions

A student shall not be required to take part in any instructional survey, analysis, or evaluation that discloses information that is protected under federal law, unless the District receives prior consent from a student over 18 years of age, or prior written consent from the parent(s)/guardian(s) of a student less than 18 years of age.

The District shall give students notice of their rights under this policy.

Approved: June 19, 2017
LEGAL REF: 20 USC §1232h
The primary functions of the media centers are to process and circulate materials and equipment through an orderly procedure and to provide reference and other services to students and faculty.

Efforts are made so that the collection reflects the broad interests represented in the curriculum, complemented by enrichment materials in a variety of forms. To meet recommended standards, the administration and Board support the development of a collection adequate to meet curricular needs of the students. Such collection shall be large enough so that materials can be placed in classrooms for extended periods, should be designed to provide for personal growth, and should be adequate for those engaged in independent study.

Objectives

The objectives for the person in charge of the District’s media center(s) are as follows:

• To participate effectively in the school program that will endeavor to meet the needs of students, teachers, and patrons of the District;

• To stimulate and guide students in their reading, viewing, and listening so that they will become skillful and discriminating users of various types of media;

• To provide an opportunity through media center experiences so that students will be able to develop helpful interests, to make satisfactory personal adjustment, and to acquire desirable social attitudes;

• To work with teachers in the selection and use of media that will contribute to the teaching program;

• To make available consultant services that will provide for the improvement of learning, instruction, and the use of media resources and equipment;
• To provide adequate equipment so that students and teachers will be able to make efficient use of media; and

• To cooperate with teachers and administrators in programs that will promote the professional growth of the school staff.

Criteria for the Development of Media Center Materials

Collection Development

The media collection should be developed systematically so that it is well balanced in coverage of subjects, types of materials, and variety of content.

Selection Criteria

Materials will be chosen to support and supplement the curriculum, to promote wise use of leisure time, to develop literary discrimination and appreciation, and to encourage students to become productive citizens.

Materials will be chosen on various reading levels presenting different points of view concerning the problems and issues of the times.

Books and other instructional materials will be evaluated before purchase, either through direct examination or by consulting reputable, unbiased, professionally prepared selection tools approved by the building Principal.

Accuracy, artistic quality, format, and authoritativeness will all be considered before making purchases of materials.

Staff Resources

The Superintendent or designee will provide instructional resources based on need.
Review Committee for Patron Complaints Concerning Instructional Materials

The Board shall establish a review committee to handle complaints from patrons concerning instructional materials. (Cf. 9450)

Technology

The Board encourages District employees to develop computer software and support materials for instructional and administrative use by the District. The Board encourages partnerships with private enterprises in marketing software that has general application in a particular field.

The media center shall develop a computer software library, catalog software, and disseminate software information to District staff, students, parent(s)/guardian(s), and the public.

Approved: June 19, 2017
LEGAL REF: MCL 380.1274; 380.1422; 397.601-605
Purchase Procedures

All orders for instructional materials other than textbooks, expendable materials, and film rentals will be channeled through the person in charge of the media center or the building Principal, as the case may be, to the purchasing officer of the District. Such materials would include all items to be cataloged and circulated, e.g., books, filmstrips, loop films, records, CD’s, DVD’s, videotapes, audiotapes, computer software, slides, maps, posters, etc.

All purchases will be made in accordance with Board policies.

At the beginning of each fiscal year, the person in charge of the media center or the building Principal, as the case may be, will be informed the amount of the media center budget and will operate within that budget.

The person in charge of the media center or the building Principal, as the case may be, will assess the needs of the collection with the help and advice of teachers and with due consideration given to needs of the students. Final decisions as to the areas of emphasis in any given year will rest with the person in charge of the media center and the building Principal.

Recommendations

Recommendations received from the certified staff, students, and patrons will be placed in a consideration file and will be reviewed to ascertain whether they meet selection criteria as set forth by the Board.

Teachers’ professional advice will be solicited in making selections of materials. Person(s) in charge of media centers or the building Principal, as the case may be, may order for that level or department from standard selection tools.
Evaluation

The collection will be evaluated, from time to time, in relation to changing curriculum, new instructional methods, and current needs of teachers and students.

Service

Materials will be purchased throughout the school year as needed. Areas of emphasis will be determined by the needs of each media center as judged by the person in charge of the media center or the building Principal, within budgetary limits.

Authority

The Board authorizes the District’s trained personnel to select for the media centers subject to Board policies and rules.

Gifts (Cf. 9350)

All gift materials must meet qualitative standards of selection as stated above.

Gift materials will be acknowledged and credit given in the media center records.

Procedures for Evaluating Challenged Materials (Cf. 7770, 7800, 9450)

The parent(s)/guardian(s) of any student in the District shall have the right to register a complaint about controversial reading materials or media. Supplemental material shall be substituted for completing the requirements of the course for that student.

The parent(s)/guardian(s) may notify the teacher in writing using the request for reconsideration form attached to these rules and schedule a meeting with the teacher and/or Principal to set forth the part or parts of the assigned material, which the parent(s)/guardian(s) finds to be objectionable.

Should the parent(s)/guardian(s) exercise the above right, the student shall not be penalized in any way in academic endeavors because of the complaint.
In the case of a complaint, the person receiving the complaint shall present the complainant with “the request for reconsideration form”; invite the complainant to file objections in writing; and notify the building Principal, the school library media specialist, and the coordinator of learning resources that a complaint has been registered.

When the form has been completed and returned, the review committee composed of the building Principal, media specialist, two subject area specialists and two community members will be asked to evaluate the material in question. Challenged materials shall not be removed from the classroom during the evaluation periods.

The following guidelines shall apply to the evaluation process:

• To examine and evaluate the material as a whole, and not based on passages pulled out of context;

• To check appropriate selection aids for evaluation of the material;

• To weigh strengths and weaknesses and form opinions based upon the selection criteria, the appropriateness of material to the reading ability and maturity level of the student, the nature of its use in the educational program, relevance to the curriculum and educational goals of the school (Cf. 7800);

• To meet to discuss the material and prepare a written report containing conclusions and recommendations within 30 days;

• To direct the written report to the Board; and

• To send the complainant a copy of the written report.

If the complainant is dissatisfied with the decisions of the media review committee, then an appeal of the decision may be made through the Superintendent to the Board for a hearing and
final decision. The report shall be discussed with the Board by the members of the media review committee.
CITIZEN’S REQUEST FOR RECONSIDERATION OF CURRICULUM MATERIAL

Book or other material ________________________________________________________

Author (if known) __________________________________________________________

Publisher (if known) ________________________________________________________

Telephone ___________ Address ______________________________________________

City ________________________ State ____________ Zip Code ____________________

Complainant represents him/herself _____ Organization __________________________

(Identify other group) ______________________________________________________

1. To what in the material do you object: (Please be specific; cite pages or items) ______

   ________________________________________________________________________

2. What do you feel might be the result of using this material? ______________________

   ________________________________________________________________________

3. For what age group would you recommend this material? _______________________

4. Is there anything good about this material? _________________________________

5. Did you read or view the entire material? ____ What parts? ____________________

6. Are you aware of the judgment of this material by literary critics? ______________

7. What do you believe is the theme of this material? ____________________________

8. What would you like your school to do about this material? ____________________

   ____ Do not assign it to my child.

   ____ Withdraw it from all students as well as my child.

   ____ Send it back to the curriculum committee for re-evaluation.

9. In its place, what material of equal literary quality would you recommend that would
   convey as valuable a picture and perspective of our civilization? ________________

Signature of Complainant __________________________ Date ____________
The parent(s)/guardian(s) shall be permitted to inspect all instructional materials used by the District in evaluating, surveying, or analyzing students in furtherance of an instructional program. Instructional materials shall include teacher’s manuals, electronic/digitized media, or other supplementary materials.

The District shall give parent(s)/guardian(s) notice of their rights under this policy.

Approved: June 19, 2017
LEGAL REF: 20 USC § 1232g (Family Educational Rights & Privacy Act of 1974 [FERPA])
Use of Commercially Produced Video Recordings

Video or DVDs will be selected and assigned to give support directly to instructional learning objectives contained within the Board approved curriculum.

Video or DVDs, when used, shall be selected for their direct relevance to the instructional program. General selection criteria should include quality of the overall work and its individual parts, fair and accurate representation of the facts, the reputation, and significance of the writer, Director, and/or performer.

Video or DVDs shall not be used for recreation or entertainment during instructional hours, or for other than planned instructional purposes.

Approved: June 19, 2017

LEGAL REF: 17 USC §§ 106, 107, 110 (Exclusive rights in copyrighted works)
Use of Commercially Produced Video Recordings

The use of films, DVDs and video in school are subject to the following regulations:

1. All films, DVDs and video must be carefully previewed and evaluated by the teacher and be determined to meet identified learning objectives and exit outcomes before they are used with students.

2. In general, copyright guidelines permit in-classroom use of copyrighted video tape/DVD when it is used for instructional purposes in a teaching situation, as is a lawfully made copy.*
   a. The school setting has been defined as a “semi-public performance.” Therefore, public performance rights are reserved for the copyright owner or those given permission.
   b. Video or DVDs marketed for “home use” do not have the rights granted for public performance. Rented films that include a notice that the film is intended for “home use only” shall not be shown to a class for entertainment purposes.

3. Non-profit education institutions generally may use video or DVDs in the course of “face-to-face” teaching activities, without the need to obtain consent from the copyright owner if the following permissible guidelines are met:
   a. The video or DVD is a legally obtained lawful copy.
   b. The video or DVD must be used in the course of “face-to-face” teaching activities.
   c. The video or DVD activity must be carried out by an instructor or student.
d. The video or DVD activity must be carried out in a classroom or similar place devoted to instruction.

e. All video or DVD programming obtained from commercial sources outside the school’s purchasing procedure through rental, lease, or purchase must be approved for classroom use by the Principal.

4. Parent(s)/Guardian(s) shall receive one-week advanced written notice when teachers plan to use commercial video recording or DVDs that are rated PG with elementary students, PG-13 with middle school students, or R with high school students under the age of 18. Such notice shall include an accurate description of the contents of the video or DVD recording and where it may be obtained for parent(s)/guardian(s) review.

5. Other media such as CD-ROMs, and audiotapes, while not a part of the video rating system, should be selected and used applying the same criteria as videotapes.

*e.g. “Grapes of Wrath” may be presented to a high school English class, but “Star-Wars” shown for entertainment would not be permitted, unless copyright clearance has been obtained.
Use of Commercially Produced Video Recordings

SCHOOL DISTRICT OF BATTLE CREEK PUBLIC SCHOOLS

PARENT(S)/GUARDIAN(S) NOTIFICATION FORM

Date: __________________________

Dear Parent(s)/Guardian(s):

I am planning to show ____________________________________ to my _______ grade film/video/DVD
________________________________________ class. This film/video is rated _____________

The rating is due to these factors: ___________________________________________________________

The purpose of seeing this film/video/DVD is to: __________________________________________

____ The film/video/DVD will be shown in its entirety.

____ Only the following portions of the film/video/DVD will be shown:

______________________________________________________________________________________

If you wish to preview the film/video/DVD, it may be borrowed or rented from:

______________________________________________________________________________________

Signature of Teacher

********************************************************************************

Please sign below and return this form with your child or mail it to the address indicated.
Please return this form on or before: __________________________

Film/video/DVD: _________________________________________________________________

____ My child has my approval to view this film/video/DVD.

____ I do not want my child to view this film/video/DVD. Please substitute a meaningful, related, alternative activity.

Student: __________________________________________________________

Signature of Parent(s)/Guardian(s): ________________________________________________

School: ______________________________

Address: ______________________________

Battle Creek Public Instructional Program Section 7000
7475 - Computer Assisted Instruction

The Board supports computer-assisted instruction for the District’s students in order that the students may accomplish their educational goals efficiently and completely and become computer literate.

The Board shall demonstrate this support by establishing computer-learning centers in each school, as funds are available. Such funds may be obtained through state and federal sources, donations, and gifts or through the allocation of District funds.

Approved: June 19, 2017
7480 - Resource Speakers (Cf. 7760)

No overall standard can be established which will automatically separate and exclude a person whose views or manner of presentation may actually obstruct the educational process or jeopardize the health and safety of students or staff. However, in an effort to uphold the students’ freedom to learn while also recognizing obligations, which the exercise of this freedom entails, the Board does establish guidelines, found in 7480-R, that govern the selection of resource speakers to be used in any attendance center in the District.

Approved: June 19, 2017
The teacher/sponsor and school building administrator are expected to exercise judgment and to investigate fully those who are being considered as resource speakers in the District.

Teachers/Sponsors should encourage the use of resource persons representing various points of view in order to help students gain a more comprehensive understanding of any topic.

The ideas presented and the resource person invited to present them shall have a demonstrable relation to the curricular or extracurricular activity in which the participating students are involved.

Prior to appearance or participation, the resource speaker shall be given a copy of this policy and rules, and each speaker shall agree to abide by these regulations:

• Profanity, vulgarity, and lewd comments are prohibited;
• Any language that calls for a student strike, may incite a riot, or may otherwise influence students to behave in an unlawful manner is prohibited; and
• Smoking is not permitted while speaking or consulting with students. The teacher/sponsor or any member of the school administration responsible for inviting the resource speaker(s) has the right and duty to interrupt or suspend any proceedings if the resource speaker(s), by his/her conduct, is judged to have disregarded the agreement to abide by these regulations.
The Board encourages the utilization of community resources in the instructional program of the school.

**Use of Community Resource Persons**

The use of community resource personnel is encouraged where a legitimate educational objective may be advanced.

**School Volunteers (Cf. 9230)**

The use of school volunteers is encouraged whenever a legitimate educational objective may be advanced.

Approved: June 19, 2017
LEGAL REF: MCL 691.1505
Community Resources

7485-R - Community Resources

The administrative and certified staff shall maintain and keep up-to-date a list of available resource people residing in the District. The certified staff shall also maintain and keep up-to-date a list of suitable community resources, which may be utilized for field trips and other such excursions.

Use of Community Resource Persons

Under certain circumstances, community resource personnel may be paid a reasonable honorarium if approved through the budget approval process by the Board as a legitimate budget expenditure.
7490 - Field Trips and Excursions

Field trips and excursions are encouraged when a reasonable educational objective can be established. All trips to foreign countries and overnight trips are to be approved in advance by the Board. The Superintendent shall provide the Board with a recommendation concerning any overnight or foreign trip. The recommendation shall take into account any foreign travel warnings or cautions of the U.S. Department of State. In addition, before making any recommendation, the Superintendent shall seek advice concerning overnight or foreign travel from the District’s legal counsel and insurance carrier. The Superintendent shall develop rules and regulations regarding educational field trips and excursions.

Approved:       June 19, 2017
LEGAL REF:      MCL 380.1321-1332; R 340.241-243
7490-R - Field Trips and Excursions

The teacher shall notify the Principal of each trip planned and of the resources needed in advance of the trip. Each building Principal shall develop appropriate forms to notify parent(s)/guardian(s) of forthcoming field trips and excursions. Said form shall include the nature of the trip; departure time; expected return time; names of sponsors; mode of travel; anticipated costs to the student, if any; a space where the parent(s)/guardian(s) may ask that his/her child be excused; and a space for the parent(s)/guardian(s) to state the reasons for the requested exemption.

Chaperones

The Superintendent may direct that appropriate screening processes be implemented to assure that adult chaperones for field trips or excursions are free of criminal convictions for any offenses involving children. Such processes may include the requirement for a criminal background check, application forms that require disclosure of any criminal convictions for crimes involving children, gathering of personal references, and other methods to assure that adult chaperones are suitable and acceptable for accompanying children on field trips or excursions.

When serving as a chaperone for District field trips, the parent(s)/guardian(s), or other adult volunteers, including employees of the District, assigned to chaperone, shall not use tobacco products in the presence of students, nor shall they consume any alcoholic beverages nor use any illicit drug during the duration of their assignment as a chaperone, including during the hours following the end of the day’s activities for students. Chaperones shall be given a copy of these rules, and sign a letter of understanding verifying they are aware of, and agree to, these District rules before being allowed to accompany students on any field trip or excursion.
Any chaperone found to have violated these rules shall not be used again as a chaperone for any District sponsored field trips or excursions and may be excluded from using District sponsored transportation for the remainder of the field trip or excursion and be responsible for their own transportation back home. Employees found to have violated these rules may be subject to disciplinary action.

**Modes of Transportation**

Whenever possible and feasible, District vehicles operated by District transportation employees will be used to transport students on District-sponsored field trips or excursions. If the use of District vehicles and transportation employees is not possible, such as for overnight trips outside of the District where the rental of commercial buses is necessary, then the administrator responsible for student transportation will oversee and coordinate the rental of commercially operated vehicles. In no case shall a teacher or building Principal be authorized to contract for the rental of commercial vehicles for use with field trips or excursions without the prior review and approval of the administrator in charge of transportation or the Superintendent.

If the use of privately owned vehicles for a field trip or excursion is contemplated, then all requirements set forth in policy 4350 shall be followed.

Full details of field trips rules/regulations or procedures shall be published in the appropriate faculty, staff, parent/guardian, and student handbooks.
7500 - Guidance Program

The guidance program shall be organized to meet the needs, interests, and abilities of all individual students with their own particular capabilities, their aptitudes, and their personalities. It is a District goal to make each student an active participant in the learning process and not simply a passive absorber of knowledge.

The guidance and counseling services of the District shall be available to any student and shall not discriminate against any student based on sex, race, age, color, national origin, or disability.

Educational Guidance

The educational guidance program shall relate to the educational objectives and needs of the students.

Personal Guidance

The guidance program shall provide for the individual needs of the students.

Vocational Guidance

The District shall assist students in formulating vocational goals and objectives. Cooperative vocational education, job placement, and apprenticeship training will be offered without regard to race, age, color, sex, national origin, or disability.

Approved: June 19, 2017
LEGAL REF: MCL 380.1233; 20 USC §1232g (Family Educational Rights and Privacy Act); 28 CFR §42.410; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USC §1981, et seq. (Civil Rights Act); 20 USC §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 29 USC §794(Rehabilitation Act of 1973)
7500-R - Guidance Program

The guidance counselor shall acquaint students with the educational system and its offerings. Students shall be given assistance in selecting and enrolling in programs and courses. Periodic testing, e.g., psychological, achievement, interest and other such tests, shall be conducted.

Guidance and counseling on a personal basis shall assist each student to understand him/herself, his/her capabilities, and limitations; to identify alternate courses of action; and to make appropriate personal decisions. The counselor shall refer any student’s personal problem to the parent(s)/guardian(s), after consultation with the Principal, whenever such problem is beyond the scope of training and experience for the counselor.

Access to resources of up-to-date occupational information and training requirements shall be maintained for student and staff reference and for teaching or counseling purposes.

All secondary school students will be encouraged to consider career goals and objectives and to pursue programs of study related to those ends.

Assistance in job placement may be given to students both directly and by working with other agencies.
The Board encourages a uniform grading system for use in the elementary and secondary grades.

Full details of the District’s grading system shall be published in the appropriate faculty and student handbooks.

Approved: June 19, 2017
Independent study is one of the most important aspects of a student’s school life. Homework and study time is an established part of the District educational process and is considered a valuable part of the instructional program.

**Definition**

Homework and study time is an out-of-class task a student is assigned as an extension of classroom work.

Most homework and study time has one of (or some combination of) four goals:

1. Opportunity for practice or completion of a skill or concept introduced in the classroom.
2. Builds prior knowledge for learning new information.
3. Opportunity to practice a skill or concept differently than that provided in the classroom.
4. Opportunity to achieve mastery. (Generally, a minimum of 24 practice times is necessary.)

Unfinished class work or work missed due to absences, although accomplished outside of the school day, is not included in the school’s definition of homework and study time.

**Purpose**

Homework and study time is designed to:

1. Extend and reinforce classroom learning.
2. Encourage personal responsibility and self-direction in learning.
3. Develop good study habits.
4. Help students organize and budget time.
5. Bring home and school closer together.

**Application**

Homework and study time will be assigned regularly. Most students will have some homework and study time most school days. Daily assignments are part of some courses or curricular areas. The length and frequency of homework and study time assignments are adjusted to accommodate the developmental stage and ability level of students and resources available in the home.

**Limitations**

Homework and study time will not:

1. Be used as a form of punishment.

2. Attempt to teach complex skills and material without the support of classroom instruction.

3. Require parental assistance in its completion; however, parents are encouraged to voluntarily assist/work with their children.

4. Be assigned without a subsequent monitoring and evaluation/grading component.

Approved: June 19, 2017

Grade level and group assignments, including promotion and retention, shall be the responsibility of the Superintendent or designee and shall be made in the best interests of the individual student subject to parent(s)/guardian(s) involvement in accordance with law.

Students will normally progress annually from grade to grade. However, exceptions are permitted by law and may be recommended when, in the judgment of the professional staff and after consultation with parent(s)/guardian(s), such exceptions are in the best interests of the individual student involved and retention is indicated.

The Superintendent or designee will develop administrative rules regarding promotion and retention. Full details of the District’s promotion and retention guidelines shall be published in the appropriate student handbooks.

Approved: June 19, 2017
LEGAL REF: MCL 380.10, MCL 380.1280f

22 MCL 380.10 ("It is the natural, fundamental right of parents and legal guardians to determine and direct the care, teaching, and education of their children. The public schools of this state serve the needs of the pupils by cooperating with the pupil’s parents and legal guardians to develop the pupil’s intellectual capabilities and vocational skills in a safe and positive environment.").
7610 - Make-up Opportunities (Cf. 8350)

All teachers shall supply make-up work assignments when requested by the student or parent(s)/guardian(s), unless the absence from class is due to a long-term suspension (more than 10 school days) or permanent expulsion as mandated by law.

The administration shall reserve the right to determine whether credit will be granted for make-up work resulting from unexcused absences or absences due to short term suspension (10 school days or less). After consultation with the appropriate teachers, the building Principal shall make such a determination subject to possible review by the Superintendent.

Approved:
Graduation Requirements

7630 - Graduation Requirements

The Board may adopt graduation requirements beyond the minimums set forth by the State Board of Education. The District’s graduation requirements shall be published in all student handbooks.

Approved: June 19, 2017


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23 This case affirmed the right of a school District to include “mandatory community service” in the curriculum as a condition of graduation. The 2nd Circuit’s decision took into account the fact that school Districts should expect some parents to challenge school programs that, they feel, may intrude on their 14th Amendment rights. Alternatively, school Districts can avoid such challenges by simply providing an excusal provision for parents that offer “value-based” objections to programs such as mandatory community service.
7640 - Transfer of Credit

Schools of the District shall accept as transfer credit coursework successfully completed at a school accredited by the North Central Association of Schools and Colleges, the Michigan Association of Non-Public Schools, the Independent Schools Association of the Central States, or a recognized state or regional accrediting agency of comparable standards, or coursework successfully completed at an accredited postsecondary institution.

In core academic disciplines, particularly disciplines like mathematics which are sequential in nature, the school administration may make use of transcripts, grades, previous teacher recommendations, textbook used, course descriptions, standardized tests, and/or a placement or proficiency test to recommend or determine course placement for a transferring student.

No credit will be granted for work done at another institution that the student substantially repeats by taking an equivalent class within the District.

Transfer from Home Schooling or Other Institutions

Decisions regarding acceptance of credit or grade level placement of students transferring from a home school or a school not meeting the standards of the major regional accrediting agencies listed above shall be made by school officials based on statute and Michigan Department of Education standards and appropriate District designed testing and/or review of home school work and curricula. School officials shall consult the parent(s)/guardian(s), interview the student, and review home school curricula documentation prior to making a decision.

Approved: June 19, 2017
7642 - Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit toward graduation through virtual learning and online courses.

Only courses offered by accredited agencies and institutions recognized by the Board will be accepted. All approved courses must align with the Michigan Merit Curriculum.

The express written approval of the Principal/designee shall be obtained before the course is taken, and an official transcript record of the final grade must be received by the school before a diploma may be issued to the student. Under ordinary circumstances, students or their parent(s)/guardian(s) shall pay for approved courses the student chooses to take.

For alternative education high school students, the express written approval of the principal or designee shall be obtained before the course is taken, and an official transcript record of the final grade must be received from the virtual school by the high school before a diploma may be issued to the student. Under ordinary circumstances, students or their parent(s)/guardian(s) shall pay for approved correspondence courses the student chooses to take. Alternative education high school students may exceed the maximum course limitation upon prior written approval of the Superintendent or his/her designee.

Diplomas are authorized by the Board of Education and issued at the completion of the second semester.

Students taking such courses must be enrolled in the District.

As determined by school/council policy, students applying for permission to take a virtual course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online learning environment. In addition, the express approval of the Principal shall be obtained before
a student enrolls in a virtual course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

The tuition fee for a virtual course shall be borne by the District for students enrolled full-time. The District may pay the fee for expelled students who are permitted to take virtual courses in alternative settings.

Through its policies and/or supervision plan, the District shall be responsible for providing appropriate supervision and monitoring of students taking virtual courses.

Approved: June 19, 2017
There will be a basic testing program designed to evaluate the outcomes of the educational program and to provide information needed in working with individuals. The basic testing program shall be supplemented by such individual tests as the need of the educational program and the District indicate. This program shall be coordinated by the Superintendent or designee from kindergarten through grade 12 in order to provide continuity in the total program.

Test Selection and Adoption (Cf. 8940, et seq.)

Guidance-oriented tests may be selected for use in the District upon recommendation of the guidance counselor and building Principal and approved by the Superintendent or designee.

Student Assessment

Each school improvement plan shall provide for student assessment methods that use a variety of criteria-based strategies, including at least: written examinations, oral examinations, alternative questions, demonstrations, writing exercises, individual projects, group projects, performances, student portfolios, and samples of student’s best works. The grading structure will be included in the student handbook.

Testing Out

Under Michigan law, (MCL 380.1279b) a student who desires to receive credit for a high school course without enrolling in the course may do so by attaining a grade of not less than a C+ for the final exam and/or other comprehensive paper, portfolio, presentation, project, or assessment in the course. Credit will not be granted, however, for a course in a subject area lower in course sequence than one for which the student has already earned credit.

Successfully attained credit under this policy will earn a grade of “pass” and shall not be used in computations of grade point average nor counted toward the total required credits for
Testing Program (Cf. 8940 et seq.)

graduation. Credit may be used to fulfill prerequisites for other courses and/or subject area credit requirements for graduation.

The high school Principal shall establish rules for implementing this policy in cooperation with the Superintendent or designee, and shall be responsible for ensuring that all high school courses include one or more appropriate comprehensive exam(s) or other assessment.

Approved: June 19, 2017

LEGAL REF: MCL 380.1172; 380.1204a; 380.1278; 380.1279; 380.1279b; 380.1279c; R 340.1101-1107; OAG, 1983-1984, No 6148, p 107 (April 15, 1983)
Testing Selection and Adoption

The counseling staff may use tests other than those purchased and approved for use in the District if requested by individual students. Costs of administering such tests are to be borne by the student.

Use and Dissemination of Test Results (Cf. 8940, et seq.)

The custodian of student records is responsible for safekeeping all test results.

Standardized Tests

The Superintendent shall designate staff to analyze all standardized tests used in the District relative to:

a. The population represented by the norms or comparison groups;

b. The specific use or uses of such tests and how these standards compare to the District’s goals; and

c. Available alternatives to such tests.
7700 - Evaluation of Instructional Program (Cf. 7650)

The evaluation of the curriculum and related services of the District is an ongoing process. The Superintendent or designee shall develop guidelines by which the instructional staff will evaluate the instructional program or parts thereof on an annual basis.

Approved: June 19, 2017
LEGAL REF: MCL 380.1282
The Superintendent or designee may establish, on an ad hoc basis, special curriculum committees to study the District’s instructional program or any part thereof. The Superintendent or designee may request a report from such committee, which shall include the committee’s recommendations for any proposed changes, modifications, or elimination of any part of the instructional program. The Superintendent or designee will submit the report together with his/her recommendation to the Board for approval, modification, or disapproval at a regular or special meeting of the Board. The use of personnel other than the District’s instructional staff to evaluate the curriculum is authorized as outlined elsewhere in these policies and rules.

Any costs incurred by curriculum committees shall be borne by the District.
7760 - Controversial Issues

Good teaching techniques provide that adequate preparation on the part of student and teacher take place before controversial issues are explored. Every controversy has two or more sides; it is therefore imperative that teachers ensure that all issues, facets, and questions of any controversial subject are thoroughly studied. Teachers should be aware that controversy may spring from the most innocuous beginnings and be prepared for it to the best of their ability.

Approved: June 19, 2017
LEGAL REF: MCL 380.1507
7770 - Teaching about Religion

Teachers may teach about religion, religious literature, and history, but are prohibited from teaching, expounding, criticizing, or ridiculing a particular religion. Religious texts may be used to teach about religion, but the use of religious texts is prohibited if used to teach a particular religious doctrine or in any other way except as outlined above.

Approved: June 19, 2017
LEGAL REF: MCL 380.1217
7800 - School Ceremonies and Observances (Cf. 7770)

Opening Exercises

Classrooms may open the school day with appropriate exercises. Such may include the pledge to the flag, patriotic songs, and reading of excerpts of material, which will implement the development of moral values, patriotism, and high standards of conduct. A student who expresses a religious objection to repeating the pledge to the flag shall not be required to participate; however, such students shall not cause a disturbance or interfere with the participation of others.

Recognition of Religious Beliefs and Customs

Employees of the District shall neither promote nor disparage any religious belief or non-belief. The Board encourages all students and staff members to appreciate and to be tolerant of each other’s religious views. The Board shall utilize its authority to foster understanding and mutual respect among students and parent(s)/guardian(s), whether it involves race, culture, economic background, or religious belief. Students and staff members may be excused from participating in practices that are contrary to their religious beliefs, unless there are clear issues and overriding concerns that would prevent it.

The Board, through its instructional program, shall attempt to advance all students’ knowledge and appreciation of the role that religious heritage has played in the social, cultural, and historical development of civilization.

Federal Requirements

As required by the Every Student Succeeds Act, by October 1 of each year, the Superintendent will certify in writing to the State that students of the District are not prevented by policy or rule from participating in constitutionally protected prayer. The Superintendent will
ensure that the staff, parent(s)/guardian(s), and students are made aware of the parameters of acceptable religious speech and actions.

The Superintendent will also distribute guidelines to each school concerning religion in the schools after the guidelines/regulations have been approved by the Board attorney and reviewed by the Board.

In accordance with federal law, the District shall offer an educational program(s) each year on Constitution Day to commemorate the September 17, 1787 signing of the United States Constitution. The Superintendent shall establish administrative guidelines ensuring that the District observes Constitution Day properly and in a manner befitting the importance of the event to the history of the United States of America.

Approved: June 19, 2017

Constitution Day shall be held on September 17th of each year. However, if September 17th falls on a Saturday, Sunday, or holiday, then Constitution Day shall be held during the preceding or following week.
Through special ceremonies or through the instructional program, building administrators may arrange for proper commemoration of the following special days in the schools:

Constitution Day (September 17); Columbus Day (2nd Monday in October); Veteran’s Day (November 11); Martin Luther King’s Birthday (3rd Monday in January); Lincoln’s Birthday (February 12); and Washington’s Birthday (3rd Monday in February).

Observance of Constitution Day

The District shall offer a Constitution Day program(s) each September 17 to commemorate the signing of the United States Constitution. The following are examples of acceptable Constitution Day programs:

- An assembly for all grades in the school featuring a speaker from local, state, or federal government to discuss the importance of the signing of the U.S. Constitution;
- An art or essay contest centering on the signing of the U.S. Constitution;
- A special program focusing on the signing of the U.S. Constitution broadcasted over an educational T.V. channel district-wide;
- Hallway bulletin board displays stressing the observance of the signing of the U.S. Constitution; or
- Classroom skits or mini-plays featuring students who represent the original signers of the Constitution and who give a brief biography of the person whom they represent.

Constitution Day shall be held on September 17th of each year. However, if September 17th falls on a Saturday, Sunday, or holiday, then Constitution Day shall be held during the preceding or following week.
School Ceremonies and Observances

The Superintendent authorizes the formulation of a Constitution Day Planning Committee to assist the Superintendent in choosing an appropriate Constitution Day program for the District.

The Superintendent shall appoint a member of the administrative staff to organize the Constitution Day Planning Committee. The Committee may include students, teachers, and administrators. The primary duties of the Committee will be to formulate suggestions for a District Constitution Day program and/or suggestions for individual school or classroom observances, which shall be presented to the Superintendent.

Observance of Religious Holidays

The practice of the District shall be as follows:

The several holidays throughout the year that have a religious and secular basis may be observed in the public schools.

The historical and contemporary values and the origin of religious holidays may be explained in an unbiased and objective manner without sectarian indoctrination.

Music, art, literature, and drama having a religious theme or basis are permitted as part of the curriculum for school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.

The use of religious symbols such as a cross, Menorah, crescent, Star of David, crèche, symbol of Native America, or other symbols that are a part of a religious holiday is permitted as a teaching aid or resource provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature.
Among these holidays are Christmas, Easter, Passover, Hanukkah, St. Valentine’s Day, St. Patrick’s Day, Thanksgiving, and Halloween.

The District’s calendar, through the collective bargaining process, may be prepared to minimize conflicts with religious holidays of all faiths.

**Religion in the Curriculum**

It is essential that teaching about, and not of, religion be conducted in a factual, objective, and respectful manner. Therefore, the practice of the District shall be as follows:

**School Ceremonies and Observances**

The Board supports the inclusion of religious literature, music, drama, and the arts in the curriculum and in school activities if it is intrinsic to the learning experience in the various fields of study and is presented objectively.

The emphasis on religious themes in the arts, literature, and history should be only as extensive as necessary for a balanced thorough study of these areas. Such studies should never foster any particular religious tenets or demean any religious beliefs.

Student-initiated expressions to questions or assignments, which reflect their beliefs or non-beliefs about a religious theme, shall be accommodated. Students are free to express religious belief or non-belief in composition, art forms, music, and speech.

**Dissemination of Religious Materials**

Materials that have a religious content may be made available to students during non-instructional time. The District shall impose content neutral, time, place, and manner restrictions on the dissemination of religious materials to ensure that students are aware that the materials are not being endorsed or sponsored by the District.
Dedications and Commencement

Traditions are a cherished part of the community life and the District expresses an interest in maintaining those traditions, which have had significance to the community. While recognizing the significance of traditions, the Board recognizes that its dedication ceremonies and commencement exercises must be secular in nature. Inspirational addresses, which do not promote religion, may be permitted at such ceremonies.

Because the baccalaureate service is traditionally religious in nature, it, if held, shall be sponsored by agencies separate from the District. School-initiated invocations and benediction, inherent in commencement (graduation) ceremonies, are not allowed under current law.

Federally Required Guidelines

Students have the following rights pursuant to federal law:

- To engage in private, non-disruptive activity such as prayer or bible reading while at school;
- To participate in before or after school events that has a religious content;
- To study about religion when appropriate to the curriculum;
- To produce written expressions of religious beliefs in homework, art work, and other assignments;
- To distribute in a non-disruptive manner, subject to reasonable restrictions as to time, place, and manner, religious literature;
- To be excused for religious reasons from participation in school programs or activities;
- To be granted release time to attend religious events;
- To wear clothing that includes a non-disruptive religious theme or message;
• To be given access to school media to announce religious events in the same manner as other organizations; and/or

• To be granted access to school facilities for religious activities in the same manner as other organizations.
7820 - Honorary Diplomas

Upon recommendation of the Superintendent, the Board may approve the awarding of “honorary” diplomas. “Honorary” diplomas may be awarded under the following circumstances:

1. As an honor awarded to a community member, who is not a former graduate of the high school, for outstanding service and dedication to the school District evidenced through volunteer service, monetary contributions, or support for school athletic teams or other high school activities.

2. As a posthumous award to a student who has died and who, it can be presumed, would have, otherwise, graduated from the high school.

3. As an award in the present, or posthumously, to an outstanding administrator, faculty, or staff member who had served the high school exceptionally and honorably for 25 years or more.

4. For other reasons judged to be appropriate by the Superintendent and approved by the Board.

The Superintendent shall promulgate administrative rules to administer this policy and establish the means and methods of determining who might be recommended to the Board for the receipt of an “honorary” diploma.

Approved:
The Board encourages the administrative staff to secure qualified substitute teachers for use in the District.

Each building Principal shall secure substitute teachers for use in the building on a need basis and from the master list.

The Board shall establish the rate of pay for substitute teachers as necessary upon the recommendation of the Superintendent.

Approved: June 19, 2017
The Superintendent in collaboration with any third-party vendor shall notify substitutes when and how candidates should apply to be substitutes, the rates of pay, the time of the morning or day that substitutes can expect to be called for duty, instructions on where to report for all attendance centers of the District, maps of the school District and of each attendance center school building, a current copy of the school calendar, a copy of the Board’s educational philosophy, hints on working with students, a statement of expectations the District has for those who substitute (similar to those expected of regular teaching staff), a list of things the substitute must do before leaving for the day, and a sample report form for reporting incidents that may take place during the day.

Substitutes are encouraged to prepare, in advance, emergency lesson plans for the subjects in which they are most likely to substitute in case the situation arises that lesson plans are not available. Such preparations should also include a set of prepared questions probing the meaning of the material presented to ensure that student learning takes place.

At the end of each pay period, each Principal shall file a detailed report with the Superintendent regarding the substitutes used by such Principal in the building during such pay period.
7880 - Flag Displays

Each school building, in accordance with law, shall display the United States flag each day that the building is open for students. The flag shall be flown outside of the building according to accepted display procedures. All classrooms shall display the United States flag in a prominent place. The display of the Michigan flag is optional.

Approved: June 19, 2017
LEGAL REF: MCL 380.1347
Principals shall assume the responsibility for raising and taking down the flag at their buildings. Such responsibility may be assigned to the custodian, a school organization such as the student council, or organizations such as boy or girl scouts. If assigned to student organizations, either within or outside the school, the Principal or person designated by him/her shall assume the responsibility to see that the flag is cared for regularly and properly.
7900 - School Improvement

The Board supports building level school improvement processes and projects for attaining higher educational achievement levels for the District’s students.

School Improvement Committees

The Board authorizes the formation of building-level school improvement committees at each school within the District. Each local school improvement committee shall be comprised of a number of persons as each school improvement committee determines. The Superintendent shall be an *ex officio* member of each local school improvement committee. As determined by the Superintendent or designee, a Districtwide school improvement project committee may be comprised of at least one Board member, a District level administrator, a building level administrator, a representative from each recognized bargaining unit, and/or a representative of the non-certified staff.

The purpose of each school improvement committee shall be to establish goals for the school and to oversee the programs and activities leading toward the attainment of those goals. The goals established by the school improvement committee shall be compatible with the District’s mission statement and goals established by the Board. The purpose of the Districtwide school improvement project committee is to monitor the projects; receive the information about the local school improvement projects; and report to the Board what is happening and what are the results.

Data Collection/Assessment

The Superintendent shall oversee the collection of data to be used in an assessment of the status of the District.
Meetings

It is suggested that each local school improvement committee meet monthly, transcribe minutes of each meeting, and maintain a record of minutes.

Review

Yearly, each local school improvement committees may be required to submit to the Superintendent or designee a report detailing the progress toward attainment of its goals.

Individual local school improvement committees may coordinate programs and projects with other schools in the District, other districts, and the intermediate school district.

Approved: June 19, 2017
LEGAL REF: MCL 380.1204a; 380.1233; 380.1277
Building level local school improvement committees shall be established, reestablished, and/or adjusted annually.

**Committee Membership**

The local school improvement committee should have representatives from the following groups as members, in addition to those already listed in Board policy: parent(s)/guardian(s), community members, students, and others as the school improvement committee may find necessary to assist it in attaining its goals.

**Data Collection/Assessment**

The data collected by the District in order to assist each local school improvement committee may include, but not be limited to: student standardized test scores, dropout rates, student/staff ratios, grade point averages, demographic and societal data, career/employment data, vandalism, student attendance rates, student discipline, and others as the committee may need.

The collection of the data should involve input from parent(s)/guardian(s), staff, students, and other community members. Confidentiality regarding personally identifiable information shall be maintained at all times by all members of the local school improvement committee.

**Review**

The local school improvement committee’s review process with the Board should include discussion of the progress and attainment toward goals, financial and business issues, student performance outcomes, scheduling of classes, maintenance of facilities, school calendars, staffing needs, staff evaluation, teaching methods, pilot projects, curriculum and textbook review, organizational structures, and others as may be necessary for the Board’s information.
7910 - Decision Making Process

Individuals responsible for the implementation of a program or plan should take an active part, either directly or through appropriate representation, in the planning and decision-making process. Decisions should be made at the level closest to the issue being addressed to the extent feasible.

The Board believes that decision-making shall:

a. Provide teachers, other staff members, students where appropriate and the community increased opportunity to participate in and contribute to decisions which affect them;

b. Recognize the expertise and competence of those who work in individual schools to make decisions to improve learning;

c. Improve staff morale;

d. Bring the financial and instructional resources in line with the instructional goals implemented in each school;

e. Provide better services and programs to students; and

f. Increase both the quality and quantity of communication within a school and with the community.

Approved: June 19, 2017
7950 - Schools of Choice

Should the District elect to participate in “Schools of Choice,” the Superintendent shall cause to be published, for general public consumption, a notice of the grades, schools, special programs, and the number of slots available. District participation in “Schools of Choice,” if any, shall not be in conflict with law or Michigan State Department of Education rules and regulations.

Approved:       June 19, 2017
LEGAL REF:      MCL 388.1705, 388.1705c
Section 8000

8000—STUDENTS

8010 Equal Educational Opportunity (Cf. 5020)
8015 Non-Discrimination and Complaint Procedure (Cf. 2450, 5030)
8018 Discriminatory Harassment of Students
8018-R Discriminatory Harassment of Students
   Federal Title Programs
   Sexual Harassment and Intimidation
   Grievance Procedure
   Sanctions
8020 Attendance
   Compulsory Attendance - Religious Exemption
8020-R Attendance
8030 Truancy
8035 Absences and Excuses (Cf. 7610, 8350)
8040 School Admissions
   Release of a Student During the School Day
   First Time Enrollments
   Resident Students
   New Resident Students
   Non-Resident Students
   Resident Attendance in another District – Non-Schools of Choice
   Transfers and Withdrawals
8040-R School Admissions
   First Time Enrollments
   Resident Students
   New Resident Students
   Non-Resident Students
   Tuition
   Assignment
   To Schools
   To Classrooms
   School Admissions - Non-Accredited Schools
   Transfers and Withdrawals
   Resident Attendance in another District - Non-Schools of Choice
8045 Homeless Children
   Necessities
8045-R Homeless Children
8055 Changing Student Letter Grades
8055-R Changing Student Letter Grades
8080 Re-admissions
8080-R Re-admissions
8090 Release of a Student during the School Day
8095 Closed Campus
   Eligible Senior Exception
8130 Searches of Motorized Vehicles, Lockers, and Students
Lockers
Motorized Vehicles
Students
Strip Searches
Law Enforcement Searches

8130-R  Searches of Motorized Vehicles, Lockers, and Students
          Search of Lockers
          Search of Motorized Vehicles
          Search of the Person

8140  Interrogation and Investigations Conducted in School

8140-R Interrogation and Investigations Conducted in School

8220  Alcohol, Inhalants, Steroids, and Drug Abuse

8230  Tobacco Products

8240  Student Appearance

8245  Student Behavior

8255  Terroristic Threats/Acts

8260  Bullying (Cf. 8018)
          Bullying Prohibited

8270  Hazing
          Hazing Prohibited

8280  Electronic Devices - Students

8300  Student Discipline (Cf. 5220)
          Positive Behavior Support (PBS)

8300-R Student Discipline (Cf. 5220)
          Corporal Punishment
          Prohibited Practices - Restraint
          Definition of Emergency Seclusion
          Seclusion

8320  Assaults Committed by Students
          Assaults Committed Against School Personnel
          Physical Assaults
          Threats of Assault Committed by Students
          Physical Assaults Committed Against Other Students
          Reinstatement
          Application to Students with Disabilities
          Implementation

8350  Student Suspension and Expulsion (Cf. 8080)
          Suspensions
          Suspensions by Teachers
          Class, Subject or Activity Suspensions
          Application to Students with Disabilities
          Implementation
          Appeals
          Written Notices

8440  Early Graduation (Cf. 7630)

8450  Student Welfare (Cf. 8590, 8590-R)
8450-R  Student Welfare
8453  Student Wellness Policy (Cf. 4450, 4460)
   Nutrition Education
   Nutrition Standards
8453  Student Wellness Policy (Cf. 4450, 4460)
   Physical Education and Physical Activity Opportunities
   Other School-Based Activities Designed to Promote Student-Wellness
   Implementation and Measurement
8453-R Student Wellness Policy (Cf. 4450, 4460)
   Administrative Rules regarding Battle Creek Public Schools
   Student Wellness Policy
   Coordinated School Health Team
   Nutrition Education
   Curriculum:
   Instruction and Assessment:
   Opportunity to Learn:
   Nutrition Standards
   Physical Education and Physical Activity Opportunities
   Curriculum:
   Instruction and Assessment:
   Opportunity to Learn:
   Other School-Based Activities Designed to Promote Student-Wellness
   Dining Environment:
   Time to Eat:
   Food or Physical Activity as a Reward or Punishment:
   Consistent School Activities and Environment
   Implementation and Measurement
   Appendix A: Healthy Food and Beverages Criteria and Healthy Snack List
   Your Resource to Health Packaged Food and Beverage Products
   Appendix B: Alternatives to Using Food as a Reward
   Students Learn what they Live
   Appendix C: Healthy School Parties
   Snack Ideas for School and Classroom Parties
   Appendix D: Healthy School Fundraisers
   Smart Fundraisers for Today’s Health Schools
   Search the Web
   Appendix E: Serving Healthy Beverages
   Recommendations for Serving Healthy Beverages
   Choosing your Drinks can be Difficult! Watch out for:
   Appendix F: Michigan Physical Education and Activity Resources
   Cross-Curricular Instruction: Integrating Physical Activity into Classroom Subjects:
   Examples:
Using Physical Activity to Reward Students
Ideas for School Parties
Resources
Recess before Lunch
Appendix G: Healthy School Action Tool Brochure
HSAT Module Topics
8455 Unsafe School Choice Policy
8460 Student Insurance Programs
8460-R Student Insurance Programs
8480 Student Health Services
  - Immunization of Students and Vision Testing
8485 Fees for Interscholastic Athletics
8490 Interscholastic Athletics Defined as Club or Varsity Sport
  - Club Sports
  - Requirements to Achieve “Club” Status
  - Administrative Requirements
  - Varsity Sports
  - Requirements to Achieve “Varsity” Status
  - Periodic Review
8500 Addition and Deletion of Interscholastic Athletics
8500-R Addition and Deletion of Interscholastic Athletics
  - Student Interest
  - State Athletic Association
  - Competition
  - Facilities
  - Locker Room
  - Equipment
  - Funding
  - Revenue
  - Scheduling
  - Equal Opportunity
  - Process for Adding Interscholastic Varsity Sports
  - Criteria for Deleting Interscholastic Sports
  - Process for Deleting Interscholastic Sports
  - Probationary Status
8510 Communicable Diseases - Students and Staff (Cf. 5370)
8510-R Communicable Diseases - Students and Staff (Cf. 5370)
8515 Head Lice Policy
8530 Student Assistance Program(s) (Cf. 7110)
8580 Child Abuse and Neglect - Duty to Report
  - Access to Students on School Premises (Cf. 8140, 9570)
  - Cooperation between School and Agencies
8580-R Child Abuse and Neglect - Duty to Report
8590 Student Safety
  - Bicycle Use
  - Walkers and Riders
Eye Protective Devices
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Safety Patrols

8590-R  Student Safety
  Inspection of Buildings and Grounds (Cf. 4040)

8640  Use of Motorized Vehicles

8650  Student Accidents

8650-R  Student Accidents

8660  First Aid

8670  Administration of Medications by School Personnel (Cf. 2780)
  Self-Administration/Self-Possession of Medications
  Diabetic Emergencies
  Management of Students with Asthma in the School Setting
  Exercise Induced Asthma Attacks
  School Staff Training
  Storage and Access to Medications
  Record Keeping of Medications

8670-R  Administration of Medications by School Personnel
  School Administration of Medications – Prescription
  Storage and access to medications in school
  Staff Training
  Training Guidelines
  Records
  School Administration of Medications – Non-prescription
  Student Self-Administration of Medications
  Assisting a Student in Distress
  Diabetic Emergencies
  Management of Students with Asthma in the School Setting

8700  Student Activities
  Activity Fund Management (Cf. 3800)
  Musical Instruments

8700-R  Student Activities
  Activity Fees
  Activity Fund Management (Cf. 3800)
  Shop and Laboratory Class Materials

8710  School-Sponsored Student Clubs (Closed Forum)

8710-R  School-Sponsored Student Clubs (Closed Forum)
  School-Sponsored Student Clubs
  Student Government
  School-Sponsored Student Publications (Cf. 8730)
  Advertisements
  Student Social Events

8720  Non-School-Sponsored Student Clubs and Organizations
  Student Equal Access

8730  Non-School-Sponsored Student Publications (Cf. 8720)

8730-R  Sponsored Student Publications
Ads
Definitions of Terms Used in Discussing Student Publications

8740 Student Photographs (Cf. 3660, 8940)
  Commercial Photographers
  Other Photographic or Video Images
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8750 Student Volunteers

8820 Awards and Scholarships

8860 Homebound Instruction

8920 Foreign Exchange Students

8940 Student Records
  Directory Information

8940-R Student Records
  Custodians
  Record Types
  Permanent records
  Supplementary records
  Tentative records
  Storage
  Data Gathering
  Missing Student
  Inspection and Copying of Records
  Requesting Amendments
  Disclosure without Consent
  Disclosure with Written Consent
  Disposition of Records
  Custodial Discretion in Exceptional Circumstances
  Student Disciplinary Records
  Notification
  Disposition

8990 Student Fees, Fines, Charges and Deposits (Cf. 8040)
  Fees and Charges
  Fines
  Deposits
Every child, regardless of race, creed, color, sex, age, national origin, cultural or economic background, or disability, is entitled to equal opportunity for educational development.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the District. The Board shall treat its students without discrimination as this pertains to course offerings, athletics, counseling, and extracurricular activities.

Approved:

LEGAL REF: 20 USC §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 20 USCA §1701 et seq. (Civil Rights Act); 28 CFR §42.410; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §2000e, et seq. (Title VII of the Civil Rights Act); MCL 380.1146
8015  Non-Discrimination and Complaint Procedure (Cf. 2450, 5030)


The Assistant Superintendent of Human Resources is appointed the Civil Rights Coordinator regarding complaints of harassment or discrimination and has been designated to handle inquiries regarding the non-discrimination and discriminatory harassment policies.

In the event the complaint is against the Superintendent of Schools or the Assistant Superintendent of Human Resources, the Vice President of the Board of Education is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination or harassment should be directed to:

Assistant Superintendent of Human Resources
Battle Creek Public Schools
3 Van Buren St. W
Battle Creek, MI 49017
Phone: 269-965-9500
In the event a complaint is against the Superintendent of Schools or the Assistant Superintendent of Human Resources, the complaint should be directed to:

Vice-President of the Board of Education
Battle Creek Public Schools
3 Van Buren St. W
Battle Creek, MI 49017
Phone: 269-965-9500

The Civil Rights Coordinators, as specified herein, are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against or harassed in violation of this policy. Any person who believes he/she has been discriminated against or harassed in violation of this policy should use the reporting procedure outlined in Board Policy 8018. All complaints of discrimination or harassment will be investigated in accordance with Board Policy 8018.

Approved:

LEGAL REF: Included in Text
Policy Statement

It is the District’s policy to provide an environment free from harassment, including sex-based harassment. Consistent with this policy, the District will investigate all allegations of harassment, including sex-based harassment, and take appropriate action, including appropriate discipline, against any individual who an investigation concludes engaged in harassment.

The District will comply with all applicable state and federal laws related to harassment, including sex-based harassment.

Student Code of Conduct

The Superintendent or designee will include and regularly update a statement explaining the District’s policy against harassment, including sex-based harassment, in each student code of conduct. This statement must include an explanation of types of harassment, including sex-based harassment, examples of harassment types, reporting requirements, and consequences explained in this policy.

Employee Handbook

The Superintendent or designee will include and regularly update a statement explaining the District’s policy against harassment, including sex-based harassment, in all employee handbooks and manuals. This statement must include an explanation of types of harassment, including sex-based harassment, examples of harassment types, reporting requirements, and consequences explained in this policy.

Types of Harassment

Sex-based harassment is prohibited by Title IX of the Education Amendments of 1972 (“Title IX”) and the Michigan Elliott-Larsen Civil Rights Act (the “ELCRA”). Title IX provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits
of, or be subjected to discrimination under any education program or activity operated by the
District. Sexual harassment is a form of sex-based harassment and is prohibited by Title IX, the
ELCRA and District policy. Sexual harassment is unwelcome conduct of a sexual nature. Sexual
harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal,
nonverbal, or physical conduct of a sexual nature, such as sexual assault or any act of sexual
violence. Sexual harassment of a student creates a hostile environment if the conduct is
sufficiently serious to deny or limit a student’s ability to participate in or benefit from the
District’s program. Examples of conduct that may constitute sex-based harassment include, but
are not limited to:

**Verbal:** unwelcome comments, including the use of derogatory, sexually suggestive, or
vulgar language; the use of sexual innuendos; unwelcome advances or repeated requests for
dates or sexual favors; threats based on or motivated by a person’s sex; demanding or pressuring
another individual to submit to sexual requests or advances in order to attain academic or
professional achievements or advances; threatening another individual’s academic or
professional accomplishments or reputation if that individual does not submit to sexual requests
or advances; or any other similar behavior.

**Visual:** subjecting another individual to sexually suggestive, pornographic, or obscene
images, text, or cartoons, including by electronic mail, text message, letter, or any other medium;
the use of obscene gestures toward or around another individual; leering at another individual; or
any other similar behavior.

**Physical:** unwanted kissing, touching, patting, hugging, pinching, or any other unwanted
physical contact; impeding another individual’s normal movements; stalking, assault, or battery
based on the victim’s sex; any other physical interference with another person based on that person’s sex; or any other similar behavior.

Sex-based harassment does not need to include intent to harm an individual, be directed at a specific target, or involve repeated incidents. The District will investigate all reports of sex-based harassment, including allegations of harassment involving an alleged harasser and victim who are members of the same protected class.

Sexual conduct or relationships between District employees and students are prohibited. Consent is irrelevant with respect to criminal charges that may result and application of District policy.

[Option: Insert additional types of harassment from existing policy, e.g., racial harassment, national origin harassment, religion harassment, disability-based harassment, genetic information harassment, harassment based on transgender status or sexual orientation.]

Prohibited Conduct

All harassment, including sex-based harassment, is strictly prohibited. This policy applies to student-to-student conduct, staff-to-student conduct, staff-to-staff conduct, and student-to-staff conduct.

This policy applies to all conduct occurring on District property including 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.

Reporting Requirements

All District personnel must report incidents of alleged harassment, including incidents that school personnel witness or receive reports or information about, whether such incidents are
verbal, visual, or physical, and whether the incidents constitute other forms of harassment, bullying, or hazing.

Any staff member who witnesses an act of harassment, including sex-based harassment, must intervene immediately, unless circumstances would make such intervention dangerous. If a staff member is unable to intervene, the staff member should promptly attempt to find another staff member who is able to intervene, contact District administration, or contact law enforcement, as the situation requires.

Any student who witnesses an act of harassment, including sex-based harassment, is encouraged to report the incident to District officials. No student will be retaliated against based on any report of harassment, including sex-based harassment. A student may also anonymously report an incident of harassment. The District will investigate anonymous reports pursuant to its investigation procedures below. Minor students do not need parental permission to file complaints or participate in the formal complaint resolution process, discussed below.

**How to Report Harassment**

If you or someone you know has been harassed, you may file a complaint with:

**Assistant Superintendent of Human Resources**
Battle Creek Public Schools
3 VanBuren Street, W
Battle Creek, Michigan 49017
(269) 465-9500

In the event the complaint is against the Superintendent or the Assistant Superintendent of Human Resources, the complaint should be directed to:

**Vice President of the Board of Education**
3 VanBuren Street, W
Battle Creek, MI 49017
(269) 965-9500
A complaint of harassment, including sex-based harassment, may be made verbally or in writing.

Those individuals named above shall document all reports of incidents of harassment, as well as any incidents they personally observe. This documentation shall be retained in accordance with the District’s Title IX recordkeeping protocol. A copy of this protocol is available in the office of the Superintendent.

**Complaint Process**

Any individual who has been the victim of harassment, including sex-based harassment, or any individual who has witnessed an incident of harassment, may make a complaint at any time. Any staff member who receives a complaint of harassment, including sex-based harassment, shall immediately document the reported incident and notify the appropriate staff person, as listed above.

Once a complaint is received by the appropriate staff person, as listed above, that person will begin an investigation into the alleged conduct and, if necessary, notify the appropriate authorities.

During the investigation, impartial school officials will contact witnesses to the alleged act(s) of harassment, including sex-based harassment, and obtain statements from those witnesses. If a school official’s impartiality is questioned during the investigation process, that school official will be removed from the investigation and have no further involvement.

**Investigation Timelines**

The District will initiate an investigation within 3 school days of receiving a complaint of harassment, including sex-based harassment. In most cases, an investigation will be completed within 10 school days. The District will comply with all law enforcement requests for
cooperation. In some circumstances, compliance with law enforcement requests may require the District to suspend its factual investigation. The District will promptly resume its investigation as soon as it is notified by the law enforcement agency that it has completed the evidence gathering process. This delay will typically be 3-10 school days. If the District’s investigation is suspended, interim steps will be taken to provide for the safety of the victim(s) and the school community and to avoid potential retaliation. Those steps may include suspension of an alleged perpetrator from work or school until the investigation is complete.

Within 2 school days of the investigation’s conclusion, the District will separately notify, in writing, the victim(s) and the perpetrator(s) of the investigation’s outcome. Any disciplinary action against the perpetrator(s) will be implemented immediately. If appropriate disciplinary action includes a suspension for more than 10 school days of a student, the perpetrator(s) may be suspended from school pending a hearing before the Board of Education or its designee. Any such hearing will comply with Board Policy.

If the perpetrator is a student with a disability, the District must also comply with all applicable laws, regulations, and rules that provide the procedures for the discipline of students with disabilities. A perpetrator’s status as a student with a disability will not affect the District’s obligation to protect the victim during and after the course of the investigation.

**Investigation Procedures**

The District will use the following procedures in initiating and conducting investigations:

1. Any written or verbal report of harassment, including sex-based harassment, will be addressed and investigated, including anonymous written or verbal reports.

2. The District will assure any victim(s) of harassment, including sex-based harassment, that the complaint will be fully investigated.
3. The District will provide the victim(s) of harassment, including sex-based harassment, with assurances that his/her identity will be kept confidential during the investigation, to the extent possible.

4. The District will provide the victim(s) of harassment, including sex-based harassment, with assurances that he/she will not be retaliated against by the District. The District will also take preventative measures to ensure that the alleged perpetrator does not retaliate against the alleged victim(s) at any time during or after the investigation.

5. The District will notify the alleged victim(s) of harassment, including sex-based harassment, that he/she will not be required to confront the alleged perpetrator and that steps will be taken to immediately ensure that the alleged harassment does not continue. The District will attempt to accomplish this in a manner that does not disclose the identity of the victim(s), if possible.

6. The District will interview any witnesses identified by the victim(s) and the alleged perpetrator(s). All witnesses will be assured that their identities will be kept confidential during the investigation, to the extent possible.

7. The District will take action to end the harassment, including sex-based harassment, including monitoring that the conduct does not reoccur and modifying responses if the harassment does reoccur.

8. If the victim(s) is a student under age 18, the District will notify the student’s parent(s)/guardian(s) of the harassment complaint. The parent(s)/guardian(s) will be informed of the status of the investigation, as appropriate.
9. If a student victim of sex-based harassment has been targeted due to his/her sexual orientation, gender identity, or failure to comply with gender stereotypes, the District will first consult with the student to determine an appropriate method of notifying the student’s parent(s)/guardian(s) of the sex-based harassment complaint.

10. All documentation, including witness statements, must be kept with the complaint and reports.

11. The District will use the “preponderance of the evidence” as the appropriate standard for investigating allegations of harassment.

If the victim(s) requests complete confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the victim’s request. If a victim insists that his/her name or other identifying information not be disclosed to the alleged perpetrator, the District will notify the victim that its ability to respond may therefore be limited. In cases involving allegations of sex-based harassment, the District will also inform the victim that Title IX specifically prohibits retaliation and that District officials will take steps to prevent retaliation and will take strong responsive action if it occurs.

Possible Remedies

The District will take all appropriate steps to ensure that the effects of harassment to the victim and others are promptly remedied. Appropriate remedies will be based on the circumstances and may include, but are not limited to:

1. Providing an escort to ensure that the victim can safely attend classes and school activities;

2. Providing the victim with school-based counseling services;
3. Providing the victim with academic support services, such as tutoring;
4. Rearranging course schedules, to the extent practicable, to minimize contact between the victim and alleged perpetrator;
5. Moving the victim or the alleged perpetrator’s locker;
6. Issuing a “no contact” directive to the alleged perpetrator.

This list is not exhaustive. The District will remedy the effects of harassment, including sex-based harassment, in a manner that is appropriate under the circumstances. The District will, whenever possible, strive to ensure that the victim’s academic and extracurricular schedule remains intact, if the victim desires.

These remedies are also available to any other individual who is affected by the harassment. Individuals affected by harassment are entitled to the protections afforded to victims of harassment, even if the individual was not the intended target of the alleged perpetrator.

Broader remedies in the District community may include, but are not limited to:
1. Assemblies reminding students and staff of their obligations under Board Policy and handbook language;
2. Additional staff training;
3. Letters to students, staff, and parents reminding them of their obligations under Board Policy and handbook language.

**Investigation Report**

During the course of the investigation, the appropriate staff member, as indicated above, or his/her designee shall create an investigatory report. This report shall include the following information:

1. The name or a description or identifying information available about the victim;
2. The victim’s protected class;

3. The name or a description or identifying information available about the individual making the report, if not the victim;

4. The protected class of the individual making the report, if not the victim;

5. The nature of the allegation, a description of the incident, and the date and time (if known) of the alleged incident;

6. The name(s) and protected classes of all persons alleged to have committed the alleged harassment, if known, or a description/identifying information available if the name is not known;

7. The name(s) or description/identifying information and protected classes of all known witnesses to the alleged incident;

8. Any written statement of the reporter, the victim (if different than the reporter), the accused individual(s), and any known witnesses;

9. The investigation outcome;

10. The response by school personnel and, if applicable, school officials, including the date any incident was reported to law enforcement.

**Filing a False Report**

Any individual who knowingly or maliciously files a false report of harassment, including sex-based harassment, will be subject to discipline, up to and including expulsion or discharge.

**Retaliation**

Retaliation against an individual who reports harassment, including sex-based harassment, is strictly prohibited. Any individual who retaliates against a person who reports
suspected harassment will be disciplined, in accordance with the District’s policies on discipline, up to and including expulsion from the District or termination of employment. This prohibition on retaliation also applies to retaliation against individuals who participate in or cooperate with any investigation related to the complaint.

**The Office for Civil Rights**

Any individual who believes that he/she was the victim of harassment, including sex-based harassment, may file a complaint with the Office for Civil Rights (“OCR”) at any time:

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

This complaint may be filed before, during, or after a complaint with the District is filed, or an individual may choose to forego filing a complaint with the District and rely solely on OCR. The District recommends that individuals who have been subjected to harassment, including sex-based harassment, also file a complaint with the District, in order to ensure that the District is able to take steps to prevent any further harassment or discrimination and discipline the perpetrator, if necessary. OCR does not serve as an appellate body for District decisions. An investigation by OCR will occur separately from any District investigation.

**Appeal Process**

A victim of harassment, including sex-based harassment, who believes that the District’s investigation reached an incorrect result may bring any additional evidence at any time. A victim may also appeal the findings and conclusions of the investigation to the Board President. Upon receipt of an appeal from a victim, the Board President will review the investigation report, contact any additional witnesses, consider all additional evidence, and may re-interview any
witnesses. The Board President will then notify the parties in writing of his or her decision. The Board President is not required to give deference to the investigation report and may consider any additional evidence available in evaluating the appeal.

Any individual accused of perpetrating harassment, including sex-based harassment, may appeal the results of an investigation to the Board President. Upon receipt of an appeal from an alleged perpetrator, the Board President will review the investigation report, contact any additional witnesses, consider all additional evidence, and may re-interview any witnesses. The Board President will then notify the parties in writing of his or her decision. The Board President is not required to give deference to the investigation report and may consider any additional evidence available in evaluating the appeal.

A student found to have perpetrated harassment, including sex-based harassment, who is suspended for more than 10 school days also has the right to a hearing, pursuant to and in compliance with policy ___. An employee’s appeal right is based on the applicable collective bargaining agreement or individual contract rights.

Training

The District will provide annual training on responding to and investigating harassment, including sex-based harassment, for District officials, administrators, staff, and security personnel. This training is mandatory for all personnel responsible for implementing and enforcing anti-harassment laws and related policies and procedures. This training may be hosted by an outside entity. Employees will be provided notice of mandatory training sessions.
8020 Attendance

The Board encourages regular attendance at school by all students and complies with all Michigan Compulsory Attendance laws. Daily attendance records shall be maintained for each student in each school. Regular attendance contributes not only to the probability of scholastic success but also to the development of attitudes of consistent performance, which will carry over into adult life.

Compulsory Attendance - Religious Exemption

Students may be released from regular school attendance for the purpose of attending religious instruction in circumstances permitted by state law.

It is the parent(s)/guardian(s) responsibility to provide transportation to such nonpublic religious activities.

Approved:

LEGAL REF: MCL 380.1231(2); 380.1561; 380.1571; 380.1577; 380.1586-1589; R 340.71; OAG, 1977-1978, No 5414, p 738 (December 20, 1978); OAG, 1987-1988, No 6467, p 196 (September 16, 1987)
8020-R Attendance

District personnel are to follow the state rules and laws regarding student attendance accounting and reporting. The District’s staff is to cooperate with attendance officers and law enforcement personnel when enforcing the compulsory attendance laws.
8030 Truancy

The Board shall comply with state law.

The Superintendent or designee shall include in his/her annual report any information relative to students not attending school, which he/she feels, should be called to the attention of the Board and the community. The Superintendent or designee shall attempt to enlist the support and cooperation of local authorities in dealing with school problems created by students not attending school.

A significant part of the school day, for student attendance purposes, shall be 70 percent of the time in attendance at school.

Approved:
LEGAL REF: MCL 380.1571; 380.1586-1596, 380.1599; OAG 5414 (12/20/78.)
The Board, other than for illness or other reasons specifically referenced in Board policy, discourages any absence from school. All absences shall be either excused or unexcused. Appropriate rules and regulations regarding student absences shall be developed by the administrative staff and reviewed by the Board. Those rules will be incorporated into the appropriate staff and student handbooks.

Approved:

LEGAL REF:  MCL 380.1561
The Board directs the superintendent to develop administrative procedures for the admission of students to the District. Enrollment of students must be handled expeditiously and with the least possible inconvenience to parent(s)/guardian(s), or other caregivers, and students. The enrolling school administrator or designee shall enter on the student’s permanent record card the student’s legal name and the name, address and telephone number of his/her parent/guardian or other parent/guardian designated contact acting as a caregiver, as required in Board policy 8090.

It is the responsibility of the parent/guardian to explain any unusual custody circumstances of which the District should be aware at the time of enrollment, or as soon as practicable after such circumstances arise.

First Time Enrollments

The parent(s)/guardian(s) applying to have a child registered for the first time in a school shall present to school officials required state documentation, including birth records and immunization records.

Resident Students

All residents of the District, who are eligible to enroll in the District, will be educated tuition- free. In order to obtain an estimate of the number of resident students who are expected to enroll in school during the following year, a pre-enrollment period shall be scheduled annually. The Superintendent or designee shall schedule a reporting date for resident students.

New Resident Students

New resident students are urged to contact the Superintendent or designated office as soon as possible after establishing residence in the District.
Non-Resident Students

A non-resident student shall be defined as any student who does not meet the requirements to be a resident student of the District, as defined in state law. The enrollment of non-resident students is a privilege granted by the District and is not a legal right provided to the non-resident student and/or his/her parent(s)/guardian(s).

Non-resident students shall not be granted or refused enrollment based upon disability, religion, race, color, national origin, sex, height, weight, genetic information, or generally, in violation of any state or federal law prohibiting discrimination.

The Board will consider and may permit the enrollment of non-resident students upon receiving a release from the school district of residence, upon compliance with the State of Michigan school of choice options, or upon payment of tuition unless exempt from either by state law. Enrollment requests from non-resident students will be subject to space availability as determined by the Superintendent considering resident student enrollment projections.

Requests from the parent(s)/guardian(s) of special education students for admission shall be considered in accordance with applicable state and federal laws. To the extent permitted by law, the student’s current Individual Education Plan (IEP) shall be used to determine if the requested school or program can meet the student’s needs. If a written cooperative agreement with the student’s resident District is required by law, the agreement shall cover, but not be limited to, an arrangement on the responsibility for the payment of the added costs of special education programs and services, including transportation, for the student.

Non-resident students admitted pursuant to the following exceptions will not be required to pay tuition or seek approval from their district of residence if:
1. The student was a victim of a criminal sexual assault or other serious assault, that (1) occurred “at school”\(^{26}\) in the student’s district of residence, or (2) that was committed by one or more students from the student’s district of residence, or (3) that was committed by an employee of the student’s district of residence.

2. The student is the child of an employee who is under a full-time or part-time employment during the current school year and that student(s) would be accepted under the non-resident policy. Unless otherwise required by law, transportation for enrolled non-resident students shall be furnished by their parent(s)/guardian(s).

3. The student is otherwise eligible to enroll tuition-free under state or federal law.

**Resident Attendance in another District – Non-Schools of Choice**

The Board may, in some circumstances, approve resident students attending another school district. Such attendance may be granted if: 1. Educational purposes/educational program is not offered by Battle Creek Public Schools; 2. Completion of senior year if attending former school; 3. Anticipated permanent change of residence to another District on or before November 1 of current school year with written legal documentation; 4. Other special circumstances, at the sole discretion of the Board.

**Transfers and Withdrawals**

Transfers may be permitted between District elementary schools during the school year based upon the needs of the student, available space, and the best interests of the student body and District.

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\(^{26}\) “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. MCL 388.1606(6)(g)(i).
All students who plan to transfer to another District or who intend to withdraw entirely from the school are encouraged to give advance notice, when possible, so that the school rolls may accurately reflect the current student enrollment of the District.

Approved:

The Superintendent or designee, in cooperation with the Principals, shall establish an advance enrollment date for all students. Enrollment procedures will be communicated via multiple media, and every attempt will be made to enlist the cooperation of the media in informing the public of the enrollment procedures to be followed.

First Time Enrollments

The proof of identity for students enrolling for the first time in the District may include the student’s certified birth certificate, a notarized copy of a court order placing the student in the custody of the Department of Human Services, a valid passport, or other reliable documentary evidence that the Board considers satisfactory. Such information may not be required for students meeting the definition of “homeless” under federal law.

If the identity of the student is not proven by documentary evidence within 30 days, the enrolling administrator shall notify the local law enforcement agency as required by law. If the enrolling administrator suspects the identity affidavits to be inaccurate or suspicious in nature, he/she shall contact the local law enforcement agency.

Resident Students

The Superintendent or designee shall ascertain whether each student who applies for admission to the schools is lawfully entitled to enroll. In the event that there is a doubt about the legal status of a student, the Superintendent or designee may refer the question to the school attorney or law enforcement.
New Resident Students

The Superintendent or designee shall cause public announcements to be made from time to time, with greater frequency during the summer months, as to the procedures that new residents of the District are expected to follow in enrolling in the schools of the District.

Non-Resident Students

Application for a non-resident student who desires to be admitted to the schools of the District shall be submitted to the Superintendent or designee during the non-resident enrollment period.

The parent(s)/guardian(s) of a non-resident student who wishes to enroll a student because the parent(s)/guardian(s) is/are employed by the District may be required to provide proof of employment.

Tuition

The tuition for any student, that is to be paid by another district, shall be paid on the date provided in the agreement with that district. In the event tuition for a nonresident student is to be paid by the parent(s)/guardian(s), the tuition shall be paid in full at the time of enrollment in the amount determined by the Superintendent, as permitted by state law.

Assignment

The building principal in conjunction with the Superintendent or designee shall be initially responsible for specific classroom and grade level assignment of all students within the school. In the elementary schools, the principal, in determining the grade level for any new student, may take into consideration the previous schooling of the student but may assign the student to a lower grade level or higher grade level, if in his/her judgment the best interests of the student would be served thereby.
In the middle school and in the senior high school, full faith and credit may be given to units earned in other accredited schools.

To Schools

Any parent(s)/guardian(s) who wish to enroll a child as a student in a District school outside of the attendance area in which the student would otherwise attend may seek admission in accordance with intra-district schools of choice options available.

To Classrooms

The building principal shall be responsible for assigning students to specific classrooms within the school. In making classroom assignments, the principal shall take into account available space, the needs of the students, class sizes, and scheduling requirements. The principal has final decision making authority of classroom assignment.

School Admissions - Non-Accredited Schools

Students attending or having attended a non-accredited school, who wish to attend school in the District, must adhere to the District and State guidelines managed by an appropriate guidance counselor to determine grade level placement. The school officials shall make grade placement after consultation with the parent(s)/guardian(s), guidance personnel and the Superintendent or designee. Criteria for final placement shall include past educational experience and successful performance and/or examination at the level of initial assignment. Grades earned at non-accredited schools shall not be used in determining Grade Point Average, National Honor Society Membership, or valedictorian/salutatorian honors.

Transfers and Withdrawals

It shall be the responsibility of the principal of the appropriate school to determine whether a student has transferred or withdrawn from school.
Within 14 days after enrolling a transfer student at school, the enrollment office shall request, in writing, that the student’s previous school forward a copy of said student’s records to the new school.

Resident Attendance in another District - Non-Schools of Choice

All requests to attend another school district that is not a “schools of choice” district shall be made to the Superintendent or designee.
The Board is committed to identifying homeless children and youth. The Superintendent shall develop guidelines and procedures for identifying homeless children within the District and will produce written guidelines for distribution to each school that explains the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

Such children shall be provided with educational services to meet their needs as determined. The District will remain in compliance with the McKinney-Vento Act, federal and state laws, regulations/guidelines in alignment with the No Child Left Behind Act.

The District Homeless Liaison will work with the parent/guardian of a homeless student to determine the school placement which is in the best educational, social, and emotional interest of the child.

The Superintendent or designee shall provide financial assistance through grants whenever possible to help defray the cost of fees and charges for homeless children enrolling in school.

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27 Under the McKinney Act, the terms homeless children and youths mean “individuals who lack a fixed, regular, and adequate nighttime residence … and includes:

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings…;

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children … who qualify as homeless for the purposes of this part because the children are living in circumstances described [above].”
Necessities

- Identification of Homeless children and youth;
- Address all Enrollment Barriers;
- The school enrollment and retention barriers that homeless children and youth most frequently face are the following: transportation, immunization requirements, residency requirements, providing birth certificates, and legal guardianship requirements. *U.S. Department of Education’s McKinney-Vento Report To Congress for Fiscal Year 2000*;
- Homeless students have full and equal opportunity to succeed in the schools
- Homeless children and youth and their families receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the LEA, and referrals to health, mental health, dental, and other appropriate services;
- Parents/Guardians of homeless children and youth are informed of educational and related opportunities;
- Parents/Guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services.

Approved:

LEGAL REF: 42 USCA §11433 (McKinney Homeless Assistance Act); 20 USCA § 6311 (No Child Left Behind Act)
A student, age 18 years or older, or their parent(s)/guardian(s) if under the age of 18, may request to have a letter grade changed only for final grades on final exams or grades at the end of a marking period, term, or semester within 4 weeks after the end of grade marking segment. The Superintendent or designee will promulgate rules for the procedures to be followed when a request for a change in a letter grade is made.

Grades other than those mentioned in the previous paragraph may be appealed by the process documented in the student handbooks.

Approved:

LEGAL REF: MCL 380.11a
Should a request be made to change a letter grade on final exams or grades at the end of a marking period, term, or semester, the following procedures are to be followed:

**Step 1 - Informing the Teacher**

If a student/parent(s)/guardian(s) is/are dissatisfied with the letter grade received, the teacher is informed by the student/parent(s)/guardian(s), within 10 calendar days, the reason(s) for wanting the grade changed.

**Step 2**

a. The teacher who gave the original grade agrees with the student’s request, within 10 calendar days, to the change and the procedure ends, or

b. The teacher who gave the grade does not agree, or does not respond to the student’s request within 10 calendar days, the student proceeds to the next step.

**Step 3**

**Principal Receives Request**

Within 30 calendar days after the student receives the grade and the teacher does not agree to change the grade, the Principal, or person designated by the Principal, must receive a written request from the student stating the reasons for wanting the grade change.

**Meeting with Principal**

The Principal shall consult with the teacher who assigned the grade and the student within 20 calendar days after receiving the written request from the student.

The student, parent(s)/guardian(s) may attend this meeting or may make a presentation, orally or in writing, to the Principal.
Rational Basis Guideline

The Principal cannot change the grade unless he/she finds that the student requesting the change has established there was not a “rational basis” for the challenged grade under the teacher’s established grading procedures. If the student has established a “rational basis,” the Principal may change the grade.

Principal’s Decision

The Principal shall make his/her decision within 10 calendar days after the meeting with the teacher and student/parent(s)/guardian(s).

Step 4 - Timely Appeals

The teacher or the student/parent(s)/guardian(s) may appeal the Principal’s decision to the Superintendent’s Office within 20 calendar days after receiving the Principal’s decision. Failure to make a timely appeal means the Principal’s decision is final.

The Superintendent’s Office shall render a decision within 30 calendar days.

Step 5

Either the teacher or the student may appeal the Superintendent’s decision to the Board within 20 calendar days after receiving the decision from the Superintendent’s Office. Failure to make a timely appeal means the decision is final.

Step 6

The Board shall meet within 30 calendar days to consider the appeal. The Board shall review the reasons for and against the proposed change. The Board will not interview the parties nor hear oral presentations.

The Board shall either approve or disapprove the decision of the Superintendent’s Office. The Board shall not modify the decision.

The Board’s decision is final.
Step 7 - The Student’s Record

If the Principal, Superintendent’s Office or Board acts to change a grade under this policy, a notation shall be made in the student’s record that the Principal,

Superintendent’s Office or Board changed the grade.
8080 Re-admissions

Students, whose enrollment has been terminated, either voluntarily or otherwise, may be re-admitted by following the procedures established by the Board.

Approved:
LEGAL REF: OAG, 1985-1986, No 6271, p 13 (February 7, 1985)
8090 Release of a Student during the School Day

In recognition of the District’s obligation to parent(s)/guardian(s) for the health, welfare and safety of students, building principals shall not release a student during the school day except in emergencies or to a student’s parent or legal guardian as defined by Michigan law. Other staff, including but not limited to teachers, custodians, aides, and administrative assistants, shall refer any requests for an early release during the school day to the principal. The identification of the student’s lawful custodian shall be verified to the satisfaction of the principal. All written or verbal requests of the student’s parent or legal guardian shall be verified to the satisfaction of the principal. The name, address and telephone number of the student’s parent or legal guardian shall be entered into the current student database.

Approved:

The District shall maintain a closed campus for all schools. The Superintendent or high school principal may offer an exception to the closed campus policy to eligible seniors. Board members shall be notified of exceptions.

Exceptions, if granted, to this closed campus policy for eligible seniors shall mean that such students are allowed to walk off the campus during their lunch period, but any motorized vehicles driven to school by students must remain on the school property. Students who choose to leave school property during lunch are prohibited from riding in or driving a motorized vehicle during lunch.

Eligible Senior Exception

1. The student shall have completed the minimum credit requirements in 2 years to be a junior and the minimum credit requirements in 3 years to be a senior.

2. No behavior referrals for the current and preceding semester.

3. A parental/guardian permission form, provided by the administration, must be submitted to the attendance officer, or building principal at the beginning of each semester.

The eligible senior’s exception must be renewed every marking period and shall be immediately revoked if the student:

1. Is late returning to campus, or

2. Is marked tardy in his/her next scheduled class, or

3. Transports ineligible students.
Revoked senior exception may be reinstated, when eligible, at the building principal’s discretion. Participating students are subject to all student codes and regulations while off campus during lunch.

The District shall issue appropriate tags or passes for orderly process of the program.

The Superintendent may suspend the exceptions program at any time for any cause.

Approved:

LEGAL REF:   MCL 380.1561(1)
Searches of Motorized Vehicles, Lockers, and Students

Searches of lockers, motorized vehicles, and students may be conducted as necessary, to maintain the safety and security of students, teachers, guests, and school property, subject to all applicable legal requirements.

Lockers

All lockers assigned to pupils are the property of the District. At no time does the District relinquish its exclusive control of its lockers. The building Principal or designee shall have custody of all combinations to all lockers and locks. Pupils are prohibited from placing locks on any locker without the prior approval of the Principal or designee. Any unauthorized lock will be immediately cut off and disposed. Any student placing an unauthorized lock on a District-owned locker may be subject to discipline, up to and including expulsion.

The school may assign temporary use of lockers to students for their convenience and the lockers may be used only as permitted by the rules developed by the Superintendent. The Board authorizes the Principal or designee to search lockers at any time, without notice, and without parent(s)/guardian(s) or pupil consent. Random searches shall be conducted pursuant to a method and/or schedule approved by the Superintendent or designee.

The Principal or designee may request the assistance of law enforcement with or without a canine unit in conducting a locker search to the extent authorized by law. If law enforcement is summoned, the Principal and/or designee shall supervise the search. In conducting a search, the privacy rights of the student regarding any items discovered that are neither illegal nor against school policy and rules, shall be respected.
The Board authorizes the use of canines trained in detecting the presence of drugs or devises for conducting random or targeted searches. Such searches must be conducted in collaboration with law enforcement and in accordance with all legal requirements.

Any illegal or unauthorized items found during a locker search or items deemed to be a threat to the safety and security of others may be seized. Such items include, but are not limited to:

- Firearms,
- Explosives,
- Dangerous weapons,
- Flammable material,
- Illegal controlled substances or controlled substances analogues or other intoxicants,
- Contraband,
- Poisons, and/or
- Stolen property.

Law enforcement authorities shall be notified immediately of seizure of such items, or of items that must be reported to law enforcement under the Statewide School Safety Information Policy. The items seized will be turned over to law enforcement. The parent(s)/guardian(s) of a minor student or a student 18 years of age or older, shall be notified by the Principal or designee of items removed from the locker. Students possessing illegal or unauthorized items may be subject to discipline, up to and including expulsion. A copy of this policy and accompanying administrative rules regarding locker searches shall be provided annually to each pupil and parent(s)/guardian(s) of the pupil assigned a school locker.
Motorized Vehicles

Student use of a motorized vehicle on school property is a privilege. Motorized vehicles brought onto school property by students are subject to search by the Principal or designee, without notice or consent, if the Principal or designee reasonably suspects that the contents of the motorized vehicle may present a threat or potential threat to the health, safety, or welfare of other students, staff, or to the school in general or may otherwise contain evidence that the student violated a law or a provision of the student code of conduct.

In the case of a locked motor vehicle, every effort will be made to have the vehicle unlocked by the student before proceeding with the search. Students refusing to cooperate in allowing a search of a vehicle brought by them onto school property shall be subject to disciplinary action up to and including revocation of driving privileges on school property and/or long-term suspension or expulsion.

Students

Upon reasonable suspicion, and in order to protect the health, safety, or welfare of the students under school jurisdiction, the Principal, or designee, are authorized to search students in accordance with all legal requirements. All searches shall be carried out in the presence of an adult witness.

Strip Searches

No strip searches shall be conducted by school authorities.

Law Enforcement Searches

School officials shall cooperate with law enforcement officers who seek to execute a search warrant. Where law enforcement officers desire to search without a warrant, school
officials should request that the circumstances be explained, and should normally not assist, unless a clear emergency exists.

Approved:

Searches of Motorized Vehicles, Lockers, and Students

Search of Lockers

The lockers in the schools of the District shall be under supervision of the building Principal or designated representative. Students are to use lockers only for school-related materials and authorized personal items, such as outer garments, footwear, grooming aids, or lunch. Students are not to use lockers for any other purpose unless prior authorization has been obtained from the Principal or designee. Students are responsible for the content of their lockers and should not share lockers, or divulge locker combinations unless authorized to do so.

The building Principal and designees shall have custody of the combination or key to all locker locks in a storage place designed to guard against unauthorized access or use. He/She may search any locker at any time. Such search may be made without notice to the student to whom such locker has been assigned. Random searches will be conducted. Students are prohibited from placing locks, other than the regularly issued school lock, on their lockers. Law enforcement officers may be asked to assist, but school officials must supervise searches that school officials initiate pursuant to policy 8130.

If a law enforcement officer desiring to search a student’s locker has a warrant for such search, the Principal shall immediately take such person to the student’s locker and permit him/her to search the locker. Whenever possible, such search shall be made in the presence of the Principal.

Law enforcement shall not be permitted to conduct warrantless searches of student lockers unless a clear health or safety emergency exists.
Prohibited items recovered from a student’s locker shall remain in the custody of the building Principal, until such items are turned over to law enforcement officials. The Principal shall receive a receipt for such items so delivered.

**Search of Motorized Vehicles**

The building Principal or designated representative may search any motorized vehicles brought onto school premises by a student at any time upon reasonable suspicion that the motorized vehicle contains an item(s) hazardous to the health, safety, and welfare of students, personnel, or property or evidence that the student violated a law or a provision of the student code of conduct. These items include but are not limited to firearms, explosives, liquor, flammable material, dangerous weapons, narcotics, or other matter prohibited by law or school regulations from being on school property. Such search may be made without notice to the student. Students refusing to cooperate in allowing a search of the motorized vehicle shall immediately lose their parking/driving privileges and shall be subject to further disciplinary action up to and including long term suspension or expulsion.

Prohibited items recovered from motorized vehicles shall remain in the custody of the building Principal, until such items are turned over to law enforcement officials.

The Principal shall receive a receipt for such items so delivered.

**Search of the Person**

When it has been determined by the building Principal that there is reason to suspect that a student is in possession of an object which can jeopardize the health, welfare or safety of other students, or that a search will reveal evidence that the student violated the law or a provision of the student code of conduct, that student shall be ordered to report to the building Principal’s office. This determination may be based on any information received by the building Principal.
or by a member of the faculty or staff. It also may be based on the students’ exhibiting objects associated with drug use, or the students’ exhibiting such objects as bullets or a knife sheath that could be associated with dangerous weapons, or any other reason constituting reasonable suspicion.

Once in the Principal’s office, the student shall be advised of the reason why he/she has been ordered to report to the Principal’s office. The student may then be requested to empty items such as, but not limited to, pockets, purses, shoulder bags, and briefcases, if the principal reasonably suspects that the search will uncover the contraband. Items that the building Principal believes may be connected with illegal activity may remain in the custody of the building Principal, until such items are turned over to law enforcement officials, and if this is done, the Principal shall receive a receipt for such item so delivered.

If the student refuses to comply with this request, the building Principal shall notify the student’s parent(s)/guardian(s) and request that they come to the school at once. The building Principal shall advise the parent(s)/guardian(s) of the situation. If the parent(s)/guardian(s) of the student are unable to persuade the student to comply, the parent(s)/guardian(s) and the student shall be advised that law enforcement officials will be notified, and the matter turned over to an appropriate law enforcement agency.

If the student refuses to cooperate in the search, the building Principal shall notify law enforcement officials and inform them of the facts which give him/her reasonable suspicion to believe that the student has illegal or dangerous objects on his/her person. Any further search of the student shall be at the discretion and under the control of the law enforcement officials with a valid warrant, if law requires a warrant. Once the building Principal has relinquished control of the student to the law enforcement officials, the building Principal or representative shall remain
with the student and request to be present during any search of the student made by law enforcement officials on school property.

Upon any search, a written report shall be made to the Superintendent or designee and kept on file.
It is the policy of the District that a reasonable cooperative effort is maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned to conduct an investigation of alleged criminal conduct on the school premises or during a school-sponsored activity or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property. Administrators have the responsibility and the authority to determine when the presence and assistance of law enforcement officers is necessary within their respective jurisdictions. The District’s administrators shall at all times act in a manner which protects and guarantees the rights of students and parent(s)/guardian(s) and shall cooperate with law enforcement officials as provided in 8140-R.

School staff members shall be informed of any changes to the contents of this policy and rules.

Approved:
In these rules, the administration is reminded that a student who has attained the age of 18 enjoys the responsibility of speaking for him/herself without the agreement of the parent(s)/guardian(s), or representative as to whether or not he/she will submit to questioning.

If possible, the parent(s)/guardian(s), or representative of the student shall be notified by the Principal or other school administrator before the student is taken into custody by law enforcement officers or as quickly thereafter as possible. The administrator shall document such notification or attempted notification.
Students, who unlawfully possess, use or distribute alcohol, inhalants, steroids, and/or illicit drugs on school premises or at a school-activity or event will be subject to discipline up to and including expulsion and referral to the police for prosecution, in accordance with the District’s “Student Code of Conduct.” Students may also be required to successfully complete an appropriate rehabilitation program.

The Board of Education and the School District encourage students who are experiencing problems with alcohol, inhalants, steroids, and/or drug abuse to seek assistance for such problems through treatment, counseling, and/or rehabilitation programs voluntarily. Information regarding these programs is available at the counseling office.

Approved:
LEGAL REF:  MCL 380.1170
8230 Tobacco Products

The use and/or the possession by any student, regardless of age, of any tobacco product is prohibited at school which includes in any school building, at school sponsored events - regardless of location, or on any school property at any time.

Possession of tobacco products by any student under the age of 18 years may be reported to appropriate law enforcement authorities. (Cf. 2790) “Tobacco product” includes any tobacco designed to be inhaled, chewed, or placed in a person’s mouth and any “e-cigarette” or similar product.

Approved:
8240  Student Appearance

Students’ dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Superintendent, or designee, and included in the Student Handbooks.

Approved:
8245  Student Behavior

The Board desires to keep District schools and students free from threats or harmful influences. The Superintendent, or designee, shall maintain visible supervision of District premises to deter intimidation and confrontation between and among students. The Superintendent, or designee, shall:

• Establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort,

• Provide in-service training to help staff identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior, and

• Keep the staff informed about conflict management techniques and alerted to intervention measures and community resources, which helps students. The Board prohibits the presence of any apparel, jewelry, accessory, notebook or manner of grooming which, by virtue of its color, arrangement, trademark or any other attribute, denotes membership in groups or gangs which advocate drug use, violence, or disruptive behavior.

At the Principal’s discretion, staff may use the following techniques to discourage the influence of gangs:

1. Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang membership shall be referred to the Principal or designee. The student’s parent(s)/guardian(s) shall be contacted and the student sent home to change clothes if necessary.
2. Any gang graffiti on District premises shall be quietly removed, washed down, or painted over as soon as discovered.
   
a. Daily checks for graffiti shall be made throughout the campus, including restroom walls and doors.

b. Graffiti shall be photographed before it is removed. The photographs will be shared with local law enforcement authorities and used in future disciplinary or criminal action against offenders.

3. Promote constructive activities available in the community.

4. Encourage positive school behavior.

Approved:

LEGAL REF: Statewide School Safety Information Policy
The Board recognizes the danger that terroristic threats or acts by students present to the safety and welfare of District students, staff, and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

A terroristic threat shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk causing such terror or inconvenience.

A terroristic act shall mean an offense against property or involving danger to another person.

The Board prohibits any District student, at any time, regardless of whether school is in session, from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member, school building, or property. Any such threat, either real or intended as a joke, or any terroristic act will not be tolerated in or around the Battle Creek Public School District, its properties or in or on any vehicle or watercraft owned, leased, rented or used in connection with any school activity.

The Board directs the Superintendent to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act and to initiate or recommend the most serious disciplinary action available under the law for such threats or acts.

Staff members and students shall be responsible for informing the Principal or designee, regarding any information or knowledge they may have relevant to a possible or actual threat or act. The Principal or designee is responsible to notify the Superintendent. Failure to bring forward information or knowledge relative to a possible or actual threat or act may result in disciplinary consequences for students. Failure to bring forward information or knowledge
relative to a possible or actual threat shall result in discipline for staff members, up to and including discharge.

When the Superintendent has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

1. The Principal shall immediately suspend the student and contact law enforcement.

2. The Principal shall promptly report the incident to the Superintendent, who will inform members of the Board of Education.

The Principal, based upon further investigation, may recommend expulsion, of the student.

If a student is expelled for making terroristic threats or committing terroristic acts, the student may be required, prior to readmission, to provide competent and credible evidence that the student does not pose a risk of harm to others.

Approved:

LEGAL REF: MCL 380.1308; Statewide School Safety Information Policy
POLICY PROHIBITING BULLYING

It is the policy of the District to provide a safe educational environment for all students. Bullying of a student at school is strictly prohibited. This policy shall be interpreted and enforced to protect all students and to equally prohibit bullying without regard to its subject matter or motivating animus.

A. **Prohibited Conduct.**

1. **Bullying.** Bullying of a student at school is strictly prohibited. For the purposes of this policy, "bullying" shall be defined as:

   Any written, verbal, or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more students either directly or indirectly by doing any of the following:
   
a. Substantially interfering with educational opportunities, benefits, or programs of one or more students;

b. Adversely affecting a student's ability to participate in or benefit from the District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;

c. Having an actual and substantial detrimental effect on a student's physical or mental health; or

d. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.
2. **Cyberbullying.** Cyberbullying of a student at school is strictly prohibited. For the purposes of this policy, “cyberbullying” shall be defined as:

Any electronic communication that is intended or that a reasonable person would know is likely to harm one or more students either directly or indirectly by doing any of the following:

a. Substantially interfering with educational opportunities, benefits, or programs of 1 or more students;

b. Adversely affecting a student’s ability to participate in or benefit from the District’s educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;

c. Having an actual and substantial detrimental effect on a student's physical or mental health;

d. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

3. **Retaliation/False Accusation.** Retaliation or false accusation against a target of bullying, anyone reporting bullying, a witness, or another person with reliable information about an act of bullying is strictly prohibited.

B. **Reporting an Incident.** If a student, staff member, or other individual believes there has been an incident of bullying in violation of this policy, s/he shall promptly report such incident to the appropriate principal or designee, or the Responsible School Official(s), as defined below. A report may be made in person, via telephone, or in writing (including electronic transmissions). If an incident of bullying is reported to a staff member who is not the appropriate principal or designee, or a Responsible
Bullying (Cf. 8018)

School Official, the staff member shall promptly report the incident to one or more of the aforementioned individuals.

C. **Complaints Against Certain School Officials.** Complaints of bullying by the building principal or designee may be reported to the Superintendent. Complaints of bullying by the Superintendent may be reported to the President of the Board of Education.

D. **Investigation.** All reported allegations of a policy violation or related complaint about bullying shall be promptly and thoroughly investigated by the building principal or designee. A description of each reported incident, along with all investigation materials and conclusions reached by the principal or designee shall be documented and filed separately with similar materials in the District's central administrative office.

E. **Confidentiality.** The District will, to the maximum extent possible, maintain the confidentiality of an individual who reports an act of bullying. To safeguard that confidentiality, the District will [INSERT PROCEDURES HERE].

F. **Notice to Parent/Guardian.** If the principal or designee determines that an incident of bullying has occurred, s/he shall promptly provide written notification of same to the parent/guardian of the victim of the bullying and the parent/guardian of the perpetrator of the bullying.

G. **Annual Reports.** At least annually, the building principal or designee, or the Responsible School Official shall report all verified incidents of bullying and the resulting consequences, including any disciplinary action or referrals, to the Board of
Education. The annual Board report may be given in writing, in person at a regular Board meeting, or as otherwise requested by the Board of Education.

H. **Responsible School Official.** The ________________________ ("Responsible School Official") shall be responsible for ensuring the proper implementation of this policy throughout the District. The foregoing appointment shall not reduce or eliminate the duties and responsibilities of a principal or designee as described in this policy. [*Note: Because the Superintendent has absolute immunity from tort liability when acting within the scope of his/her authority, it may be advisable to identify the Superintendent as the Responsible School Official in this section.*]

I. **Posting/Publication of Policy.** [*Optional Detail. The statute requires only a statement of how the policy will be publicized. There are no particular publication requirements.*] Notice of this policy will be: (a) annually circulated to all students and staff, (b) posted in conspicuous locations in all school buildings and departments within the District, (c) annually discussed with students, and (d) incorporated into the teacher, student, and parent/guardian handbooks.

J. [*Optional Provision. Training and educational programs are recommended by the statute, but not required.*] **Training and Educational Programs.** The Responsible School Official shall provide the opportunity for annual training for administrators, school employees and volunteers who have significant contact with pupils on preventing, identifying, responding to, and reporting incidents of bullying. The Responsible School Official shall also periodically arrange or otherwise provide educational programs for students and parents/guardians on preventing, identifying, responding to, and reporting incidents of bullying and cyberbullying. The
Responsible School Official may arrange for classroom teachers to address the foregoing issues within the classroom curriculum.

K. Definitions

1. "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. "At school" also includes any conduct using a *telecommunications access device* or *telecommunications service provider* that occurs off school premises if the device or provider is owned by or under the District's control.

2. "Telecommunications Access Device" means that term as defined in Section 219a of the Michigan Penal Code, 1931 PA 328, MCL 750.219a, as may be amended from time to time. As of January 2012, "Telecommunication Access Device" is defined to mean any of the following:

   a. Any instrument, device, card, plate, code, telephone number, account number, personal identification number, electronic serial number, mobile identification number, counterfeit number, or financial transaction device defined in MCL 750.157m (*e.g.*, an electronic funds transfer card, a credit card, a debit card, a point-of-sale card, or any other instrument or means of access to a credit, deposit or proprietary account) that alone or with another device can acquire, transmit, intercept, provide, receive, use, or otherwise facilitate the use, acquisition, interception, provision, reception, and transmission of any telecommunications service.
b. Any type of instrument, device, machine, equipment, technology, or software that facilitates telecommunications or which is capable of transmitting, acquiring, intercepting, decrypting, or receiving any telephonic, electronic, data, internet access, audio, video, microwave, or radio transmissions, signals, telecommunications, or services, including the receipt, acquisition, interception, transmission, retransmission, or decryption of all telecommunications, transmissions, signals, or services provided by or through any cable television, fiber optic, telephone, satellite, microwave, data transmission, radio, internet based or wireless distribution network, system, or facility, or any part, accessory, or component, including any computer circuit, security module, smart card, software, computer chip, pager, cellular telephone, personal communications device, transponder, receiver, modem, electronic mechanism or other component, accessory, or part of any other device that is capable of facilitating the interception, transmission, retransmission, decryption, acquisition, or reception of any telecommunications, transmissions, signals, or services.

3. "Telecommunications Service Provider" means that term as defined in Section 219a of the Michigan Penal Code, supra, as may be amended from time to time. As of January 2012, "Telecommunications Service Provider" is defined to mean any of the following:

a. A person or entity providing a telecommunications service, whether directly or indirectly as a reseller, including, but not limited to, a cellular, paging, or other wireless communications company or other person or entity which, for a
Fee, supplies the facility, cell site, mobile telephone switching office, or other equipment or telecommunications service.

b. A person or entity owning or operating any fiber optic, cable television, satellite, internet based, telephone, wireless, microwave, data transmission or radio distribution system, network, or facility.

A person or entity providing any telecommunications service directly or indirectly by or through any distribution systems, networks, or facilities.
Hazing

Hazing Prohibited

The act of “hazing” is a crime in the state of Michigan and will not be tolerated by the Battle Creek Public Schools. The District will comply, in all ways, with Michigan law regarding any “hazing” incidents.28

Students engaging in any hazing or hazing-type behavior will be subject to the provisions of the Student Code of Conduct.

This policy shall be included in all student handbooks of the District.

Approved:

LEGAL REF: MCL 750.411t (PA 11 of 2004, AKA “Garret’s Law”)

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28 As defined in MCL 750.411t, “hazing” means “an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organizations. Further, the term “organization” means “a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution.”
8280 Electronic Devices - Students

Students, upon the request of, and with permission of their parent(s)/guardian(s), or request of the student him/herself if over eighteen years of age, may be in possession of a cellular telephone, pager/beeper or other electronic device. Use of the device shall be limited to the period before classes begin in the morning and after the student’s last class in the afternoon. Such devices shall not be used during instructional time or in the passing time between classes unless there is a bona fide health or safety emergency. In no case will any electronic device be used for illegal activities, violation of school rules, or invasion of privacy.

Students violating this policy may be subject to disciplinary action; i.e., detention, suspension and/or expulsion.

The administration shall promulgate rules to enforce this policy at the building level.

Approved:

LEGAL REF:
Student Discipline – Generally

It is the policy of the District to provide students and staff with a safe learning environment free from substantial disruption. Consistent with this policy, the District may discipline students who engage in misconduct. Discipline may, but need not, include suspension or expulsion from school.

It is the policy of the District to comply with all applicable state and federal laws related to student discipline.

Student Code of Conduct

The Board directs the Superintendent to develop and regularly update a student code of conduct. The student code of conduct must: (1) identify offenses that may result in discipline; (2) identify the possible disciplinary consequences for each offense, which may, but need not, include suspension or expulsion; (3) be consistent with Board policy and applicable state and federal laws, including laws requiring mandatory suspension or expulsion; and (4) include a copy of the section of this Board Policy entitled “Suspension from Class, Subject, or Activity by Teacher.”

Positive Behavior Support (PBS)

The Board believes that Positive Behavior Support systems ensure effective strategies that promote pro-social behavior and respectful learning environments. Research-based positive behavior support systems are appropriate for all students, regardless of age. Positive interventions that support adaptive and pro-social behavior and build on the strengths of the student lead to an improved learning environment. It is the policy of the Board, therefore, that
the Superintendent is authorized and directed to implement a system of school-wide positive behavior support (PBS) strategies.

**Suspension from Class, Subject, or Activity by Teacher**

A teacher may suspend a student from any class, subject, or activity for up to one full school day if the teacher has good reason to believe that the student: (1) intentionally disrupted the class, subject, or activity; (2) jeopardized the health or safety of any of the other participants in the class, subject, or activity; or (3) was insubordinate during the class, subject, or activity.

The Board directs any teacher who suspends a student from a class, subject, or activity to immediately report the suspension and the reason for the suspension to the building administrator or designee. If a student is suspended from a class, subject, or activity, the Board directs the building administrator or designee to ensure that the student is appropriately supervised during the suspension and, if the student is a student with a disability, that all procedures that apply to students with disabilities are followed.

The Board directs any teacher who suspends a student from a class, subject, or activity to, as soon as possible following the suspension, request that the student’s parent/guardian attend a parent-teacher conference to discuss the suspension. The Board directs the building administrator or designee to attend the conference if either the teacher or the parent/guardian requests the attendance of a school administrator. In addition, the Board directs the building administrator to make reasonable efforts to invite a school counselor, school psychologist, or school social worker to attend the conference.

**Discretionary Suspension or Expulsion**

The Board delegates to all building administrators the authority to suspend a student for up to 10 school days for an offense identified in the student code of conduct if the code of
Student Discipline (Cf. 5220)

conduct states that the offense may result in suspension. Before exercising this authority, the building administrator must: (1) provide the student due process as described in the section of this policy entitled “Due Process”; and (2) determine if the student is a student with a disability, in which case the student’s discipline is subject to the section of this policy entitled “Students with Disabilities.”

The Board delegates to the Superintendent the authority to suspend a student for up to ___ school days for an offense identified in the student code of conduct if the code of conduct states that the offense may result in suspension of up to ___ days. Before exercising this authority, the Superintendent must: (1) provide the student due process as described in the section of this policy entitled “Due Process”; and (2) determine if the student is a student with a disability, in which case the student’s discipline is subject to the section of this policy entitled “Students with Disabilities”.

The Board may suspend or expel a student for an offense identified in the student code of conduct if the code of conduct states that the offense may result in suspension or expulsion. Before exercising this authority, the Board must: (1) provide the student due process as described in the section of this policy entitled “Due Process”; and (2) determine if the student is a student with a disability, in which case the student’s discipline is subject to the section of this policy entitled “Students with Disabilities”.

Mandatory Suspension or Expulsion

It is the policy of the District to comply with the federal Gun-Free Schools Act and sections 1310, 1311, and 1311a of the Revised School Code. Nothing in this section of the Board Policy may be construed to limit 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. The Board directs all administrators to refer all incidents that may result in a mandatory suspension or expulsion to the Board.

**Possession of a Dangerous Weapon**

If a student possesses a dangerous weapon in a weapon-free school zone, the Board will permanently expel the student unless the student demonstrates, by clear and convincing evidence, 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.

“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 (1) 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; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device. “Firearm” does not include an antique firearm.
“Destructive device” means (1) 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); (2) 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 (3) 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.

“Antique firearm” means any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or any replica of any such firearm if the replica: (1) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or (2) uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade. “Antique firearm” also means any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. “Antique firearm” does not include any weapon that incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

The Board directs the Superintendent to ensure that if a student is expelled for possession of a dangerous weapon, the student’s permanent record reflects the expulsion. The Board directs
the Superintendent or designee to 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 to notify the student’s parent or legal 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 Board further directs the Superintendent or designee to make a referral to local law enforcement and to 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 en route to or from school in a school vehicle.

Unless reinstated pursuant to section 1311(5) of the Revised School Code, a student expelled by another district for possession of a dangerous weapon may not enroll in the District.

Arson

If a student is convicted of, or pleads guilty or no contest to, committing arson, as defined in section 1311 of the Revised School Code, in a school building or on school grounds, the Board will permanently expel the student.

The Board directs the Superintendent to ensure that if a student is expelled for committing arson, the student’s permanent record reflects the expulsion. The Board directs the Superintendent or designee to refer a student who is expelled for committing arson to the county department of social services or the county community mental health agency and to 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 section 1311(5) of the Revised School Code, a student expelled by another district for committing arson may not enroll in the District.
Criminal Sexual Conduct

If a student is convicted of, or pleads guilty or no contest to, committing criminal sexual conduct, as defined in section 1311 of the Revised School Code, in a school building or on school grounds, the Board will permanently expel the student.

The Board directs the Superintendent to ensure that if a student is expelled for committing criminal sexual conduct, the student’s permanent record reflects the expulsion. The Board directs the Superintendent or designee to 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 to 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 section 1311(5) of the Revised School Code, a student expelled by another district for committing criminal sexual conduct may not enroll in the District.

Physical Assault Against Employee, Volunteer, or Contractor

If a student enrolled 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 an administrator or, if the victim is unable to report the assault, another person makes the report on the victim’s behalf, the Board will permanently expel the student. “Physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence.

The Board directs the Superintendent to ensure that if a student is expelled for physically assaulting an employee, volunteer, or contractor, the student’s permanent record reflects the expulsion. The Board directs the Superintendent, or his or her designee, to 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 to 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 section 1311a(5) of the Revised School Code, a student expelled by another district for physically assaulting an employee, volunteer, or contractor may not enroll in the District.

**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 Board or its designee will suspend or expel the student from the District for a period of time as determined in the Board’s or designee’s discretion. “Physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence.

A resident student in grade 6 or above who was expelled by another school for committing a physical assault against another student may submit a petition to the Board requesting enrollment in the District. The Board will consider the petition, along with any information the Board determines is relevant, at its next regularly scheduled board meeting. The Board may either grant or deny the petition. If the Board denies the petition, the student may not enroll in the District. The Board’s decision is final.

**Bomb Threat**

If a student in grade 6 or above makes a bomb threat or similar threat directed at a school building, other school property, or a school-related event, the Board or its designee will suspend
or expel the student from the District for a period of time as determined in the Board’s or designee’s discretion.

A resident student in grade 6 or above who was expelled by another school district for making a bomb threat or similar threat may submit a petition to the Board requesting enrollment in the District. The Board will consider the petition, along with any information the Board determines is relevant, at its next regularly scheduled board meeting. The Board may either grant or deny the petition. If the Board denies the petition, the student may not enroll in the District. The Board’s decision is final.

**Reinstatement Following Suspension or Expulsion**

It is the policy of the District to consider a petition for reinstatement from an expelled student and the parent/guardian and to follow the requirements of sections 1311 and 1311a of the Revised School Code.

**Reinstatement Following Mandatory Permanent Expulsion**

The parent/guardian (or the student if emancipated or at least 18 years old) 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 date of the expulsion.

The parent/guardian (or student if emancipated or at least 18 years old) 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 date of the expulsion.

The parent/guardian (or student if emancipated or at least 18 years old) of 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) committing criminal sexual conduct; 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) committing criminal sexual conduct; or (4) physically assaulting an employee, volunteer, or contractor, no sooner than 180 school days after the date of the expulsion.

It is the responsibility of the parent/guardian (or the student if emancipated or at least 18 years old) to prepare and submit the reinstatement petition. The Board will, however, provide a reinstatement petition form, upon request, for the parent/guardian or student to use. The Board may also 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 2 board members, 1 administrator, 1 teacher, and 1 parent of a current District student, to consider a reinstatement petition. The Board will appoint the reinstatement committee no more than 10 school days after
receiving a reinstatement petition. The Superintendent is directed to prepare and submit information to the reinstatement committee related to the circumstances surrounding the student’s expulsion and any factors mitigating for or against 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 on 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 personnel;
2. The extent to which reinstatement would create a risk of school liability or individual liability for the board or school personnel;
3. The age and maturity of the student;
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 or guardian, the degree of cooperation that the parent or guardian has provided the student and the degree of cooperation that the parent or 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 his or her 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 Board’s decision to unconditionally grant, conditionally grant, or deny the reinstatement petition is final. Unless otherwise expressly authorized by the Board at the time of denial, 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.

**Reinstatement Following Discretionary Expulsion**

Unless otherwise expressly authorized by the Board at the time of expulsion, a student expelled for reasons other than those resulting in a mandatory permanent expulsion 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 expulsion. Upon receipt of a timely reinstatement petition, the Board will hold a hearing at its next regularly scheduled meeting to consider the petition and any information submitted by the student or his or her parent/guardian and the Superintendent in either support of or opposition to the petition. The Board may unconditionally grant, conditionally grant, or deny the reinstatement petition. The Board’s decision is final. Unless otherwise expressly authorized by the Board, if the Board denies reinstatement, the parent, guardian, or student may not file another petition for reinstatement with 180 school days after the date of the denial.
Enrollment Following Misconduct at Another District

To the extent permitted by law, the District may deny enrollment to a student who engaged in misconduct in another school and who seeks to enroll in the District either: (1) before the previous school imposed disciplinary consequences for the misconduct or (2) while the student is suspended or expelled from the previous school. The Superintendent is directed to refer any such student to the Board if, under the District’s code of conduct, the Student’s misconduct in the previous school would result in a long-term suspension or expulsion from the District. The Board will hold a pre-enrollment hearing following the Superintendent’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 student or his or her parent/guardian and the Superintendent in either support of or opposition to the student’s enrollment.

Due Process

It is the policy of the District to ensure that all students are provided due process as required by state and federal law before a student is suspended or expelled. The Board directs the Superintendent and all school administrators to protect the due process rights of students as explained below.

If a school administrator determines that an emergency exists that requires the immediate removal of a student from school, the administrator may contact the student’s parent/guardian or local law enforcement, or take other measures, to have the student safely removed from school. The administrator must, as soon as practicable thereafter, follow the procedures outlined in this section of the policy.

Before making the decision to suspend a student for 10 or fewer school days, an administrator will: (1) provide the student verbal notice of the offense the student is suspected to
have committed and (2) provide the student an informal opportunity to explain what happened. Except in emergency circumstances, an administrator will not suspend the student unless, after providing the student notice and an opportunity to explain, the administrator is reasonably certain that the student committed a violation of the student code of conduct and that suspension is the appropriate consequence. A student or his or her parent/guardian may appeal an administrator’s decision to suspend a student for 10 or fewer school days to the Superintendent. The Superintendent’s decision is final.

Before making the decision to suspend a student for more than 10 school days, the Superintendent will provide the student and his or her parent/guardian: (1) written notice of the offense the student is suspected to have committed and (2) opportunity for a hearing, at which the student may present evidence and witnesses to show that the student did not commit the alleged offense or that suspension is not an appropriate consequence. The Superintendent will provide the student and his or her parent/guardian at least 3 calendar days’ notice before the hearing. The student and his or her parent/guardian may be represented at their cost by an attorney or another adult advocate at the hearing. The Superintendent will not suspend the student unless, following the hearing, he or she is convinced by a preponderance of the evidence that the student committed a violation of the student code of conduct and that suspension is the appropriate consequence. A student or his or her parent/guardian may appeal the Superintendent’s decision to the Board. The Board’s decision is final.

Before the Board suspends or expels a student, administration will provide the student and his or her parent/guardian: (1) written notice of the offense the student is suspected to have committed and (2) opportunity for a Board hearing, at which the student may present evidence and witnesses to show that the student did not commit the suspected offense or that suspension or
expulsion is not an appropriate consequence. Administration will provide the student and his or her parent/guardian at least 3 calendar days’ notice before the hearing. The student and his or her parent/guardian may be represented at their cost by an attorney or another adult advocate at the hearing. The Board will not suspend or expel the student unless, following the hearing, a majority of the Board is convinced by a preponderance of the evidence that the student committed misconduct that should result in suspension or expulsion under either the student code of conduct or the Revised School Code and that suspension or expulsion is the appropriate consequence. The Board’s decision is final.

**Law Enforcement**

The Board directs administrators to contact law enforcement any time a student engages in suspected illegal conduct that jeopardizes the health or safety of other students or staff, including any time a student is in possession of a dangerous weapon at school or a school-related activity or en route to or from school. In addition, the Board directs administrators to notify law enforcement as required by the Statewide School Safety Information Policy.

**Reporting**

The Board directs administrators to notify law enforcement when required by the Statewide School Safety Information Policy and to make all other reports and provide all other notifications required by the School Safety Information Policy or any state or federal law.

The Board directs administrators to refer a student who is expelled for (1) possession of a dangerous weapon; (2) arson; (3) criminal sexual conduct; or (4) physically assaulting an employee, volunteer, or contractor to the county department of social services or the county community mental health agency and to 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.

Educational Programming During Suspension or Expulsion

Except as otherwise 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. The Board authorizes school officials to assist students who have been suspended or expelled to explore alternative means, as allowed by law, to earn credit and to complete course work during the period of the student’s suspension or expulsion.

Students with Disabilities

It is the policy of the District to follow all applicable state and federal laws related to disciplining students with disabilities.

On the date on which the District decides to (1) expel a student with a disability; (2) suspend a student with a disability for more than 10 consecutive school days; (3) suspend a student for more than 10 cumulative school days in the same school year if a pattern of removals exist (explained below); or (4) place the student in an interim alternative educational setting (explained below), the District will notify the student’s parent/guardian of that decision and will provide the parent/guardian a copy of procedural safeguards.

Within 10 school days of a decision to (1) expel a student with a disability or (2) suspend a student with a disability for more than 10 consecutive school days, the District will convene a manifestation determination review team meeting, which must include the parent/guardian and relevant members of the student’s IEP team, to determine whether the student’s conduct was a manifestation of his or her disability. If the team concludes that the conduct was a manifestation
of the student’s disability, the District may not proceed with the suspension or expulsion and 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 team concludes that the conduct was a manifestation of the student’s disability, the student must be returned to the placement from which the student was removed unless the parent and the District agree to change the placement or unless the Student may be placed in a 45-school day interim alternative educational setting (explained below). If the team concludes that the conduct was not a manifestation of the student’s disability, the District may proceed with the suspension or expulsion and must, if appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan for the student.

Before suspending a student with a disability for more than 10 cumulative days in a school year, District administration must determine whether the student’s removals from school constitute a pattern. If the District determines that the removals constitute a pattern, the District will, within 10 school days of a decision to expel the student or to suspend the student for more than 10 cumulative school days in a school year, convene a manifestation determination review team meeting, which must include the parent/guardian and relevant members of the student’s IEP team, to determine whether the student’s conduct was a manifestation of his or her disability. If the team concludes that the conduct was a manifestation of the student’s disability, the District may not proceed with the suspension or expulsion and must either: (1) conduct a functional behavioral assessment (unless one was previously conducted) and implement a behavior intervention plan 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 team concludes that
the conduct was a manifestation of the student’s disability, the student must be returned to the placement from which the student was removed unless the parent and the District agree to change the placement or unless the Student may be placed in a 45-school day interim alternative educational setting (explained below). If the team concludes that the conduct was not a manifestation of the student’s disability, the District may proceed with the suspension or expulsion and must, if appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan for the student.

District administrators may remove a student with a disability who engages in any of the following conduct to an interim alternative educational setting for not more than 45 school days, even if the conduct is a manifestation of the student’s disability:

- Carrying a weapon to or possessing a weapon at school, on school premises, or to or at a school function;
- 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
- Inflicting serious bodily injury upon another person while at school, on school premises, or at a school function.

For purposes of this section of the Policy 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.

Within 10 school days of a decision to place a student in an interim alternative educational setting, District administration must convene a manifestation determination review team meeting, which must include the parent/guardian and relevant members of the student’s IEP team, to determine whether the student’s conduct was a manifestation of his or her disability. If the team concludes that 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 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 team concludes that the conduct was not a manifestation of the student’s disability, the District must, if appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan for the student.

The District reserves its right to remove a dangerous student from school to the maximum extent permitted by law. The Board directs administration to follow all state and federal laws governing the removal of dangerous students with disabilities.

If a student who is eligible for services under the Individuals with Disabilities Education Act is expelled or suspended for more than 10 school days during a school year or placed in a 45-school day interim alternative educational setting, administrators must ensure that the student continues 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.

A student who is not currently identified as a student with a disability 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 will be 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 District 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 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, however, be deemed to not have had 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. The Board directs administration to ensure that all other rights of students with disabilities are protected and all procedures applicable to students with disabilities are followed as required by the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, state law, and Board policy.

Legal Reference:
MCL 380.11a; MCL 380.1308; MCL 380.1309; MCL 380.1310; MCL 380.1310a; MCL 380.1311; MCL 380.1311a; MCL 380.1313
Gun Free Schools Act, 20 U.S.C. §7151
18 U.S.C. §921
Individuals with Disabilities Education Act, 20 U.S.C. §1401 et seq.
8300-R Corporal Punishment

Corporal Punishment

The Board does not condone the use of force, fear, hitting, paddling, spanking, slapping, or other forms of corporal punishment as an appropriate procedure in student discipline.

No employee, volunteer, or contractor of the District shall inflict physical pain by hitting, paddling or spanking, or cause to be inflicted, corporal punishment upon a student. Reasonable and necessary physical force may be used upon a student to maintain order and control in a school or a school related setting for the purposes of providing an environment conducive to safety and learning.

The District subscribes to the philosophy of Positive Behavior Support (PBS) as recommended by the State Board of Education and set forth in the State Board publication entitled *Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint*, December 2006. By reference, that document is included and incorporated in these rules. Any application of restraint or seclusion shall abide by the recommendations of that document. In any case, emergency or otherwise, the following practices are prohibited at all times:

Prohibited Practices - Restraint

The following procedures are prohibited under all circumstances, including emergency situations:

- Mechanical restraint;
- Chemical restraint;
- The deprivation of basic needs;
- Anything constituting child abuse;
• Any restraint that negatively impacts breathing;

• Prone restraint
  (School personnel who find themselves involved in the use of a prone restraint – restraint of a student face down - as the result of responding to an emergency must take immediate steps to end the prone restraint)

• The intentional application of any noxious substance(s) or stimuli which results in physical pain or extreme discomfort. A noxious substance or stimuli can either be generally acknowledged or specific to the student.

Definition of Emergency Seclusion

Seclusion is a last resort emergency safety intervention that provides an opportunity for the student to regain self-control. Seclusion is the confinement of a student in a room or other space from which the student is physically prevented from leaving and which provides for continuous adult observation of the student.

Seclusion

A. The room or area used for seclusion:
  • Must not be locked;
  • Must not prevent the student from exiting the area should staff become incapacitated or leave that area; and
  • Must provide for adequate space, lighting, ventilation, viewing, and the safety of the student.

B. Limitations in Use

1. Seclusion shall not be used:
  • For the convenience of staff;
• As a substitute for an educational program;
• As a form of discipline/punishment;
• As a substitute for less restrictive alternatives;
• As a substitute for adequate staffing; or
• As a substitute for staff training in positive behavior supports and crisis prevention and intervention.

2. Seclusion is inappropriate for students who are severely self-injurious or suicidal.

C. Definition of Timeout

Timeout is a behavior intervention in which a student, for a limited and specified time, is placed in an environment where access to positive reinforcement is unavailable.

Timeout should not be confused with seclusion because in a timeout setting a student’s movement is not physically restricted. Timeout lies within a continuum of procedures that help students self-regulate and control their behavior. The timeout continuum\(^{29}\) is:

• Planned ignoring
• Withdrawal of materials
• Contingent observation

\(^{29}\) **Timeout Continuum**

**Planned Ignoring** – is the systematic withdrawal of social attention for a predetermined time period upon the onset of mild levels of problem behavior.

**Withdrawal of Materials** – materials that the student is using are removed upon the occurrence of the inappropriate behavior.

**Contingent Observation** – student remains in a position to observe the group without participating or receiving reinforcement for a specified period of time.

**Exclusionary Timeout** – student is removed from the immediate instructional setting in response to behavior that requires immediate and direct cessation. This form of timeout can take place within the same classroom or in a nearby location that can be supervised by an adult. (Using Timeout in an Effective and Ethical Manner)
Physical force upon a student may be necessary to restrain, seclude, or remove a student whose behavior is interfering with the orderly exercise and performance of District functions within a school or school related activity if that student has refused to comply with a request to refrain from further disruptive acts; for self defense or the defense of another; to prevent a student from inflicting harm on him/herself; to quell a disturbance that threatens physical injury to any person; to obtain possession of a weapon or other dangerous object; and to protect property.

Employees should not find it necessary to resort to physical force, violence, or threats to compel obedience. If all means fail, staff members may always resort to the removal of the student from the classroom or school through established suspension or expulsion procedures.

A list of “Alternatives to Corporal Punishment” shall be distributed to each employer, volunteer, and contractor of the Battle Creek Public Schools by the Superintendent and/or designee.

Violation of this policy may result in discipline, up to and including dismissal from employment. The Superintendent and/or designee may also report violations of this policy to law enforcement, if necessary.
Early Graduation (Cf. 7630)

A student who, for educational and vocational reasons, wishes to graduate from high school in less time than the normal four-year grade 9-12 sequence may request permission for early graduation. The student and parent(s)/guardian(s) shall consult with high school administrative and/or guidance personnel in order to develop a graduation plan.

The student shall request in writing to their high school counselor and building Principal permission for early graduation with reasons supporting his/her plan and request. Examples of reasons to be given consideration are:

- Completion of all high school graduation requirements

The student and parent(s)/guardian(s) of the student must submit a letter in support of the student’s request for early graduation, and such letter is to accompany the student’s written request. The request letters are to be submitted to the Superintendent. The student must reasonably be expected to complete all state and local graduation requirements of subjects and credit units or their accepted equivalents satisfactorily in order for consideration to be given to any request.

Each request is to be determined by the Board on the merits of the individual circumstances; one case shall not set a precedent for others.

Approved:
8450 Student Welfare (Cf. 8590, 8590-R)

The Board and Superintendent will endeavor to provide a suitable environment conducive to the general health, safety, and welfare of each student in school attendance and at school-sponsored activities. The Superintendent shall promulgate appropriate administrative rules, known, generally, as the “Student Code of Conduct”, also known as the Student Handbook in order to implement this policy.

Approved:
LEGAL REF: MCL 333.26301-26306
The Superintendent and his/her staff shall develop and enforce the necessary rules and regulations relating to student welfare.

The building Principal, in cooperation with the building custodian, will periodically inspect areas of the school building and ground, for potential health and safety hazards; and, if found, such hazards are to be reported to the Superintendent, or designee, immediately or as provided herein.

Every building Principal shall have the authority to correct any health or safety hazard without consulting with the Superintendent if no costs are involved.

If the building Principal determines that the costs of correcting a potential or real health or safety hazard exceed his/her allocated funds for building maintenance or that his/her custodial staff does not have the equipment to correct the hazard, the Principal shall requisition from the Superintendent, or designee, the necessary funds or personnel to correct the situation.
The Battle Creek Public Schools is committed to creating a healthy school environment that enhances the development of lifelong wellness practices to promote healthy eating and physical activities that support student achievement and hereby adopts this Student Wellness Policy.  

**Nutrition Education**

Every year, all students, Pre-K-12, shall receive nutrition education that is aligned with the *Michigan Health Education Content Standards and Benchmarks*.  

Nutrition education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. Nutrition education information shall be offered throughout the school campus including, but not limited to, school dining areas and classrooms. Staff members who provide nutrition education shall have the appropriate training.

**Nutrition Standards**

The District shall ensure that reimbursable school meals meet the program requirements and nutrition standards found in federal regulations. The District shall encourage students to make nutritious food choices.  

The District shall monitor all food and beverages sold or served to students, including those available outside the federally regulated child nutrition programs. The District shall

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30 (MASB Note: This local Student Wellness Policy, was adopted, unanimously, by the Michigan State Board of Education on Monday, October 10, 2005. It is the product of a collaborative effort between the Michigan Department of Education and MASB as reviewed and finalized by a panel of health, nutrition, and physical education specialists from across the State. It is a MODEL, and is not MANDATED, so local districts are free to modify it some based on local needs and circumstances – particularly the administrative rules. We urge, however, that local boards give serious consideration to adoption of the POLICY itself as it is written, and allow, then, the administration to modify the administrative rules to meet local needs and expectations.)


32 Title 7—United States Department of Agriculture, Chapter ii - Food and Nutrition Service, Department of Agriculture, Part 210 - National School Lunch Program. [http://www.access.gpo.gov/nara/cfr/waisidx_04/7cfr210_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/7cfr210_04.html)
consider nutrient density\textsuperscript{33} and portion size before permitting food and beverages to be sold or served to students.

\textsuperscript{33} Nutrient dense foods are those that provide substantial amounts of vitamins and minerals and relatively fewer calories. Foods that are low in nutrient density are foods that supply calories but relatively small amounts of micronutrients (sometimes not at all). http://www.health.gov/dietaryguidelines/dga2005/report/HTML/G1_Glossary.htm
The Superintendent shall continually evaluate vending policies and contracts. Vending contracts that do not meet the intent and purpose of this policy shall be modified accordingly or not renewed.

**Physical Education and Physical Activity Opportunities**

The District shall offer physical education opportunities that include the components of a quality physical education program. Physical education shall equip students with the knowledge, skills, and values necessary for lifelong physical activity.

Physical education instruction shall be aligned with the *Michigan Physical Education Content Standards and Benchmarks*. Every year all students, Pre-K-12, shall have the opportunity to participate regularly in supervised physical activities, either organized or unstructured, intended to maintain physical fitness and to understand the short- and long-term benefits of a physically active and healthy lifestyle.

**Other School-Based Activities Designed to Promote Student-Wellness**

The District may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity.

**Implementation and Measurement**

The Superintendent shall implement this policy and measure how well it is being managed, and enforced. The Superintendent shall develop and implement administrative rules

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34 Offering physical activity opportunities is required by federal law (Section 204 of Public Law 108-265). Physical education, while recommended, is not required.

consistent with this policy. Input from teachers (including specialists in health and physical education), school nurses, parents/guardians, students, representatives of the school food service program, the Board of Education, school administrators, and the public shall be considered before implementing such rules.

A sustained effort is necessary to implement and enforce this policy. The Superintendent shall report to the Board, as requested, on the District’s programs and efforts to meet the purpose and intent of this policy.

Approved:

Student Wellness Policy (Cf. 4450, 4460)

Administrative Rules regarding Battle Creek Public Schools Student Wellness Policy

In order to enact and enforce Battle Creek Public Schools Student Wellness Policy, the Superintendent and administrative team, with input from teachers (including specialists in health and physical education), parents/guardians, students, representatives of the school food service program, the school Board, school administrators, and the public, have developed these administrative rules.

Coordinated School Health Team

To assist in the creation of a healthy school environment, the District shall establish a Coordinated School Health Team\(^{36}\) that will provide an ongoing review and evaluation of the Battle Creek Public Schools Student Wellness Policy and these administrative rules.\(^{37}\)

The Superintendent shall appoint a member of the administrative staff of the District to organize the Coordinated School Health Team and invite appropriate District stakeholders to become members of the Coordinated School Health Team. A Coordinated School Health Team may include representatives from the following areas:

- Administration,
- Counseling/psychological/and social services,
- Food services,
- Health education,
- Health services,

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\(^{36}\) Centers for Disease Control’s Coordinated School Health web site: http://www.cdc.gov/HealthyYouth/CSHP/index.htm.

• Parent/Guardian, student and community (including health care providers, hospital and public health department staff, non-profit health organizations, physical activity groups, community youth organizations, and university or other governmental agencies),

• Physical education.

Staff shall be reminded that healthy students come in all shapes and sizes. Students should receive consistent messages and support for:

• Self-respect;
• Respect for others;
• Healthy eating; and
• Physical activity.  

These rules are subject to ongoing administrative review and modification as necessary to help assure compliance with the purpose and intent of Battle Creek Public Schools Student Wellness Policy. Any District stakeholder wishing to express a viewpoint, opinion, or complaint regarding these rules should contact:

Superintendent of Schools
Battle Creek Public Schools
Phone: 269-965-9500
Fax: 269-965-9474

Students, staff, and community will be informed about the Student Wellness Policy annually.

38 The Role of Michigan Schools in Promoting Healthy Weight. 2001
http://www.emc.cmich.edu/pdfs/Healthy%20Weight.pdf
Nutrition Education

Nutrition education, a component of comprehensive health education, shall be offered every year to all students of the District. The District may offer age appropriate nutrition education classes. In addition, nutrition education topics shall be integrated into the entire curriculum when appropriate.

The District shall implement a quality nutrition education program that addresses the following:

Curriculum:

• Has a curriculum aligned with the *Michigan Health Education Content Standards and Benchmarks*.  

• Equips students to acquire the knowledge and skills needed to engage in sound nutrition behavior.

Instruction and Assessment:

• Aligns curriculum, instruction, and assessment.

• Builds students’ confidence and competence in making healthy nutrition choices.

• Engages students in learning that prepares them to choose a healthy diet.

• Includes students of all abilities.

• Is taught by “highly qualified teachers of health education.”

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39 The Michigan Model for Comprehensive School Health Education is a planned, sequential, K-12 curriculum that addresses the physical, mental, emotional and social dimensions of health  
http://www.emc.cmich.edu/cshp/healthed.htm

40 Michigan Model for Comprehensive School Health Education nutrition lessons meet this administrative rule:  
http://www.emc.cmich.edu/Health/Maps/nutrition.htm


42 Michigan Model for Comprehensive School Health Education nutrition content map:  
http://www.emc.cmich.edu/Health/Maps/nutrition.htm
Opportunity to Learn:

- Includes students of all abilities.
- Provides adequate instructional time to build students’ confidence and competence in health-enhancing skills.

Nutrition education should also be made available to parents/guardians and the community. This nutrition education may be provided in the form of handouts, wall or bulletin board posters or banners, postings on the District website, community and student oriented presentations or other communications focused on promoting proper nutrition and healthy lifestyles.

Nutrition Standards

The District shall offer school meal programs with menus meeting the meal patterns and nutrition standards established by the United States Department of Agriculture (USDA). The District shall encourage students to make food choices based on the most current Dietary Guidelines for Americans. Food and beverages that compete with the District’s policy of promoting a healthy school environment shall be discouraged.

Each school building in the District shall offer and promote the following food and beverages in all venues outside federally regulated child nutrition programs:

- Whole and enriched grain products that are high in fiber, low in added fats and sugars, and served in appropriate portion sizes consistent with the current USDA standards;

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• Fresh, frozen, canned or dried fruits and vegetables using healthy food preparation techniques, and 100 percent fruit or vegetable juice in 12-ounce servings or less;
• Nonfat, low-fat, plain and/or flavored milk and yogurt, nonfat and/or low-fat real cheese, rather than imitation cheese. Offer the following serving sizes: yogurt in eight-ounce servings or less, milk in 16-ounce servings or less, cheese in 1.5-ounce (two-ounce, if processed cheese) servings or less;
• Nuts, nut butters, seeds, trail mix, and/or soybean snacks in one-ounce portions or less; portions of three ounces or less of cooked lean meat, poultry, or fish using healthy food preparation techniques; and
• Accompaniments (sauces, dressings, and dips), if offered, in one-ounce servings or less.

The District shall monitor food service distributors and snack vendors to ensure that they provide predominantly healthy food and beverage choices that comply with this policy’s purpose in all venues. (See Appendix A)

The District shall discourage using food as a reward. Alternatives to using food as a reward are found in appendix B.

The District shall encourage serving healthy food at school parties. Notices shall be sent to parents/guardians either separately or as part of a school newsletter, reminding them of the necessity of providing healthy treats for students and/or encouraging the use of non-food treats

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44 The District shall assure that the dietary needs of food-allergic students are taken into consideration in menu planning.
45 State of Michigan’s Board Of Education’s Policy On Offering Healthy Food And Beverages In Venues Outside Of The Federally Regulated Child Nutrition Programs.
for classroom birthday or award celebrations. (See Appendix C) The District shall encourage healthy fundraisers as alternatives to fundraising that involve selling food items of limited nutritional value, such as candy, cupcakes, or sugary beverages. Example: Sales of candy items (candy bars, sugar coated chocolate snacks, or the like) as a school or grade level fundraising project should be replaced with non-food items such as candles, wrapping paper, greeting cards, etc. (See Appendix D) Vending sales of soft drink, artificially sweetened drinks, and candy will not be permitted on school grounds prior to the start of the school day and throughout the instructional day, but may be permitted at special events that begin after the conclusion of the instructional day. For suggestions on healthier foods, see Appendix E. For the federal law memorandum stating, “it is not permissible for a school to serve FMNV during a meal service period…” refer to the following link:


Physical Education and Physical Activity Opportunities

Developmentally appropriate physical education shall be offered every year to all students of the District. In addition, physical education topics shall be integrated into the entire curriculum when appropriate.

The District shall implement a quality physical education program that addresses the following:

46 http://www.tn.fcs.msue.msu.edu/Stateboardofeducationnutritionpolicy12003.pdf
48 Offering physical activity opportunities is required by federal law (Section 204 of Public Law 108-265). Physical education, while recommended, is not required.
Curriculum:\(^{49}\)

- Equips students with the knowledge, skills, and attitudes necessary for lifelong physical activity.
- Has a curriculum aligned with the *Michigan Physical Education Content Standards and Benchmarks*.\(^{50}\)
- Influences personal and social skill development.

Instruction and Assessment:

- Aligns curriculum, instruction, and assessment.
- Builds students’ confidence and competence in physical abilities
- Engages students in curriculum choices that prepare them for a wide variety of lifetime activities.
- Includes students of all abilities.
- Is taught by a certified physical education teacher trained in best practice physical education methods.
- Keeps all students involved in purposeful activity for a majority of the class period

Opportunity to Learn:

- Builds students’ confidence and competence in physical abilities.
- Has a teacher to student ratio consistent with those of other subject areas and/or classrooms.
- Has enough functional equipment for each student to actively participate.

\(^{49}\) The Exemplary Physical Education Curriculum (EPEC) meets this administrative rule: http://www.michiganfitness.org/EPEC

• Includes students of all abilities.\textsuperscript{51}

• Offers instructional periods totaling 150 minutes per week (elementary) and 225 minutes per week (middle and high school).\textsuperscript{52}

• Provides facilities to implement the curriculum for the number of students served. The District should offer daily opportunities for unstructured physical activity, commonly referred to as recess, for all students Pre-K through grade six. Recess should be in addition to physical education class time and not be a substitute for physical education. Each school shall provide proper equipment and a safe area designated for supervised recess in the elementary setting. School staff should not withhold participation in recess from students or cancel recess to make up for missed instructional time. Schools should provide opportunities for some type of physical activity for students in grades seven through twelve apart from physical education class and organized sports. Physical activity opportunities might include: before and after school extracurricular physical activity programs, Safe Routes to School Programs,\textsuperscript{53} and use of school facilities outside of school hours.

\textbf{Other School-Based Activities Designed to Promote Student-Wellness}

The District shall strive to create a healthy school environment which promotes healthy eating and physical activity.\textsuperscript{54} In order to create this environment the following activities shall be implemented:

\textsuperscript{51} The Exemplary Physical Education Curriculum (EPEC) meets this administrative rule: \url{http://www.michiganfitness.org/EPEC}
\textsuperscript{53} Safe Routes to Schools Program Information: \url{www.saferoutesmichigan.org}
\textsuperscript{54} Michigan’s Healthy School Action Tool: \url{http://mihealthtools.org/schools/}
Dining Environment:
The school District shall provide:

- A clean, safe, enjoyable meal environment for students,
- Enough space and serving areas to ensure all students have access to school meals with minimum wait time,
- Drinking fountains in all schools, so that students can get water at meals and throughout the day,
- Encouragement to maximize student participation in school meal programs, and
- Identity protection of students who eat free and reduced price meals.

Time to Eat:
The school District shall ensure:

- Adequate time for students to enjoy eating healthy foods with friends in schools,
- That lunch time is scheduled as near the middle of the school day as possible, and
- That recess for elementary schools is scheduled before lunch so that children will come to lunch less distracted and ready to eat.\(^5\)\(^5\) (See Appendix F)

Food or Physical Activity as a Reward or Punishment:
The school District shall:

- Prohibit the use of food as a reward or punishment in schools, (See Appendix B)
- Not deny student participation in recess or other physical activities as a form of discipline or for classroom make-up time, (See Appendix F)
- Not use physical activity as a punishment, and

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• Encourage using physical activity as a reward, such as teacher or principal walking or playing with students at recess. (See Appendix F)

Consistent School Activities and Environment

The school District shall:

• Have all school buildings complete the Michigan Healthy School Action Tool to ensure that school activities and the environment support health behaviors, 56 (See Appendix G)
• Ensure that all school fundraising efforts support healthy eating and physical activity, (See Appendix D)
• Provide opportunities for on-going professional training and development for foodservice staff and teachers in the areas of nutrition and physical education,
• Make efforts to keep school or District-owned physical activity facilities open for use by students outside school hours,
• Encourage parents/guardians, teachers, school administrators, students, foodservice professionals, and community members to serve as role models in practicing healthy eating and being physically active, both in school and at home,
• Encourage and provide opportunities for students, teachers, and community volunteers to practice healthy eating and serve as role models in school dining areas,
• Provide information and outreach materials about other FNS programs such as Food Stamps, and Women, Infants, and Children (WIC) to students and parents/guardians,
• Encourage all students to participate in school meals program, i.e. the National School Lunch, including snacks for After School Program, and School Breakfast programs, and

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56 Michigan’s Healthy School Action Tool: http://mihealthtools.org/schools
Student Wellness Policy

- Implement physical activity across the curriculum throughout the school day or in all subject areas, for example, brain breaks\(^{57}\). (See Appendix G)

**Implementation and Measurement**

All employees of the District are encouraged to be a positive healthy lifestyle role model for students by following, at a minimum, these administrative rules. Students can learn healthy lifestyle habits by observing the food and physical activity patterns of school personnel and other adults who serve as role models in their lives. In order to send consistent messages to students, all adults in the school environment are encouraged to make healthy food choices and engage in physical activity.\(^{58}\) The District shall work through its Coordinated School Health Team and building level staff to find cost effective ways to encourage staff wellness.

**Appendices:**

- **Appendix A:** Healthy Food and Beverages Criteria and Healthy Snack List\(^{59}\)
- **Appendix B:** Alternatives to Using Food as a Reward\(^{60}\)
- **Appendix C:** Healthy School Parties\(^{61}\)
- **Appendix D:** Healthy School Fundraisers\(^{62}\)
- **Appendix E:** Serving Healthy Beverages\(^{63}\)
- **Appendix F:** Michigan Physical Education and Activity Resources
- **Appendix G:** Healthy School Action Tool Brochure\(^{64}\)

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\(^{57}\) Tips and Tools to Help Implement Michigan’s Healthy Food and Beverage Policy

\(^{58}\) Tips and Tools to Help Implement Michigan’s Healthy Food and Beverage Policy, 2004.

\(^{59}\) Tips and Tools to Help Implement Michigan’s Healthy Food and Beverage Policy, 2004.

\(^{60}\) Tips and Tools to Help Implement Michigan’s Healthy Food and Beverage Policy, 2004.


\(^{63}\) Tips and Tools to Help Implement Michigan’s Healthy Food and Beverage Policy, 2004.

\(^{64}\) Healthy School Action Tool, http://www.mihealthtools.org/schools
Appendix A: Healthy Food and Beverages Criteria and Healthy Snack List

Your Resource to Health Packaged Food and Beverage Products

The two lists below will help schools identify healthy food and beverages that are available from food-service distributors and snack vendors for vending machines, a’ la carte, and other venues.

Single – serving-size snacks (except for nuts, seeds, and cheese) should have no more than 6 grams of fat and meet at least two of the following three criteria:

1) Contain 300 or fewer calories,
2) One or more grams of fiber, or
3) At least 10% of Calcium, Iron, Vitamin A or Vitamin C

List 1: Health Snack Options Available through Foodservice Distributors

Contact the Nutrition Resource Center at Gordon Food Services to request the most recent list of healthy packaged food and beverage product options: 1-800-968-4426. The following professionals may be interested in using this information:

Food Service Operator - One who manages a foodservice program, i.e. a school foodservice Director.

Food Service Distributor – A business that purchases, warehouses and delivers products from many manufacturers. These products are in turn sold and delivered to restaurants, institutions, and schools.

Food Service Broker – A company which represents products from many manufacturers.

Manufacturer Representative – A person who represents products from just one manufacturer.

List 2: Health Snack Options Available through Snack Vendors
Visit [www.accesskent.com/snacks](http://www.accesskent.com/snacks) for the most recent list of healthy packaged food and beverage product options.


Contact the Kent County Health Department at 616-336-3034 for more information.

The following professionals may be interested in using this information:

*School Leader* – A person who is working with a vending company and making decisions regarding the snack vending selections.

*Vending Operator* – A company that services (fills, repairs) vending machines in schools.

Because the food industry is constantly providing new products, please determine if a food or beverage meets the criteria by using the Nutrition Facts label on the package.
Appendix B: Alternatives to Using Food as a Reward

At school, home and throughout the community, children are offered food as a reward for “good” behavior. Often these foods have little or no nutritional value by are easy, inexpensive, and can bring about short-term behavior change.

There are many disadvantages to using food as a reward:

- It undermines nutrition education being taught in the school environment.
- It encourages over consumption of foods high in added sugar and fat.
- It teaches children to eat when they’re not hungry as a reward to themselves.

Children learn preferences for foods made available to them, including those that are unhealthy. Poor food choices and inadequate physical activity contribute to overweight and obesity. Currently, obesity among children, particularly teen age children, is at epidemic levels and can often lead to serious health problems.

Students Learn what they Live

Students naturally enjoy eating healthy and being physically active. Schools and communities need to provide them with an environment that supports healthy behaviors. Below are some alternatives for students to enjoy instead of being offered food as a reward at school.

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Student Wellness Policy (Cf. 4450, 4460)

ZERO-COST ALTERNATIVES
- Sit by Friends
- Read Outdoors
- Have extra Art time
- Have an extra recess
- Read to a younger class
- Make deliveries to the office
- Listen to music while working
- Play a favorite game or puzzle
- Earn play money for privileges
- Walk with a teacher during lunch
- Eat lunch outdoors with the class
- Be a helper in another classroom
- Eat lunch with a teacher or principal
- Dance to favorite music in the classroom
- Get “free choice” time at the end of the day
- Listen with a headset to a book on audiotape
- Have a teacher perform special skills (i.e., Sing)
- Give a 5-minute chat break at the end of the day

LOW-COST ALTERNATIVES
- Select a paperback book
- Enter a drawing for donated prizes
- Take a trip to the treasure box (non-food items)
- Get stickers, pencils, and other school supplies
- Receive a video store or movie theatre coupon
- Get a set of flash cards printed from a computer
- Receive a “mystery pack” (notepad, folder, sports cards, etc.)

IDEAS FROM MICHIGAN TEACHERS
GAME DAY: “I have my students earn letters to spell game day... after the letters have been earned, we play reading or phonics-type board games. The kids beg for Game Day”!

FRIDAY FREE TIME: I give my students thirty minutes at the beginning of the week and they can earn or lose free time according to their behavior. I use a timer and turn it on (they can hear it) if they are too loud working, lining up, etc., I add time when their behavior is good. Adding time is the most effective. I save time by not waiting for them to settle down so I don’t feel bad about their free time”.

Adapted from a project funded by Michigan Department of Community Health’s Cardiovascular Health, Nutrition and Physical Activity Section at Lincoln Elementary School in South Haven, Michigan. Lincoln Elementary is a Team Nutrition School. For more information about Team Nutrition, contact Chris Flood at 269-639-0002, or go to: www.tn.fcs.msue.msu.edu

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Used with permission from Michigan Team nutrition, a partnership between the Michigan Department of Education and Michigan State University Extension.


Battle Creek Public Students Section 8000
Appendix C: Healthy School Parties

Schools play a major role in helping students become fit, healthy and ready to learn. One way to accomplish this is for foods offered in schools to support lessons learned in the classroom regarding nutrition and physical activity. What better venue than schools – which have a great impact on children – to support the message that proper nutrition and physical activity are a key part of a healthy lifestyle? Positive examples of making healthy eating choices and encouraging physical activity should be visible throughout the school. Parties as well as cafeterias, school stores, vending machines, and after-school events offer opportunities for schools to reinforce the message that making healthy food choices and being physically active means a healthier body and a sharper mind.

Snack Ideas for School and Classroom Parties

Of course, the foods offered at school parties should add to the fun, but try to avoid making them the main focus. Remember, schools are responsible for helping students learn lessons about good nutrition and healthy lifestyles and students should practice these lessons during school parties. For example, consider combining student birthday parties into one monthly event that incorporates physical activities as well as healthy snacks. Also, be sure to consider ethnic and medical food restrictions and allergies when providing classroom snacks.

Here is a list of healthy snack choices to consider for classroom events. Serving all healthy foods and incorporating physical activities make a powerful statement. Actions speak louder than words: Lead by example.

- Fresh fruit and vegetables
- Low fat popcorn
- Yogurt
- Soft pretzels and mustard
- Baby carrots and other vegetables with low fat dip
- Trail mix*
- Nuts and seeds*
- Fig cookies
- Animal crackers
- Baked rather than fried chips
- Buy locally when possible
- Granola bars*
- Bagels with low fat cream cheese

Battle Creek Public Students Section 8000
- Granola bars*
- Pizza (no extra cheese and no more than one meat)
- Pudding
- String cheese
- Cereal bar

- Single-serve low fat or fat free milk (regular or flavored)
- 100% fruit juice (small single-serves)
- Bottled water (including flavored water)

*May be allergens and/or a choking risk for some people, please check with a healthcare provider.

Appendix D: Healthy School Fundraisers

Smart Fundraisers for Today’s Health Schools

Raising money may present a constant challenge for schools. School fundraisers may help pay for computers, field trips, athletics, music, art, and other programs that educate and enrich young lives – important programs that are not always covered by shrinking school budgets. More than just raising money to pay for valuable programs, a well-run fundraiser can also be an experience that educates, builds self-esteem, provides community service, and promotes school and community spirit.

Fundraising doesn’t have to involve selling food items of limited nutritional value, such as candy. Following are web sites and fundraising ideas that offer alternatives to selling candy. When healthy food choices are used as fundraising items, the healthy eating message presented in the schools is reinforced. Some of the ideas even have the added benefit of providing additional physical activity opportunities for students.

Take a look and help your school select a creative fundraising alternative to selling foods of limited nutritional value.

Search the Web

Select a search engine and type in “school fundraisers” to access 112,000+ sites. A few of these sites follow:

www.afrds.org/homeframe.html
Association of Fund-Raising Distributors and Suppliers. Site includes a Toolbox with “Fundraising Fundamentals”, a checklist for evaluating fundraising companies, and a resource on product fundraising issues and trends.

www.PTOtoday.com
Lists fundraising activities by categories, has a “work vs. reward” equation, contains a parent sharing section on “what works, what doesn’t and why”.

www.fundraising-ideas.com
Offers a free newsletter with programs, services, and press releases. Links to [www.amazon.com](http://www.amazon.com) with books on fundraising.
Appendix E: Serving Healthy Beverages

Recommendations for Serving Healthy Beverages

The following beverages are recommended:

- Plenty of Water
- 100% juice in 12-ounce servings* or less
- Fat free, low fat, plain and/or flavored milk in 16-ounce servings* or less
- Fruit/Fruit juice smoothies in 16-ounce servings* or less

Choosing your Drinks can be Difficult! Watch out for:

These are not 100% juice!

- Fruit punches
- Fruit drinks
- Juice drinks

*Suggested serving-sizes are based on what is commonly available for use in vending machines.

It should be noted that excessive juice consumption may result in an increase in calorie intake and may contribute to the development of unhealthy weight. It should also be noted that 70% of teen boys and 90% of teen girls do not meet daily calcium requirements. Offering fat free or low fat single-serve milk is another opportunity to help teens meet their nutrition needs. (Refer to Healthy Food and Beverages Policy for additional rationale).

Read the Label! To determine if a food or beverage meets the criteria, use the Nutrition Facts label on the package.

Appendix F: Michigan Physical Education and Activity Resources

Cross-Curricular Instruction: Integrating Physical Activity into Classroom Subjects:

Cross-curricular integration of lessons will help students to see connections among the subject areas and provide opportunities for teachers to work together. Below are several ideas for integrating physical movement into various subject areas: Physical activity guides for elementary classroom teachers that integrate physical movement into classroom subjects; language arts, math, science and social studies.

- Brain Breaks: [www.emc.cmich.edu/BrainBreaks](http://www.emc.cmich.edu/BrainBreaks)
- Energizers: [www.ncpe4me.com/energizers.html](http://www.ncpe4me.com/energizers.html)
- Take Ten: [www.take10.net](http://www.take10.net)

Michigan Team Nutrition booklist: The list contains short, one-paragraph annotations for over 300 books about food, healthy eating, and physical activity for children in pre-school through third grade. [www.tn.fcs.msue.msu.edu/booklist.html](http://www.tn.fcs.msue.msu.edu/booklist.html)

Examples:

- Display poster or banners with physical activity themes: [www.nal.usda.gov/wicworks/Sharing_Center/KYactivitypyramid.pdf](http://www.nal.usda.gov/wicworks/Sharing_Center/KYactivitypyramid.pdf)

Using Physical Activity to Reward Students

Have an extra recess; Walk with a teacher during lunch; Dance to favorite music in the classroom; Hold Friday Physical Activity Time where students earn extra physical activity time based on their good behaviors during the week; and Challenge another homeroom to a sport or activity.

Ideas for School Parties

Make your party a dance; Modify traditional games for classroom use; Hold contests or relays.
Resources

- **All Children Exercising Simultaneously (ACES) day**: A one day event where millions of children of all ages exercise at the same time work-wide in a symbolic event of fitness and unity. [www.michiganfitness.org](http://www.michiganfitness.org)

- **Hoops for Heart**: Engages student in playing basketball while learning the lifelong benefits of physical activity, volunteering, and fundraising. [www.americanheart.org](http://www.americanheart.org)

- **Jump Rope for Heart**: Engages students in jumping rope while learning the lifelong benefits of physical activity, the seriousness of heart disease and stroke, volunteering and fundraising. [www.americanheart.org/jump](http://www.americanheart.org/jump)

- **National Physical Education & Sport Week**: Designated week for encouraging and promoting physical activity. [www.aahperd.org/naspe/may](http://www.aahperd.org/naspe/may)

- **Walk to School Day/Safe Routes to School**: Join in the effort to promote walking to school as a way to provide an opportunity for more physical activity! [www.michiganfitness.org/](http://www.michiganfitness.org/)

**Recess before Lunch**

Scheduling recess before lunch makes sense! Good nutrition goes hand in hand with improved behavior and learning. Recess before Lunch gives students the opportunity to excel in both.

Find everything you need to establish a recess before lunch program including, how to implement, resources and supporting information, and educational and marketing materials. [www opi state mt us schoolfood index html](http://www opi state mt us schoolfood index html)
Appendix G: Healthy School Action Tool Brochure

HSAT Module Topics

The HSAT (assessment and action plan) helps school to assess and take positive action in these eight areas of their school health environment:

1. School Health Policies & Environment
2. Health Education
3. Physical Education & Other Physical Activity Programs
4. Nutrition (Food) Services
5. School Health Services
6. School Counseling, Psychological & Social Studies
7. Health Promotion for Staff
8. Family & Community Involvement

The Healthy Schools – Healthy Students website also offers:

- General information and resources about ways to create a healthy school environment
- Links to policy documents and fact sheets to support efforts to create healthy school environments
- Resources to assist schools in completing the HSAT and in making positive changes to their school health environment

“Schools can do more than perhaps any other single institution in society to help young people, and the adults they will become, live healthier, longer, more satisfying and more productive lives.” – Carnegie Council on Adolescent Development
The Healthy School Action Tool (HSAT) was adapted from the School Health Index for Physical Activity, Healthy Eating, and a Tobacco-Free lifestyle: A Self Assessment and Planning guide from Centers for Disease Control and Prevention (2002) and the Changing the Scene Healthy School Nutrition Environment Improvement Checklist from USDA Food and Nutrition Service. Team Nutrition (2000).

The development of the HSAT was a collaborative effort of the Michigan Department of Community Health, the Michigan Department of Education, Michigan State University Extension, Michigan Team Nutrition, and United Dairy Industry of Michigan.

For more information, contact Shannon Carney Oleksyk via email at carneys@michigan.gov or via phone at 517-335-9373.
The Board directs the Superintendent or designee to comply with the Michigan Statewide Unsafe School Choice Policy for schools that receive funds under the No Child Left Behind Act of 2001 (NCLB of 2001). The Superintendent or designee may enact rules to implement compliance with the state policy.

Should any school receiving funds under NCLB of 2001 be designated, “persistently dangerous,” as defined by the state policy, the required, “corrective action plan,” shall be prepared and presented to the Board for review and approval before transmittal to the state. The Superintendent or designee shall also ensure that the transfer and notice requirements found in state policies are implemented, and that the Board is kept informed.

A copy of the current Statewide Unsafe School Choice Policy shall be available in the District office.

Approved:

LEGAL REF: 20 USCA § 7912; Michigan Statewide Unsafe School Choice Policy (2003)
8460  Student Insurance Programs

The Board recommends that all students engaging in athletics, shop courses, science laboratories, cooking classes, physical education classes, or any other hazardous activity be covered by some type of accident insurance. Such insurance may be provided by each student’s parent(s)/guardian(s) through personal insurance coverage. Any medical expense not covered by the student’s insurance is the responsibility of the parent(s)/guardian(s).

Approved:
Students who participate in all interscholastic athletics will pay $10 insurance for each sport they participate in. Students must have a physical on file in the athletic office prior to tryouts.
The Board and Superintendent will endeavor to maintain a healthful environment for each student in school attendance and in school-sponsored activities.

**Immunization of Students and Vision Testing**

All Kindergarten students and other students entering school for the first time shall submit evidence that they have complied with the state’s immunization requirements by:

1. Submitting a statement by a physician that the child has been tested for, immunized, or protected against, diseases specified by the Director of Public Health, or is in the process of complying with all immunizations requirements,

2. Submitting a fully-executed State of Michigan Immunization waiver form that has been certified by the local health department, or

3. Submitting a written statement from a physician that a vaccination is medically contraindicated for a particular child for a specified period of time.

The parent(s)/guardian(s) of each enrolling child shall submit a statement signed by a District, county, or city health department Director stating that the child has passed the department of public health preschool vision screening test, or signed by a licensed medical or osteopathic physician, or a licensed optometrist stating that the child’s eyes have been examined during the preschool years after age 3 and before initial entrance. A vision test is not required if there is a statement signed by the parent(s)/guardian(s) to the effect that the child cannot be subjected to the test because of religious conviction.

The District shall adhere to the requirements of the Michigan Department of Public Health for assessing local immunization needs and implementing an immunization program.

Approved:

LEGAL REF: MCL 333.9208-9215; 380.1177
The Board may establish a student participation fee for sponsored athletic teams. The fee for each sport shall be established by July and may be reviewed by the Board prior to the second semester. In order to participate in athletics, students will be assessed an insurance fee for each sport in which they participate. Students participating in interscholastic athletics must have a physical on file in the athletic office.

Approved:
An interscholastic athletic team within the District shall be defined as either “club” or “sport”. The definitions and requirements for each are as follows:

**Club Sports**

A “club sport” is defined as a parental/guardian/student funded athletic program involving interscholastic competition that is operated directly under the supervision of the building Principal and athletic Director. “Club” sports must be approved by the building Principal.

**Requirements to Achieve “Club” Status**

In order to achieve “club” status, a student group must meet the following requirements:

- Demonstrate adequate student interest.
- If the faculty sponsor is not the coach, a qualified coach will be approved by the building Principal and athletic Director.
- There will be no minimum number of opponents or contests required to achieve or retain “club” status.
- “Club” sports and coaches shall comply with all Michigan High School Athletic Association (M.H.S.A.A) and the Battle Creek Public Schools rules and regulations.

**Administrative Requirements**

The faculty sponsor of the “club” sport shall ensure that the following administrative requirements are met:

1. A written plan is approved by the building Principal and athletic Director. The plan shall include student interest, state and local competition, facilities, coaching,
available funding, anticipated revenue, scheduling, equality of programs, and total impact on athletic and other District programs.

2. An annual program report is completed and submitted to the building Principal and athletic Director.

3. Adequate administrative resources and physical facilities are available.

**Varsity Sports**

A “varsity” sport is defined as an athletic program operated under the direct supervision of the athletic Director and funded, under normal conditions, from a subsidy from the Board.

**Requirements to Achieve “Varsity” Status**

In order to achieve “varsity” status, an athletic program must meet the following requirements:

- Must have operated successfully as a club sport within the District for a minimum of two years.

- Must have demonstrated adequate student interest for the preceding two consecutive years. Adequate student interest is defined as double the minimum squad size.

- Must have adequate and appropriate competition for the given sport, defined as the interscholastic opponents as determined by the Superintendent or designee in association with the MHSAA. Must comply with M.H.S.A.A. and the Battle Creek Public Schools’ rules and regulations.

**Periodic Review**

All “club” and sports will be reviewed annually by the Superintendent or designee to determine compliance with the above guidelines and other standards as established by the school.
system. The level of participation, including the number of participants and availability of competition, should be the major determinants for achieving and/or retaining “varsity” status for individual sport offerings. Other factors to consider are cost, safety, risk, and minority representation.

Approved: August 17, 2009
The addition of new athletic teams will come only after the Board has thoroughly reviewed the proposed sport as recommended by the athletic department. The review shall include student interest, state and local competition, facilities, coaching, available funding, anticipated revenue, scheduling, equality of programs, and total impact on athletic and other District programs.

There is no obligation for the District to provide funding for athletics. A sport may be “parental/guardian funded” on a year-to-year basis as one process to measure and establish student interest. A sport may also be partially funded by the District while being considered for addition or deletion.

Proposals for adding new sports to the program shall be presented to the Board prior to January 31 of the school year prior to the year the sport would be added.

The Board shall establish criteria and procedures to follow when considering the addition or deletion of team sports.

Approved:
The following criteria will be considered by the Board prior to the addition of any interscholastic sport as “varsity” sport. The initial request shall be from interested parties (i.e., parent(s)/guardian(s)) through the District’s athletic Director.

**Student Interest**

Indicators of student interest are:

1. Successful operation as a “club” sport within the District for two years,
2. Petitions with signatures of students agreeing to participate in the sport,
3. Level of participation in area recreation programs,
4. Involvement of participants at lower levels (i.e. middle school), or
5. District students participating out of the school District.

**State Athletic Association**

1. The sport must be sanctioned and recognized through the Michigan High School Athletic Association.

**Competition**

1. There must be organized interscholastic competition offered within contiguous counties with a minimum of five interscholastic school opponents.

**Facilities**

1. Existing facilities must be appropriate for practice and contests. Facilities must also be appropriate for use by teams of the same sport at different competition levels. Addition of a team must not displace existing teams for adequate practice and competition space. The athletic Director will create a proposed practice schedule to assess this.
Locker Room

1. A team locker room for the additional team is to be considered.

Equipment

1. The cost, extent, and storage of equipment shall be considered.

Funding

The extent to which the District has the ability to fund the additional sport is a priority consideration. The expenses of the sport must be reasonable and not excessive (i.e. transportation, practice/game facility costs, equipment, etc.)

Revenue

The potential to generate revenue to offset costs will be given strong consideration and high priority.

Scheduling

The potential of scheduling competition will be a priority consideration.

Equal Opportunity

Priority will be given to those sports that best equalize the opportunities for boys and girls in accordance with Title IX requirements.

Process for Adding Interscholastic Varsity Sports

Petitions and requests for additional sports shall be submitted to the athletic Director and respective building Principal prior to September 30.

Approval is given by the Board to participate on a parental/guardian-funded basis as a “club” activity for an initial period of at least two years. This probationary period will be one measure in assessing the level of interest, adequacy of facilities, coaches, scheduling, revenue, and other criteria.
At the conclusion of the parental/guardian-funded time, the following evaluations will occur:

- Number of participants - Is the sport growing or declining in participation?
- Degree to which previous predictions on revenue, participation, facilities, etc. were accurate.
- Likelihood of continued participation and increased involvement.
- Transportation or other logistical considerations.

After review and recommendation from the administration, the Board may take the following positions:

- Continue the sport on a parental/guardian-funded basis for an additional year, and reassess its statistics,
- Provide 50% funding for the following season, or
- Change the status of the sport to a “Varsity” sport.
- Continued funding of the sport shall be as determined under the procedures regarding the continuation or non-continuation of all other sports.

**Criteria for Deleting Interscholastic Sports**

The following criteria will be considered prior to the dropping of an interscholastic sport and will be monitored by the Athletic Director:

1. **Student Interest**

   Student interest has declined below a median point of student participation as determined by student participants over the past five years.

   Student interest remains below the median for two consecutive years.

2. **Sanctions**
The District’s current athletic league or the Michigan High School Athletic Association does not sanction the sport.

3. **Coaching**

It becomes very difficult to secure or maintain coaches with experience in coaching the sport.

4. **Facilities**

Facilities are inadequate, do not exist, or the use of existing facilities conflict with other athletic or academic programs that are growing and have a greater amount of student interest.

5. **Funding**

Funding from the District to run the program is no longer feasible.

6. **Compliance**

Interscholastic sports must be in compliance of Title IX regulations.

7. **Scheduling**

The scheduling of contests by the athletic Director becomes increasingly difficult due to the lack of other teams against which to compete. Travel costs are disproportionately high in comparison to other sports.

8. **Revenue**

The sport has little or no opportunity to generate revenue or the revenue proposed in the past has shown a decline.

**Process for Deleting Interscholastic Sports**

After declining participation, and declines in other criteria, the sport may be placed on probation for the following year. The Board may supersede this process at its discretion.
Probationary Status

Student participation and interest must increase above previous median participation. If other indications of decline are continued, for a period of one year, the recommendation of the Board will be to place the activity on a parental/guardian-funded status and be treated the same as a sport being considered for addition. Individual teams may be continued on a parental/guardian-funded status, be funded at 50% by the District, or be dropped from the District’s athletic program.
It is the policy of the Battle Creek Public Schools to work cooperatively with the Calhoun County Health Department to enforce and adhere to the Michigan Public Health Code (Act 368 of 1978, as amended), and the Revised School Code, for prevention, control, and containment of communicable diseases in schools. These guidelines are established to ensure that proper procedures are taken to assure both the rights of the individual and the concerns of the community are addressed. The Battle Creek Public Schools is committed to providing educational opportunities for all students in a safe, supportive and inclusionary environment. The District will, therefore, assure that staff members or students who have contracted a communicable disease, which is serious in nature, will be able to have their individual situation reviewed by a panel and have that panel recommend whether they may continue to be involved in the public school setting.

1. Students are expected to be in compliance with the required immunization schedule. The building Principal is required, under Part 92, Act 368 of Public Acts of 1978, to exclude children from school attendance who are out of compliance with the immunizations required by this Act. School personnel will cooperate with public health personnel in completing and coordinating all immunization data, waivers, and exclusions, including the necessary Immunization Assessment Program forms (C-100s), to provide for preventable communicable disease control.

2. The Superintendent of Schools has the authority to exclude a student or staff member from school when reliable evidence or information from a qualified medical source confirms him/her of having a communicable disease or infection
that is known to be spread by any form of casual contact and is considered a health threat to the school population. Such a student or staff member shall be excluded unless their physician approves school attendance or the condition is no longer considered contagious.

The Calhoun County Health Department will be advised by the Director of Personnel and Administration, of a reportable communicable disease concerning an employee, volunteer or student.

Approved:

8510-R Communicable Diseases - Students and Staff

1. The District will allow students and staff members to attend school unless there is definitive medical evidence to warrant exclusion. The Superintendent is the designated school official to receive information from the local or State Health Department pertaining to serious communicable diseases listed on pages 1-2.\(^{67}\)

When the Superintendent has been informed by an official of the local or State Health Department that a student or district employee may be infected with a communicable disease, which is serious in nature, as defined above, or when a school official reasonably suspects that a student has a communicable disease, except for AIDS, HIV infection, and noncommunicable diseases, the Superintendent or his or her designee may exclude the individual for a period sufficient to obtain a determination by a physician or local health official as to the presence of a communicable disease.

During the first week of September of each school year the Director of Personnel and Administration shall review the policy and policy implementation. Within 60 days of employment, all new employees and any volunteers shall receive training and orientation on this Communicable Disease Policy and the Battle Creek Public Schools exposure control plan for bloodborne pathogens. The above-noted training and orientation will be implemented and this policy distributed regardless of the existence of a student or employee having a positive communicable disease status.

Consistent with Section 1169 of the Revised School Code, instructional staff will offer and provide to each student HIV/STD prevention education at least once at the elementary, middle and senior high levels.

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\(^{67}\) In all circumstances arising under this policy the Director of Personnel and Administration shall act for the Superintendent in his/her absence.
All persons, including parents of students who are known to have or who are perceived to have a disability, including communicable disease, with or without symptoms, will not be unlawfully discriminated against and treated differently by an employee of the Battle Creek Public Schools. The Battle Creek Public Schools will not tolerate harassment of a student with a communicable disease or infection.
The School District will periodically conduct “head checks” to screen for head lice infestation. Designated school personnel trained to look for head lice will do this.

Any student with live lice (or nits within one quarter inch of the scalp) may remain in school until the end of the school day. Immediate treatment at home is advised. The student will be readmitted to school after treatment and examination. If, upon examination, the school-designated personnel find not live lice on the child, the child may reenter the classroom.

1. Any student with nits farther than one quarter inch from the scalp should be allowed in school.

2. Parents should remove nits daily and treat if live lice are observed.

Copies of this policy, along with District rules and regulations governing head lice control and advice to parent(s)/guardian(s) on head lice control in the home, will be distributed to students and parent(s)/guardian(s) in a manner to be determined by the Superintendent or designee.

Approved:

The Board believes school based K-12 student assistance programs provide a means for the District to continue quality education in each classroom while providing a mechanism for addressing risky behaviors in students which may interfere with their academic and/or social development.

The Board believes that Board policies regarding substance abuse are intended to assist in supplementing parent(s)/guardian(s) and community efforts. The Board shall support a program or programs to provide education, assistance, and support for students affected by chemical dependency or other substance abuse-related problems.

Approved:
Pursuant to MCL 722.621, et seq., child abuse must be reported to the Department of Health and Human Services (DHHS) where the suspected perpetrator is the parent(s)/guardian(s), or any other person responsible for the child’s health or welfare or by a teacher, a teacher’s aide, or a member of the clergy.

Any school administrator, school counselor, or teacher, or staff person of the District who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall immediately report it to the Department of Health and Human Services. The person making the report must notify the building school administrator that a report has been filed. School employees will not contact the child’s family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to determine or prove that the child has been abused or neglected.

**Access to Students on School Premises (Cf. 8140, 9570)**

The District recognizes that the DHHS may lawfully interview a child alleged to have been abused without the presence of the building Principal or other school personnel, or the parent/guardian. School employees will not contact the child’s family or any other persons regarding DHHS access to students. It is the sole responsibility of DHHS to notify the parent/guardian regarding access to the student. However, in appropriate cases, the Principal may request that he or she, or a designated representative, be present during the interview.

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68 Reasonable Cause exists where the facts and circumstances within a person’s knowledge and of which he/she has reasonably trustworthy information are sufficient to warrant a mandate of reasonable caution in the belief that abuse/neglect has or is occurring.
Cooperation between School and Agencies

Elementary and secondary schools, DHHS, and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect.

Approved:

LEGAL REF: MCL 722.621-638; Commonwealth v Allen, 980 S.W. 2d 278 (Ky., 1998); People v Beardsley, ___ Mich App___ (#246202, 8-24-2004); OAG Opinion No. 6869, September 6, 1995
In Michigan, anyone making a report in accordance with state law or participating in a resulting judicial proceeding is presumed to be acting without malice and in good faith and, in so doing, is immune from any civil or criminal liability that might otherwise be imposed.

Unauthorized disclosure of child abuse information to persons other than School Administrators, Law Enforcement personnel or DHHS, may result in criminal and/or civil sanctions.
The District will endeavor to provide a safe environment for students while in school attendance or in extra-class activities.

Bicycle Use

Each building Principal will formulate plans and procedures for the safe use of and parking of bicycles on school property and publish them in the appropriate student handbooks.

Walkers and Riders

Any student who uses school-provided transportation shall be under the jurisdiction of the vehicle driver while in the vehicle and shall be subject to all rules and regulations developed by the Superintendent or designee and building Principals to cover such activities. Such rules and regulations shall be published in the appropriate student handbooks.

Students who walk to and from school are urged to become familiar with traffic safety laws governing such activities.

Eye Protective Devices

Building Principals shall assume the responsibility of seeing that sufficient eye protective devices are available to accommodate all classes or persons requiring them. All guidelines and rules shall be published in the appropriate staff and student handbooks.

Mercury Elimination

The District prohibits the purchase, storing, or use of free flowing elemental mercury or items or instruments containing free flowing elemental mercury. Each building administrator will be responsible for enforcing this policy and reporting any violations to the District MIOSHA compliance officer.
Safety Patrols

Building Principals are authorized to organize student safety patrols to assist in the safety of students to and from school and/or loading/unloading school buses.

Approved:

LEGAL REF: MCL 324.81101; 380.1274b; 380.1288; R 340.1301-1305; OAG, 19811982, No 6097, p 727 (August 31, 1982)
8590-R Student Safety

Inspection of Buildings and Grounds (Cf. 4040)

The building Principal, together with his/her custodial staff, shall make frequent inspections of areas of the building and grounds, which may be potential safety hazards.

If any such hazards are found, the building Principal will order the hazard removed, corrected, or marked in some appropriate way as a “dangerous area.” (Cf. 8450-R)

Students will be notified of such “dangerous areas.”

All hazards or “dangerous areas” will be reported, in writing, to the Superintendent or designee.
Students are discouraged from driving motorized vehicles to school. However, if a student chooses to drive a motorized vehicle to school, the student is required to follow all legal and safety regulations governing the use of motorized vehicles on or near school property. The Superintendent or designee shall formulate plans and procedures regulating the driving, parking and use of student operated motorized vehicles during the school day. Failure of student drivers to observe the District’s regulations governing student use of motorized vehicles may result in disciplinary action and/or revocation of on-campus driving privileges.

Approved:
Use of Motorized Vehicles

All such rules and regulations will be published in the student handbook annually to each student driver and his/her parent(s)/guardian(s).

Such rules and regulations shall include but will not be limited to the following:

- Any District employee who observes a student driving recklessly on or near school property shall immediately report the incident to the high school Principal. The Principal or designee will warn the driver in the incident at the first opportunity thereafter, and a written notice will be mailed to the parent(s)/guardian(s) of the driver.

- A copy of all student driving warning notices may be reported to the local civil authorities.

- Further violation of these rules and regulations may result in disciplinary action by the school pursuant to the disciplinary code.

Students are NOT Allowed:

1. To ride in or drive a vehicle to and from classes held at the Field House.

2. To drive, ride, or sit in a vehicle at any time during the school day. This includes the lunch period, except when a student does not have a scheduled class period and must leave District property.

CACC/Math Science Center/Post-Secondary Enrolled Students:

Students may drive to and from the Calhoun Area Career Center or Math and Science Center, provided that parent/guardian permission has been communicated in writing to the appropriate administrator.
8650  Student Accidents

Accident and illness may occur in the classroom and on school grounds. All school personnel shall be prepared to follow the necessary first aid procedures and other rules. Any school employee who discovers an accident involving a student on school property shall, in a immediately report the accident to the building Principal and follow the rules approved by the Superintendent.

Approved:
Generally, school employees are not trained to administer medical treatment to students.

The Superintendent or designee will develop procedures to be followed in case of a student accident or injury. Such procedures will be distributed to all employees at the beginning of each school year.

In the event of a student accident which appears to require medical treatment other than emergency first aid, only qualified school employees may treat a student suspected of injury other than attempting to make the student as comfortable as possible while waiting for competent medical treatment. Qualified employees, for the purpose of this policy, are those employees who have successfully completed an approved Red Cross first aid program or who have otherwise been approved by the Superintendent or designee to administer treatment.

Primary first aid procedures to be followed include visually determining, if possible, the extent of the injury and having an appropriate staff member call the parent(s)/guardian(s). (Cf. 8660, First Aid)

Records

Demographic data for each student containing the following information shall be on file in the building Principal’s office:

• Names and addresses of parent(s)/guardian(s), their telephone phone number(s),

• Names of some other persons to be called in the event of an accident and their phone number(s),

• Names of the family physician and his/her office phone number, and

• Any physical condition of the student for which it would be considered appropriate to indicate a medical alert.
The District may provide appropriate first aid and CPR training for identified personnel. This training may be provided as part of the District’s in-service plan or other program established by the Board.

Only those school employees qualified by District approved training and then only in case of emergency may administer first aid and CPR to students. School employees shall not attempt to treat any student injury after the initial treatment of emergency first aid. The District will not assume liability under these policies for employees acting outside the scope of their authority.

Approved:
LEGAL REF: MCL 691.1504
8700 Student Activities

The expenditure of activity funds shall be approved as part of the school District budget. An annual report may be provided to the Board by each building Principal listing the activities involving fees and the amount of each fee. Any proposed student activities not funded with public monies shall first have the approval of the Superintendent or designee.

Activity Fees

Fees for various student activities shall be established by the building Principal with the approval of the Board. In the event that a student is unable to pay such fees, the District may make an arrangement for reimbursement with the parent/guardian.

Activity Fund Management (Cf. 3800)

The building Principals shall maintain an accurate record of all student activity funds in the respective attendance centers. Each building Principal shall make a monthly report to the finance department of the revenue and expenditures of the activity fund under his/her administration. The funds are expended at the discretion of the building Principal in accordance with Board policy and District guidelines; however no funds shall be expended from these accounts except in support of the student activity program.

Musical Instruments

The school shall facilitate access to a variety of musical instruments for student use. The Superintendent or designee may require a reasonable deposit for instrument use in order to protect the District against loss or damage.

Approved:

Battle Creek Public Students Section 8000
8700-R Student Activities

The building Principal shall be responsible for the organization of all student activities. With the assistance of delegated members of the faculty, he/she shall approve all student activities and make certain that adequate supervision is available.

The parent(s)/guardian(s) may request that a student be excused from certain types of student activities for religious or medical reasons. The Principal shall review the request in terms of the welfare of all students as well as in terms of the welfare of the individual.

Activity Fees

Fees for special student activities may be established by the building Principal.

Activity Fund Management (Cf. 3800)

Receipts shall be issued for all revenue taken into the activity fund of each attendance center. All payments from the activity fund shall be by checks provided for that purpose.

Shop and Laboratory Class Materials

The school shall furnish materials needed to perform required projects in shop and laboratory classes. The projects shall remain the property of the District unless the student makes reimbursement for materials or the Principal determines that the District will not require reimbursement.
All school-sponsored student organizations shall be curriculum related. Only students actually enrolled in and attending the Battle Creek Public Schools may participate in any school-sponsored student clubs, co-curricular events, or extracurricular offerings of the District. Consequently, the Board establishes a closed forum regarding school-sponsored organizations and clubs. By way of limited example, a “school sponsored, curriculum related student club or organization” would be those such as: Foreign language clubs; Astronomy Club, Math Club, American History Club, American Literature Club, Student Council, or the like.

Membership in all student organizations shall be open to all students of the school without regard to race, color, sex, religion, disability, national origin, height, weight, marital status, genetic information, or any other legally protected characteristic. All school-sponsored student organizations shall operate within a framework of state and federal law, Board policy and administrative rules and regulations. Persons who are not students in this District shall not be allowed membership in any school-sponsored student organization.

The Superintendent shall develop general guidelines for the establishment and operation of school-sponsored student organizations. Such guidelines shall include the approval of the building Principal prior to the formation of any club or organization, the assignment of at least one faculty advisor to each student organization, and provisions for the establishment of bylaws or operating procedures which provide a linkage to the curriculum relatedness of the organization.

The building Principal shall deny requests for forming a school-sponsored student organization where the requirements of Board policy and administrative rules and regulations
have not been met. When a request has been denied, the students shall be informed of the reasons for the denial.

The students may submit a written request to the Superintendent or designee within ten school days of the notice of denial for a review of the Principal’s decision.

The Superintendent or designee’s decision shall be final.

Approved:

LEGAL REF: MCL 380.1299; 20 USCA §4071, et seq. (Equal Access Act)
School-Sponsored Student Clubs

The administration shall establish regulations for the operation of school sponsored clubs. Such clubs shall operate for the welfare and in the best interests of the students and the school. School-sponsored clubs are those directly under the supervision of school personnel.

Every school-sponsored club must have a faculty or staff sponsor appointed and approved by the building Principal. All meeting times and places of the club must have the advance approval of the faculty/staff sponsor and the building Principal, and the sponsor or designated representative must be present at all meetings. Every school sponsored club shall have on file in the school office a constitution, bylaws, and operating procedures approved by the building Principal.

The Student Code of Conduct and all other Board policies and District rules and regulations will be in full force and effect during all meetings or functions of any school sponsored club.

Student Government

A student council may be established in each attendance center if it is under the direct supervision of the building Principal or designated faculty representative.

Student councils shall exercise only that authority expressly delegated to them by the building Principal.

School-Sponsored Student Publications (Cf. 8730)

“School-sponsored student publication” means any publication, as defined herein, which is composed, compiled, published, or distributed under the official supervision of a faculty sponsor.
Advertisements

Advertisements concerning drug paraphernalia or any controlled substances are prohibited in any publications planned for distribution on school premises.

School-sponsored student publications shall be under the supervision of the building Principal or designated faculty representative. All material published in school sponsored publications must have the prior approval of the faculty sponsor. Any student or student club who desires to distribute publications shall submit the publication to the building Principal for review and approval prior to distribution and follow procedures detailed in policy 8730. The final decision on content for school-sponsored student publications shall rest with the building Principal.

Student Social Events

Student social events, such as dances and parties, contribute an important element in the development of the individual. All such events must have the prior approval of the building Principal and the faculty sponsor of the club or class sponsoring the event at least one month in advance.

Student social events shall be held, normally, after the last regular class period during the school day unless otherwise approved by the building Principal during other, non-instructional times before school or during the lunch period. Any “food items” served at such functions shall comply with policy 4460 – Food Allergies.

Any fee charged for a dance or party must have the prior approval of the Superintendent.

The class organization for each grade level shall be limited to one social event per semester.
Middle school or junior high dances will include only middle school or junior high students and sponsors. Parent(s)/Guardian(s) are welcome to attend.

Unless otherwise approved by the Board, attendance at all social functions is limited to students of the District.

Any high school social events must end by 11:00 p.m. on nights followed by a school day and by 12:00 midnight on weekends. All middle school events must end by 10:00 p.m. on nights followed by a school day and by 11:00 on weekends. The Superintendent or designee, in consultation with the building Principal, may grant specific permission in advance for any deviations, except in an emergency.

The building Principal may make such other rules and regulations as he/she deems necessary for the conduct of student social events. These rules and regulations and any amendments thereto shall be published in such a manner so that all students are aware of such rules and regulations and understand their importance.
A. The District will not discriminate against or deny equal access to students of the District who wish to conduct club meetings that fall within the Equal Access Act guidelines, as long as:

1. The meetings are student initiated and voluntary.
2. The school and its employees and agents do not sponsor the meeting.
3. Agents or employees of the school are present only in a non-participatory capacity.
4. The meeting does not interfere with the orderly conduct of the school’s educational activities materially or substantially.
5. Non-school persons do not direct, conduct, control, or regularly attend the activities of student groups.

B. Student meetings, held under the Equal Access Act, may take place before actual classroom instruction begins in the morning, or after actual classroom instruction ends in the afternoon. School personnel can be assigned to a group for custodial purposes under the Equal Access Act to:

1. Maintain order and discipline on school premises and enforce the Student Code of Conduct, District policies and administrative rules and regulations.
2. Protect the well-being of students and faculty.
3. Assure that student attendance at all meetings is voluntary.

C. The District may deny access to a student group if meetings are for a purpose that is unlawful or for a purpose which would interfere with the orderly conduct of educational activities within the school materially or substantially.
Student Equal Access

District employees shall not promote, lead, or participate in the meetings of non-curricular/non school-sponsored related student groups.

Approved:

LEGAL REF: MCL 380.1299; 20 USCA §4071, et seq. (Equal Access Act); 20 USCA §7905 (Boy Scout Equal Access Act).
Students are exposed to diverse opinions on an infinite number of topics through the various mass media. Students who have facts and opinions should be allowed to express them in print as well as through oral communication. However, student editors and writers of non school-sponsored student publications must observe the same legal responsibilities as those imposed upon conventional newspapers and communication media. Thus, no student shall distribute in any school any student publication that:

- Is obscene as to minors according to current legal definitions,
- Is libelous according to current legal definitions, or
- Creates a material or a substantial disruption of the normal school activity or appropriate discipline in the operation of the school.

After approval by the building Principal, student publications, that are not libelous, disruptive or obscene, may be distributed on school property during school hours in areas designated by the building Principal. Distribution that substantially interferes with the normal flow of traffic within the school corridors and entranceways, which is coercive of any other person’s right to accept or reject any publication or which causes substantial and material interference with “normal school activities,” shall not be permitted.

Approved:

LEGAL REF:  
Any student who desires to distribute a non school-sponsored student publication shall submit the publication to the building Principal for review and approval prior to distribution.

At the time of submission, the student, if requested by the Principal, must meet personally with the Principal so that the student and the Principal may freely exchange views on why the distribution of the non school-sponsored student publication does or does not comply with Board Policy. The student or his/her representative may support the case for distribution with relevant witnesses and materials.

In determining whether a non school-sponsored student publication is disruptive, school personnel should consider the context of the distribution as well as the content of the material. In this regard, consideration should be given to experience with similar material, to experience in dealing with and supervising students, to current events influencing student attitudes and behavior and to any instances of actual or threatened physical disruption prior to or contemporaneously with the submission of the non-school-sponsored student publication in question.

The Principal shall render his/her decision to approve or disapprove the distribution of the non school-sponsored student publication and notify the student within five school days of its submission. If approval to distribute is not granted, the Principal shall state his/her reason to the student in writing.

1. In exercising the right of prior review, school personnel shall be guided by the following guarantees and definitions. The First Amendment to the Constitution of the United States protects students in their exercise of freedom of expression. It is the responsibility of the school and its staff, while establishing the kind of
environment, which is necessary for an orderly program of classroom learning, to ensure that the right of students to express themselves freely shall not be infringed upon at the same time.

Distribution of the non school-sponsored student publication during the period of initial review by the Principal, after a negative decision of the Principal or during the period of appeal shall be sufficient grounds for suspension of the student(s) responsible for the distribution by the Principal in accordance with the procedures set forth in law or Board Policies.

In order for a non school-sponsored student publication to be considered disruptive, specific articulable facts must exist upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial, and material disruption to normal school activity or school discipline would occur if the material were distributed. School personnel must be able to show, affirmatively, substantial facts, that reasonably support a forecast of likely disruption. Such disruption would include, but are not limited to, student rioting, unlawful seizures of property, destruction of property, threats against persons or property, or acts of violence, widespread shouting or boisterous conduct, or substantial participation in a school boycott, sit-in, stand-in, walkout, or other related forms of activity.

Ads

Ads concerning drug paraphernalia or any controlled or non-controlled substances that are medically known to be misused or abused are prohibited in any publications planned for distribution on school premises regardless of source.

Ads that advocate obscenities, drugs, alcohol, violence, or sexually suggestive messages (including logos or references to sexual action) will not be permitted.
Commercial Photographers

The Board allows the practice of contracting with commercial photographers to take student pictures and make them available to parent(s)/guardian(s) as a part of the total school program.

The school may contract with commercial photographers to take pictures of students for specific purposes such as graduation pictures, yearbooks, class pictures, student records, or identification cards.

No student, however, shall be pressured to purchase photographs. High school seniors may substitute photographs taken by photographers of their choice to be used in yearbooks. The school may establish reasonable specifications for such pictures.

The Superintendent, or designee, shall be authorized to select and contract with commercial firms to provide the photographing service. Good business practices and Board purchasing guidelines prevail in such selection.

Other Photographic or Video Images

Permission to shoot close-up pictures of students via regular film or digital imaging, or to videotape students participating in school sports or other school-related activities, and to identify those students, may be granted to the media (newspapers and television stations) only with parent(s)/guardian(s) approval for students less than 18 years of age. Parent(s)/Guardian(s) approval also shall be required before pictures of students may be used, or students identified, in non-school publications with the exception of photographs or video images taken by news media in the normal course of news coverage of District activities.

The Superintendent shall establish guidelines for implementing this policy.
Video Cameras

It is the policy of the Board to authorize the installation and use of video cameras. Recorded information may be used as the basis for student or employee discipline. Video recordings that constitute education records will not be disclosed, except in accordance with the Family Educational Rights and Privacy Act.

Approved:
8750  Student Volunteers

Students are encouraged to volunteer their time and services to school sponsored activities and to community activities. Students will not, however, participate in any community activities during school hours without the prior permission of the building Principal.

Approved:
8820  Awards and Scholarships

Student awards for having represented a school in the District shall be limited to those approved by the administration and the Board. Awards for interscholastic activities shall be limited to those approved by the Michigan High School Athletics Association (MHSAA).

The Superintendent, or designee, shall develop procedures to ensure that students are advised that accepting cash or merchandise for participation in an activity may jeopardize the student’s amateur standing and eligibility in that identical activity before the MHSAA.

Each faculty sponsor bears the responsibility for monitoring his/her student activity sponsorship and must make his/her students aware of those activities, which put him/her in violation for this policy and MHSAA regulations.

Approved:
The District will provide homebound instruction to students who are eligible for homebound instruction in accordance with the law.

Approved:

LEGAL REF:  MCL 388.1709
8920 Foreign Exchange Students

The District will cooperate with students who are interested in entering the foreign student exchange program that is authorized by Homeland security and Immigration and Customs Enforcement. The District may accept a maximum of ten (10) students from other nations who come to the District from authorized foreign exchange programs. Foreign exchange students sponsored by groups other than those officially recognized by the Board may be accepted by special Board action.

Approved:
LEGAL REF: OAG, 1985-1986, No 6316, p 151 (September 25, 1985)
It is the policy of the Board of Education that the District collect, retain, and use student education records in a manner consistent with state and federal law. It is also the Board’s policy that personally identifiable information from student education records only be disclosed in a manner consistent with state and federal law.

**Definition of “Education Record”**

For purposes of this Policy, 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:

- 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;
- Records maintained by a law enforcement unit of the District if the record was created for a law enforcement purpose;
- 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 individuals providing treatment (except that the records may be personally reviewed by a physician or other appropriate professional of the student’s choice);
- 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;
• Grades on peer-graded papers or assignments before they are collected or recorded by a teacher; or

• Records relating to a person employed by the District that are maintained in the normal course of business, relate only to the person in his or her employment capacity, and are not available for any other purpose, except that records relating to a person employed as a result of his or her status as a student are “education records.”

Definition of “Personally Identifiable Information”

For purposes of this Policy, “personally identifiable information” means a student’s name; the name of a student’s parent or family member; the student’s address or the address of a family member; a personal identifier, such as the student’s social security number, student number, or biometric record; other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

Collection and Retention of Records

The Board authorizes school officials to 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 purposes.

The Superintendent or his or her designee shall ensure that all student records are retained in a manner consistent with the Records Retention and Disposal Schedule for Michigan Public Schools 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. The Board directs the Superintendent or his or her designee to develop administrative guidelines for the proper storage and retention of records and the process for informing employees, contractors, and agents of federal and state laws governing education records.

**Right to Inspect and Review Education Records**

Absent a contrary court order, a parent, regardless of whether the parent is a custodial or noncustodial parent, has the right to inspect and review his or her minor child’s education records. A parent may also inspect and review the education records of an “eligible student” if the student is considered a dependent under section 152 of the Internal Revenue Code. An “eligible student” also has the right to inspect and review his or her education records. The District will not disclose the phone number or address of a student or parent or the parent’s employment address to a parent who is the subject of a personal protection order if that order prohibits the disclosure of such information and the District has received a copy of the order. For purposes of this Policy, a “parent” means a natural parent, a guardian, or an individual acting in the place of a parent or guardian. An “eligible student” means a student who is at least 18 years old or a student enrolled in a postsecondary institution.
The District will make arrangements for a parent or eligible student to inspect and review the student’s education records within a reasonable time from receiving a request and in no event more than 45 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. The Board directs the Superintendent to: (1) develop administrative guidelines further explaining the process by which a parent or eligible student may inspect and review a student’s education records, including a process for obtaining copies of education records and applicable fees that may lawfully be charged; and (2) send an annual notice to parents and eligible students advising them of their right to inspect and review the student’s education records and the process for doing so.

Right to Request Explanation or Interpretation of Student Education Records

A parent or eligible student may request an explanation or interpretation of a student’s education records. School officials shall respond to any reasonable request. The Board directs the Superintendent to develop administrative guidelines further explaining the process by which a parent or eligible student may request an explanation or interpretation of a student’s education record.

Right to Request Amendment of Education Records

A parent or eligible student may request that a student’s education record be amended if the parent or eligible student believes the record is inaccurate, misleading, or otherwise in violation of the student’s privacy rights. The Board directs the Superintendent to: (1) develop administrative guidelines further explaining the process by which a parent or eligible student may request an amendment to the student’s records, and that the parent or eligible student has the
right to a hearing if the District refuses the request; and (2) send an annual notice to parents and eligible students advising them of their right to seek an amendment to a student’s education records, the process for making such a request, and the applicable hearing procedures.

**Disclosure of Education Records to School Officials**

A school official may receive and review personally identifiable information from a student’s education records only if the school official has a legitimate educational interest in doing so. A school official has a “legitimate educational interest” if the review of the record 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 individuals and entities as “school officials”:

- 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);
- 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 or an authorized information technology specialist);
- A parent or student serving on an official committee, such as a disciplinary or grievance committee; and
- A person, including a volunteer, who is assisting another school official in performing his or her duties.

The above-identified individuals 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 with respect to the use and maintenance of education records, and (c) be subject to the requirements of the Family Educational Rights and Privacy Act regulations governing the use and re-disclosure of personally identifiable information from education records.

The Board directs the Superintendent to send an annual notice to parents and eligible students advising them of whom the Board has designated as “school officials” and what constitutes a “legitimate educational interest” that would authorize a school official to receive or review personally identifiable information from a student’s education record without the consent of the parent or eligible student. The Board further directs the Superintendent to 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.

Disclosure of “Directory Information”

Except as otherwise stated in this Policy, school officials may disclose “directory information” without the prior written consent of a parent or eligible student unless the parent or eligible student specifically notifies the District that the parent or eligible student does not consent to the disclosure of directory information. The Board designates the following as “directory information”: student name and address; parent name and address; parent e-mail address; student and parent telephone numbers; student’s date and place of birth; student’s major field of study; student’s participation in officially recognized activities and sports; student athletes’ height and weight; dates of attendance; date of graduation; student honors, awards, degrees, and scholarships earned; student honor roll designations; student grade placements; photographs and videos of students participating in school activities, events, or programs; and
information generally found in yearbooks. The Board further designates district-assigned student e-mail 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 e-mail address books.

School officials shall exempt from disclosure directory information requested for the purpose of surveys, marketing, or solicitation unless the Superintendent determines that the intended use of the directory information is consistent with the District’s educational mission and beneficial to the affected students. The Board authorizes and directs the Superintendent or his or her designee to take steps to ensure that directory information will not be used, rented, or sold for the purpose of surveys, marketing, or solicitations by requiring 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 Board directs the Superintendent to: (1) develop administrative guidelines on the process for a parent or student to opt out of the nonconsensual disclosure of directory information; (2) send an annual notice to parents and eligible students of what information is “directory information”; and (3) send an annual notice to parents and eligible students advising them that unless they opt out, the District may disclose directory information without written consent and the process by which a parent or eligible student may opt out of the nonconsensual disclosure of directory information.

**Disclosure of Education Records to Another School**

School officials may release or disclose personally identifiable information contained in a student’s education record without the consent of the parent or eligible student to another school or post-secondary institution in which the student seeks or intends to enroll or from which the
student receives services if the disclosure is related to the student’s enrollment or transfer. Within 30 days after receipt of a request from a district in which a student has enrolled, the District will forward the student’s education records to the requesting district, unless the student’s record has been tagged as the record of a potentially missing child. The Board directs the Superintendent to send an annual notice to parents and eligible students that, consistent with this Policy, it is the District’s practice to disclose a student’s education records, including student discipline records, to another school or post-secondary institution in which the student seeks or intends to enroll.

**Disclosure of Education Records in Response to Subpoena/Court Order**

To the extent consistent with state law, school officials may release or disclose personally identifiable information contained in a student’s education records without the consent of the parent or eligible student upon receipt of a court order or lawfully issued subpoena requiring disclosure of the information. To the extent required by law, before complying with a court order or subpoena, school officials shall notify the parent or eligible student, in writing, that the District intends to comply with the court order or subpoena.

**Disclosure of Education Records in Other Circumstances**

Except as provided in this Policy, the District and its employees and agents are prohibited from disclosing personally identifiable information from a student’s education records without the written consent of a parent or eligible student unless the disclosure is otherwise permitted or required by law, including, without limitation, if the District receives a subpoena or court order for the information, the disclosure is necessary because of a health or safety emergency, the disclosure is to authorized state or federal officials, the disclosure is in connection with a student’s application for or receipt of financial aid, the disclosure is made for purposes of
conducting a study for or on behalf of an educational agency or institution, the disclosure is to an accrediting organization, the disclosure concerns a registered sex offender, or the disclosure is 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 done in a manner consistent with the requirements of state and federal law, including, without limitation, the Family Educational Rights and Privacy Act. The Board directs the Superintendent to send an annual notice to parents and eligible students advising them of their right to consent to the disclosure of personally identifiable information from a student’s education record before its disclosure unless the nonconsensual disclosure is otherwise authorized by law.

**Disclosure Logs**

The Board directs the Superintendent, or his or her designee, to 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 shall identify the student whose information was disclosed, the person or entity who requested or received the information, the information that was disclosed, the date the parent or eligible student provided written consent (if necessary for the disclosure), and the legitimate interest the person had in requesting the information.

**Video Recordings**

A video recording that depicts a student may be an “education record” under certain circumstances, i.e., 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 Board directs the Superintendent or his or her designee to determine, on a case-by-case basis,
and on receipt of a request for the video’s disclosure, whether a particular video is or is not an “education record”, and whether it contains “personally identifiable information” about a student. If the Superintendent or his or her designee determines that a video recording is an “education record”, its release and disclosure and the rights of parents and eligible students to inspect and review the video recording are governed by this Policy and by applicable laws and relevant state and federal guidance.

**Disclosure of Records to Law Enforcement**

Nothing in this Policy limits a school official’s right or duty to contact law enforcement to report possible criminal activity. A school official may not, however, disclose personally identifiable information from a student’s education records to law enforcement without the prior written consent of a parent or eligible student unless such 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 child with a disability as defined by the Individuals with Disabilities Education Act, the school official shall 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 the Family Educational Rights and Privacy Act (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 shall seek written consent to transmit the records of a child with a disability immediately after reporting the child’s potential criminal activity to authorities.

**Disclosure of Information to Military Recruiter**

The District shall, in accordance with state and federal law, provide United States Armed Forces recruiters 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. “Armed Forces of the United States” means the armed forces of the United States and their reserve components and the United States Coast Guard.

A parent or student may submit a signed, written request to the District 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. The Board directs the Superintendent to send an annual notice to parents and students advising them that they have the right to opt out of the disclosure of directory information to recruiters of the Armed Forces of the United States and their service academies.

Annual Notice Requirements

In addition to the annual notices to parents and eligible students described elsewhere in this Policy, the Board directs the Superintendent to send an annual notice to parents and eligible students advising them that they have the right to file a complaint alleging that the District violated the Family Educational Rights and Privacy Act with the United States Department of Education and that they have the right to obtain a copy of the Board’s policies and administrative regulations about student records.

LEGAL REF:  MCL 15.243(2); MCL 380.1134; MCL 380.1135; MCL 380.1137a; MCL 380.1279g; MCL 600.2165; MCL 722.30; 20 USC 1232g; 20 USC 1401 et seq.; 20 USC 7165; 20 USC 7908; 26 USC 152; 34 CFR Part 99; 34 CFR Part 300; Records Retention and Disposal Schedule for Michigan’s Public Schools
Fees and Charges

Building Principals or designated representatives shall be authorized to collect fees authorized by the Board.

Fines

No fines shall be imposed upon any student provided, however, that school property lost, damaged, or destroyed by a student shall be paid for by such student or that student’s parent or legal guardian in accordance with rules and regulations prescribed by the Superintendent.

Deposits

The Board authorizes the Superintendent to charge reasonable deposits on the use of District textbooks or other District instructional materials distributed to students as part of a class or instructional program. Any deposits shall be returned, in full, to the student/parent/guardian upon termination of the use of the textbook or other materials if said items are returned in good and usable condition. The Superintendent and administrative staff shall promulgate appropriate administrative rules and procedures for the handling of and accounting for deposits.

The Superintendent or designee is authorized to reduce or waive any requirements for deposits in proven cases of indigence.

Approved:

LEGAL REF: MCL 380.1332; 380.1422; R 340.241-243;
9000—GENERAL PUBLIC AND ORGANIZATIONAL RELATIONS

9010 Distribution of District Information
   Public’s Right to Know (Cf. 1370)
   Hazardous Materials or Conditions
   News Conferences and Interviews
   School or Program Specific Information

9060 Information and District Election/Campaign
   Use of Students

9190 Interviews with Students

9230 School Volunteers
   General Principles

9250 Use of District Facilities and Equipment (Cf. 3340)
   Fees and Rental Charges
   Lease Arrangements
   Gymnasium and Cafeteria
   Buildings and Grounds
   Equipment
   Federal Compliance
   Services

9290 Public Attendance at School-Sponsored Activities
   Definition of Disturbances or Disorders

9300 Tobacco Products On/In District Premises
   Statement of Intent
   Enforcement

9310 Pest Control Policy

9350 Gun-Free Schools

9370 Solicitation, Free Materials Distribution, and Advertising in Schools
   Literature
   Solicitations
   Solicitation in Schools
   Solicitation by Students
   Solicitation of Staff Members
   Violators

9400 Visitors to the School
   Public Visitors to the Schools

9410 Parent(s)/Guardian(s) Visitation of Classrooms

9420 Emergency Anaphylaxis

9450 Complaints
   About Policies
   About Curriculum
   About Instructional Materials
   About Facilities and Services
   About Personnel

9470 Loitering - Unauthorized Persons

9570 Relations with Law Enforcement and Investigating Authorities (Cf. 8580)
9600  Relationship with Planning Authorities
9610  Relationship with Zoning Authorities
9670  Relations with Federal Governmental Authorities
9710  Relations with Booster/Parental/Guardian Organizations (Cf. 9730)
9720  Parent(s)/Guardian(s) and School Partnerships (Cf. 7175)
9730  Relationship with Booster Organizations (Cf. 9710)
9820  Intermediate District Relations (Cf. 1300)
9830  College and Universities
9840  Student Teaching and Internships
9920  School Accreditation
9010 Distribution of District Information (Cf. 1400, 9190, 9010, 8710.R, 8730)

Public’s Right to Know (Cf. 1370)

All decisions of the Board will be made in public as provided in the Board’s policies and consistent with Michigan’s Open Meetings Act. MCL 15.263 -15.266. Closed sessions will be held to a minimum and only for specific reasons as provided by current law. (Cf. 1310 “closed session”) MCL 15.267 – 15.269.

Hazardous Materials or Conditions

The Superintendent is responsible for informing the public about any hazardous materials or conditions in the District as required under the Michigan Public Health Code.

The implementation of this policy is the Superintendent’s responsibility.

Board of Education Communication

The Board will cooperate whenever possible with all the news media so that the public may be informed about the operations of its schools.

The Board President is the official spokesperson of the Board.

News Conferences and Interviews

All news conferences and interviews will be scheduled in such a manner that they do not disrupt the regular learning activities of the schools.

School or Program Specific Information.

The school administrator or program administrator is responsible for distributing information on school specific or program specific events within their particular school or program. The Superintendent reserves the right to exercise final approval before information is released.
District Information Release

Only the Superintendent, or designee, will communicate with the media regarding District matters.

The Superintendent, or designee, is responsible for the content of all District newsletters, bulletins, and special publications and such other District-sponsored information media that he/she deems necessary.
News Releases

The Superintendent will prepare copies of school news releases approved by his/her office for any member of the Board upon request.

All employees will observe the following procedure when releasing information to the news media

1. If an employee is approached by the news media concerning any matter related to the District, a request for approval must be made to building principal who will seek authorization from the Superintendent.

2. If an employee wishes to initiate a feature story for the news media, the employee should seek approval from the building principal, who will see authorization from the Superintendent. The Superintendent will contact the appropriate media representative(s) or authorize the Principal to do so.
9060 Information and District Elections/Campaigns

All elections relating to the District will be under the direction of the Superintendent. District funds and resources will be used only in a manner consistent with current law and may not be used to provide persuasive information in millage campaigns, candidate nominations or elections, or for the qualification of a new political party.

**Use of Students**

The Board may not use students in any capacity for elections relating to the District except that notes, attendance center announcements, or related information may be sent home via students.

Approved:

LEGAL REF: 169.201 *et seq.* MCL 169.257,
9190 Interviews with Students (Cf. 8140)

Any representative of the news media seeking to interview any student during regular school hours or during school-sponsored activities must first gain the approval of the building Principal and Superintendent. The Principal must seek approval of the student’s parent(s)/guardian(s) before the interview.

Approved:
Interviews with Students

The building Principal will regulate all interviews with students during school hours or school-sponsored activities so that such interviews do not interfere with the educational activities of the students involved.
The purposes of the School Volunteer Program are:

1. To increase the educational attainment of students,
2. To provide enrichment experiences beyond those that the school can provide,
3. To provide more effective utilization of teacher time and skills,
4. To give more individual attention to students who need it, and
5. To promote greater community involvement in the academic and co-curricular programs of the District.

General Principles

Volunteers are assigned to a school only upon the request of the teacher or Principal and at the discretion of the Board.

Volunteers serve only in an auxiliary capacity under the direction and supervision of the building Principal, Athletic Director, or designee.

A volunteer is not a substitute for a member of the school staff, but does supply supplemental and supportive services.

A volunteer does not have access to confidential files and records.

Wherever possible, volunteers are assigned to the particular school where they wish to serve.

The relationship between volunteers and the school staff should be one of mutual respect and confidence.

All students are expected to obey and attend to directives and instructions given to them by authorized District volunteers. Failure to abide by directives and instructions given by an
authorized District volunteer may result in disciplinary action under the Student Code of Conduct up to and including suspension from school.

Persons interested in volunteering time or services to the District must contact the building Principal or Athletic Director for assignment.

District volunteers are bound by the District’s policies and procedures. All volunteers must be at least 18 years of age, unless their volunteer work is part of a District class offering or recognized student organization (such as a Future Teachers Club) of the District and approved, in advance, by the Superintendent. (Cf. 8750)

The District will conduct I-Chat background checks on volunteers. The District will bear the cost for criminal background checks if required.

All volunteers must register in the building where they are volunteering their services.

Approved:
General Guidelines

With the approval of the Board each school initiates and directs its volunteer program with the assistance and cooperation of a Superintendent designee. The designee will work closely with the Principal and staff in the respective schools to recruit, train and place volunteers.

Volunteers may assist with providing District services offered on a regular scheduled basis, including but not limited to the following:

1. Compiling the school newsletter,
2. Arranging transportation for field trips,
3. Supervising the playground or lunchroom, etc.,
4. Working on a one-to-one or small-group basis in the classroom,
5. Assisting the media specialist,
6. Assisting with the clerical load of the school, and
7. Assisting with the athletic program.

The following instructional tasks are strictly certified staff responsibilities and not to be performed by volunteers:

1. Diagnosing student needs,
2. Prescribing instructional materials,
3. Selecting appropriate materials,
4. Counseling with students,
5. Evaluating student programs and achievement, and
6. Initiating or determining the why, the how, the where, and the when of any instruction.
The volunteer can be of considerable assistance in accomplishing some tasks; however, it is primarily the teacher’s duty to initiate and direct such tasks.

Role of the Principal or Superintendent Designee

It is the Principal’s responsibility to:

1. Determine the scope and nature of the School Volunteer Program in the building,
2. Designate a staff member within the school to serve as Volunteer Coordinator and assist with the development of the School Volunteer Program,
3. Acquaint the District’s staff, student, and parent(s)/guardian(s) with the School Volunteer Program (goals, services available, ways to use services effectively) with help of the volunteer coordinator and the District advisor,
4. Place, train, and evaluate volunteers within the building with the assistance of the Volunteer Coordinator, staff, and District advisor;
5. Provide orientation of school policies and procedures to the volunteers,
6. Provide access to the faculty lounge and cafeteria or provide volunteers with similar space,
7. Provide space within the building for volunteer meetings, bulletin boards, assignment box and materials,
8. Provide a sign-in, sign-out sheet for all volunteers,
9. Disseminate information to the Volunteer Coordinator, District Advisor, volunteers and professional staff.
Role of the School Staff Member

A teacher should take part in the School Volunteer Program only because the teacher has a desire to use the volunteer in an effective way; if the teacher decides to take part in the School Volunteer Program, the teacher must:

1. Make requests for volunteer services to the Principal,
2. Determine what specific duties a volunteer may perform in the particular classroom/department,
3. Write a short job description/task list for each volunteer assignment,
4. Give specific instructions when assigning tasks to a volunteer,
5. Help train and use volunteers in any way that will be helpful to the students,
6. Plan ahead to provide meaningful activities for volunteers,
7. Help volunteers feel comfortable among the staff and students,
8. Meet with volunteers to mutually assess the effectiveness of their services.
9. Make requests for reassignment of the volunteer to the Principal.

Athletic Department Volunteers (Cf. 9290)

Upon the request of the Athletic Director, and with the approval of the Superintendent, volunteers may be used to assist in crowd control, locker room supervision, ticket selling and taking, and other Athletic Department services that may be needed. Volunteers serving in such a capacity are authorized by the District to enforce the established rules and regulations of the District. Athletic Department volunteers will be issued appropriate attire, identifying them as a volunteer. The Athletic Director or designee will provide specific training to such volunteers on appropriate methods and approaches to be used in supervising student behavior connected with athletic events.
9250 Use of District Facilities and Equipment (Cf. 3340, CF 8720)

The Board encourages the use of District facilities, grounds, and equipment, for purposes directly related to the educational, civic recreational, recommend and social life or the community, with prior approval by the Superintendent. Such use of any District facility or District grounds, however, may not interfere with the daily school routine or any school-sponsored activity. District facilities, grounds, and equipment may not be used or made available for political campaigns. (cf, 9060),

The use of school facilities for school purposes has precedence over all other uses.

Persons on school premises must abide by the District’s conduct rules at all times. The Board directs the Superintendent or designee to develop rules to provide for the use of school facilities. These guidelines will include but not be limited to lease arrangements, procedures for usage application and approval, requirements of use, and categories for priority use.

Recognized bargaining units may use District facilities and equipment as outlined in the current negotiated master contract.

Fees and Rental Charges

The Board will establish reasonable fees and rental charges for the use of any District facility or District grounds; such fees and rental charges may cover costs of wages for any school personnel involved and utilities consumed.

Lease Arrangements

Any lease arrangement entered into by the Board must conform to state law. Any such lease, however, must not exceed one year, but the Board may extend any such lease if good cause exists.
Use of District Facilities and Equipment (Cf. 3340)

**Gymnasium and Cafeteria**

The District’s gymnasium(s) and cafeteria(s) may be rented to community groups only if approved in advance by the Superintendent and/or Board. All organizations wanting to use these facilities must contact the Superintendent for approval and scheduling.

**Buildings and Grounds**

Use of the buildings and grounds of the District by individual or outside organizations must be approved by the Director of Financial Services or designee.

**Equipment**

Permission must be gained from the appropriate building Principal before any District equipment may be removed from the school grounds.

The building Principal may authorize staff members to utilize District-owned equipment to develop software and associated documents outside of their work assignment provided the development of the software is in the best interest of the District.

Staff using District equipment and software must comply with all copyright laws.

Recognized bargaining units may use District equipment as provided for in the current negotiated master contract.

The Superintendent may authorize District employees to utilize District-owned equipment when available to develop software and associated documents outside of their work assignment, provided the development of said software is in the best interest of the District.

**Federal Compliance**

The District will comply with the provisions of the Boy Scouts of America Equal Access Act, and will not discriminate against or deny access to groups protected by the Act. (Cf. 8720)
Services

A school custodian will be on duty and will have instructions to see that the building and equipment are properly cared for and used whenever any school facility is used by non-school groups or individuals.

A school custodian may not be required when, in the opinion of the Director of Facilities and Operations, it is not necessary. In this case, the sponsors must accept full responsibility for the building’s use.

Approved:
9290  Public Attendance at School-Sponsored Activities (Cf 9230, 9250)

The Board and the administration will ensure that students and the community have an opportunity to attend school activities without fear of harm or injury to person or property. Individuals attending school activities are prohibited from disrupting the activity, endangering the safety of students, school personnel, or other adults; damaging school property; interfering with school activities or the educational process; and attempting to close the schools. If a student or adult is asked to leave or is removed from a school event, no admission fees will be refunded.

Disturbances during school activities will not be tolerated, and persons attempting such action will be held accountable. The Board will seek the enforcement of all laws and the prosecution of those who violate the law. Violation of any law and/or local city ordinance will be referred to the appropriate law enforcement agency, prosecutor, and courts for proper disposition.

Prosecution of those causing disorder, disruption, or disturbances on school property will be conducted under existing city, county and state laws and ordinances.

The Board recognizes the right of peaceful dissent providing that dissent does not infringe upon the rights of others. Further, exercising that right encourages open and constructive communication that may lead to improvement and betterment of school activities.

In accordance with administrative guidelines to be developed by the Superintendent, building Principals are responsible for ensuring the safety and welfare of students and the community and the protection of school property from damages or injury by any person or groups of persons at school sponsored events.
Definition of Disorderly Conduct and Disturbances

For the purpose of this section, state statutes covering disturbance of the peace or disorderly conduct will be used as a basis for prosecution.

Upon conviction of any disturbance or disorderly conduct, the individual or groups of individuals will be barred by Board action from attending any school-sponsored activity or event. The length of the ban will be determined by the Board and will be based on the seriousness of the disorderly conduct or disturbance. The Board authorizes its staff members to enforce the ban, and may call law enforcement officials to aid them in carrying out their assigned duty. (Cf. 9400)

The Board directs that no alcoholic beverages or other controlled substance be possessed, consumed, or distributed at any school-sponsored event.

Individuals with Disabilities

Individuals with disabilities will have an opportunity to purchase tickets for school-sponsored events in accordance with the American Disabilities Act, as amended.

The Board will allow individuals with disabilities to be accompanied by their service animals in all areas of the District’s facilities open to the public.

The superintendent will ensure that all names, signs, schedules, and other communications about school-sponsored events contain the following statement:

“Upon request to the superintendent, the District shall make reasonable accommodation for a person with a disability to be able to participate in this activity.”

Video Recordings of School Events

Video recordings can be made by parents or other members of the audience without restriction if the performance is not copyrighted material. However, if the performance is
copyrighted material, recording can be made if the appropriate license authorizing such recordings has been secured in advance by the District. The audience will be advised it cannot record if the material is copyrighted and there is no authorization to record.

The Board authorizes the Superintendent to establish rules and procedures governing the use of non-District audio/visual equipment at any District sponsored event or activity. Such rules are to be distributed in such a manner that audience members who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Approved:
LEGAL REF: MCL 33.12601 et seq.; MCL 750.473; OAG No. 5336; 20 USC 7183
General Guidelines

The following guidelines are for the use by Principals in the event of disturbances, disorderly conduct, or demonstration on or near the school site and apply to all individuals.

The principal is responsible for determining an appropriate response to a disturbance, disorderly conduct, or demonstration. In the absence of the Principal, the person designated to be in charge of the building or activity is responsible for determining the appropriate response.

The Superintendent will be notified immediately of any disturbances, disorderly conduct or demonstrations on or near the school site. The Principal will seek the advice of the Superintendent, as well as inform him/her of any decisions and progress toward resolving the problem.

In the event disturbances are caused by non-students, the appropriate law enforcement officials will be called for assistance. The chief administrative police officer or his/her designee should be alerted ahead of time when problems are suspected. The Principal will serve as liaison when police are on the scene.

Specific Procedures

In the event of a disturbance or disorderly conduct, the Principal or designee will make an immediate assessment of the situation to determine the danger or potential danger to students, personnel, patrons, or school property. If there is any threat of potential injury to individuals, the principal will immediately take steps to reduce or eliminate the danger by whatever means necessary as granted under the Principal’s authority to discipline or maintain crowd control. The Principal or designee will decide upon a course of action and, to the extent possible, inform school employees so that all can cooperate in carrying out that decision.
The principal or designee in charge will maintain a “log” which includes the date, time, and nature of each incident, the names of persons involved, and a description of action taken.

If police assistance is required, the Principal or designee will request such assistance. Police action will be determined by police officials and their assessment of the situation.

The Board wishes to emphasize that any persons who create disturbances or disorders at any school activity will be prosecuted fully under the law. The Principal or designee in charge will sign the necessary complaint papers or encourage available witnesses of the act to do so. In any event, a complaint will be signed. The Board’s attorney will take whatever action is necessary to expedite proceedings to prosecute anyone causing a disturbance at a school function.
Tobacco Products On/In District Premises (CF 5345, 5350, 8230)

In the interest of providing a safe and healthy environment for employees, students, and visitors, and in accordance with the Michigan Smoke Free Act, 2009 PA 188, and the Tobacco-Free Schools Act, the Battle Creek Public Schools Board of Education adopts the following Tobacco-Free Policy:

Statement of Intent

Tobacco products include, but are not limited to cigarettes, cigars, spit tobacco, snuff, tobacco strips and sticks and dissolvable products. Examples of non-tobacco nicotine products include, but are not limited to, e-cigarettes, smokeless, battery operated devices designed to deliver nicotine with flavorings or other chemicals to the lungs of users without burning tobacco. This does not include products that are classified as “nicotine replacement therapy” prescribed by a physician to help tobacco users quit.

Tobacco products shall not be used by any person on or in the District’s property.

Enforcement

The use of tobacco on or in District property may be a misdemeanor under Michigan law. All employees, students, and visitors share in the responsibility of adhering to and enforcing the policy.

Violations should be brought to the attention of the building supervisor. The building supervisor will investigate any reported violations of the policy. If necessary, the violations will be referred to the Superintendent or the Superintendent’s representative for appropriate action.

Employees and students who are found violating the Tobacco Free Schools Act will be considered in violation of Battle Creek Schools’ Policy and will be subject to discipline.
Employees may obtain assistance, in a smoke cessation program, through their health insurance.

Approved:

LEGAL REF:  MCL 33.12601 *et seq.*; MCL 750.473; OAG No. 5336; 20 USC 7183
Copies of this Policy will be posted and the posting will be made known to all employees. Signs displaying the following statement, or a similar statement, will be posted at appropriate entrances:

**USE OF TOBACCO PRODUCTS IS PROHIBITED**
Purpose

The administration of Battle Creek Public Schools is committed to providing a safe environment for the children in our care. We seek to prevent children from being exposed to pests and pesticides. Exposure to pests (insects, cockroaches, rats, mice, etc.), pest residue, and the chemicals used to control them is unhealthy and will be avoided. The Integrated Pest Management (IPM) approach minimizes the exposure of children and staff to pesticides, and includes a variety of non-chemical and chemical methods to prevent and eradicate pests. While pesticides may be used to remediate infestations of pests (such as insects, weeds, and rodents) that may be found in the facility and its surrounding grounds, only the least toxic products will be considered and combined with non-chemical methods.

Policy

In accordance with Michigan Compiled Laws (MCL) 324.8316, Battle Creek Public Schools will implement and practice Integrated Pest Management (IPM) to manage pests in the building and on the grounds to minimize the exposure of pests and pesticides to children and staff. As such, we commit to the following:

1. *A designated staff member from the BCPS Facilities and Operations department* will be named the designated IPM Coordinator for this facility. This person will act as a liaison between the building occupants, including the early childhood and after school administrators, and the pest management professional.

2. *Maintenance and Sanitation – Maintenance, remediation, and sanitation will be conducted in a timely manner to prevent pest access and harborage (water leaks*
repaired, holes or other access routes sealed, proper food storage, clutter eliminated, etc.).

3. **Pesticide Use and Storage** –

   a. *Regularly scheduled applications of pesticides are NOT permitted.*

   b. *Storage of pesticides in the classrooms is NOT permitted and all pesticides on the premises will be stored out of reach of children.*

   c. *Staff is prohibited from bringing pesticides into the facility (no residential or any other pesticides allowed).*

   d. *Only certified pesticide applicators or registered technicians that have working knowledge of IPM principles and practices may apply pesticides.* Any pest management professional hired to provide pest management or other services must comply with this IPM program and notification policy and be knowledgeable about IPM practices. **Pest management professionals must refrain from routine pesticide spraying, provide detailed service reports with each visit and give recommendations for pest prevention.**

   e. *When necessary, use of least-hazardous pesticides may be considered after nonchemical management practices have failed.* Pesticides will not be applied when children are present at the facility. Toys and other items mouthed or handled by the children will be removed from the area before pesticides are applied. Children may only return to the treated area after four hours of a pesticide application or as specified on the pesticide label, whichever time is greater. In the event of an emergency where pests pose
an immediate health threat to children and staff (e.g. wasps) and pesticides are applied, ensure that children will not return to the treated area within four hours of a pesticide application or as specified on the pesticide label, whichever time is greater.

4. **Head Lice** - Pesticide applications to the facility for head lice are ineffective and thus are prohibited by this policy. Non-chemical control options (combs, etc.) are used instead.

5. **Notification**
   
a. An annual notification will be given to parents in September. (Appendix A)
   
b. Two methods of advance notification of a pesticide application at the school will be given to parents and staff at least 48 hours prior to the application, except in emergencies where pests pose an immediate health threat to children or staff (bees).
   
i. Notification will be posted at all the school entrances (Appendix B)
   
ii. The second method of notification can include, email, automated phone caller, letters sent home with students, the district website. (use information in Appendix B)
   
c. Parents who request more advance notice must complete the advance notice request form at the beginning of the school year. Notification will be delivered via U.S. mail (Appendix C). 3 days prior to the application of pesticides. Advance notices must contain the following information:
Pest Control Policy

i. A statement that a pesticide is expected to be applied

ii. The target pest or pests

iii. The approximate location of the application

iv. The date of application

v. Contact information of the school

vi. A toll free telephone number for a national pesticide information center.

d. Parents and staff will be notified as soon as possible when advance notice is not provided and include an explanation of the emergency, the reason for the late notice and the name of pesticide applied.

6. Recordkeeping - All records of pesticide applications and advance notices will be available upon request for at least 90 days.

Exemptions

This policy does not apply to the following exempted uses of pesticides:

- Germicides, disinfectants, bactericides, sanitizing agents, and chemicals used in normal cleaning activities;

- Personal insect repellents applied to the person with parental consent; and

- Gel bait or manufactured enclosed insecticides where children do not have access to the bait. (Granular baits and rodent baits are not exempt.)

Communication Plan for Staff and Parents

- Battle Creek Public Schools will cover policies, plans, and procedures with all new staff (paid and volunteer) during orientation training. They will sign that they have read, understand and agree to abide by the content of the policies.
During enrollment this policy will be reviewed by the school secretary with the parents. Parents will sign that they have read, understand, and agree to abide by the content of the policies.

A copy of all policies will be available during all hours of operation to staff and parents in the policy handbook located the main office of each school.

Parents may receive a copy of the policy at any time upon request. A summary of this policy will be included in the school, GSRP and Extended Day Learning Program parent handbooks.

Parents and staff will receive written notification of any updates.

Definitions

1. Insecticide- a pesticide intended for preventing, destroying, repelling, or mitigating an insect.

2. Integrated pest management- a pest management system that uses all suitable techniques in a total management system to prevent pest from reaching unacceptable levels or to reduce existing pest populations to acceptable levels.

3. Integrated pest management program- a program for integrated pest management that include all the elements in MCL 324.8304(6) a-d

4. Registered applicator- an individual who is authorized to apply general use pesticides for a private or commercial purpose.

5. Use of pesticide- the loading, mixing, applying, storing, transporting, ad disposing of a pesticide.

References

Purdue University: www.entm.purdue.edu/entomology/outreach/schoolipm/
Indiana Department of Environmental Management: [www.in.gov/idem or 888-233-7745]

Caring for Our Children – [http://nrc.uchsc.edu]

**Reviewed by:**

--------------------------------- Superintendent or designee
--------------------------------- GSRP Director
--------------------------------- Extended Day Learning Director
--------------------------------- IPM Coordinator
--------------------------------- Health Professional (physician, nurse, health department, EMS, Health consultant)
--------------------------------- Staff member
--------------------------------- Other (parent, advisory committee, police, CPS)

**Effective Date and Review Date:**

This policy is effective _____/_____/_____ and will be reviewed annually by August 1 or sooner if needed. Parents and staff will be notified of any upcoming policy review.

*This format is adapted from and used with permission of: National Training Institute for Child Care Health Consultants, UNC, 2000

**IPM Summary**

The administration of Battle Creek Public Schools is committed to providing a safe environment for the children in our care. In accordance with Michigan Compiled Laws (MCL) 324.8316, Battle Creek Public Schools will implement and practice Integrated Pest Management (IPM) to manage pests in the building and on the grounds to minimize the exposure of pests and pesticides to children and staff.

1. **Pesticide Use and Storage** –
   
a. Regularly scheduled applications of pesticides are NOT permitted.
   
b. Storage of pesticides in the classrooms is NOT permitted and all pesticides on the premises will be stored out of reach of children.
c. *Staff is prohibited from bringing pesticides into the facility (no residential or any other pesticides allowed).*

d. *Only certified pesticide applicators or registered technicians that have working knowledge of IPM principles and practices may apply pesticides.*

e. Pesticides will not be applied when children are present at the facility. Toys and other items mouthed or handled by the children will be removed from the area before pesticides are applied. Children may only return to the treated area after four hours of a pesticide application or as specified on the pesticide label, whichever time is greater. In the event of an emergency where pests pose an immediate health threat to children and staff (e.g. wasps) and pesticides are applied, ensure that children will not return to the treated area within four hours of a pesticide application or as specified on the pesticide label, whichever time is greater.

2. *Notification*

a. An annual notification will be given to parents in September.

b. Two methods of advance notification of a pesticide application at the school will be given to parents and staff at least 48 hours prior to the application, except in emergencies where pests pose an immediate health threat to children or staff (bees).

   i. Notification will be posted at all the school entrances

   ii. The second method of notification can include, email, automated phone caller, letters sent home with students, the district website.

c. Parents who request more advance notice must complete the advance notice request form at the beginning of the school year. Notification will be delivered via U.S. mail. 3 days prior to the application of pesticides.
Dear Parents,

The Battle Creek Public Schools has adopted an Integrated Pest Management program. Inherent with this are the District’s efforts to reduce pesticide use as much as possible. While it may occasionally be necessary to apply a pesticide, these will only be used as a last resort and will always be applied after school hours.

When a pesticide is used parents will be notified 48 hours in advance, unless it is an emergency. To receive more than 48 hours notification, please complete the form provided by your school. In an emergency, pesticides may be applied without prior notice, but you will be provided notice following any such application. If at any time you should have questions or concerns about pest management within your child/children’s school, please contact the Facilities and Operations Department at (269) 965-9425.

If you have any questions please contact your child’s school or the Facilities and Operations department at 965-9425.

A Pesticide Application is planned for the location(s) listed on this sign for: ___________________________ to eliminate ___________________________.

(date) (pest/insect)

DO NOT ENTER TREATED AREAS from __________ until __________

(date & time) (date & time)

Location(s): ____________________________________________

For more information contact:
BCPS Facilities and Operations
Goodale, Battle Creek, MI 49037
269-965-9425
Learn more about pesticides at: National Pesticide Informational Center: 1-800-858-7378

Date Posted/by: _________________________________

This sign is required by (MCL) 324.8316 and must be posted 48 hours prior to any non-emergency pesticide application. To be removed by authorized personnel only.
Date

Dear Parent,

Per your request, this letter serves as notification that a pesticide treatment will occur at your child’s school on ______________________________ (date) in the following areas ____________________________________________________________________________ to target the elimination of ____________________________(pest).

For more information contact: BCPS Facilities and Operations, Goodale, Battle Creek, MI 49037, 269-965-9425. Learn more about pesticides at: National Pesticide Informational Center: 1-800-858-7378
9350  Gun-Free Schools

The Board recognizes that gun violence in schools is a nation-wide epidemic. The presence of firearms on school property or at school-related events is inherently disruptive and potentially life-threatening. Except as noted below, the Board prohibits employees, agents, volunteers, visitors, and students from possessing a firearm on any school property or on a vehicle used by the District to transport students to or from school property.

For purposes of this policy, a “firearm” means:

A. 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;

B. the frame or receiver of any such weapon;

C. any firearm muffler or firearm silencer; or

D. any “destructive device” as defined at 18 USC 921(a)(4).

For purposes of this policy, “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.

Only the following individuals may possess a firearm on school property pursuant to the following terms:

- A peace officer;

- A person authorized to possess a concealed weapon in a weapons-free school zone consistent with the requirements of the Concealed Pistols Licensing Act;

- An employee or contractor expressly authorized by the Superintendent, in writing, to possess a firearm for purposes of providing security;

- A person expressly authorized by the Superintendent, in writing, to possess a
firearm for purposes of providing or receiving instruction;

- Any other person authorized by law to possess a firearm on school property, but only if that person demonstrates that he or she has the legal right to possess a firearm on school property.

No District or building administrator or agent may grant permission to any person to possess a firearm on school property unless the person demonstrates that he or she has the right to possess a weapon on school property; except that the Superintendent or building administrator may authorize the possession of a firearm for use as a prop or as a starter pistol.

Because of the inherently disruptive impact the possession of a firearm has on the educational environment, individuals other than peace officers, those providing security to the District, and those providing or receiving instruction on the use of a firearm, are strongly discouraged from possessing a firearm on school property, even if those individuals are otherwise lawfully authorized to possess a firearm on school property.

Any person possessing a firearm on school property is subject to all District policies and procedures, including those policies and procedures governing students, employees, volunteers, and visitors.

The Board directs the Superintendent to procure and post signs at the entrance to each school building stating, “This property is a weapon-free zone. Unless permitted by law, possession of a weapon, including a firearm, may result in criminal prosecution.”

The Board directs the Superintendent to develop administrative regulations to implement this policy.

References:
MCL 28.425f; MCL 28.425o; MCL 750.237a; MCL 380.1311(2); 18 USC 921; 18 USC 922(q); 20 USC 7151;
Policy # 5205 (Possessing, Transporting, or Transmitting Dangerous Weapons).
9350R – Gun Free Schools

The Battle Creek Public Schools Board of Education has declared all district property to be “gun free” and has prohibited all individuals, except those otherwise authorized by law or Board policy, from possessing a firearm on any school property.

The following individuals may possess a firearm on school property if the possession is consistent with applicable law, Board Policy, and these regulations:

- A peace officer;
- A person authorized to possess a concealed weapon in a weapons-free school zone consistent with the requirements of the Concealed Pistols Licensing Act;
- An employee or contractor expressly authorized by the Superintendent, in writing, to possess a firearm for purposes of providing security;
- A person expressly authorized by the Superintendent, in writing, to possess a firearm for purposes of providing or receiving instruction;
- Any other person expressly authorized by law to possess a firearm on school property, but only if that person demonstrates to the satisfaction of the District’s administration that he or she has the legal right to possess a firearm on school property.

Possession of a firearm by a peace officer: A peace officer may possess a firearm on school property at any time the peace officer is performing his or her official duties. Prior authorization is not required.

Possession of a concealed pistol: Consistent with state law, any of the following individuals may possess a concealed pistol on school property without prior authorization.

- A retired police or law enforcement officer licensed to carry a concealed pistol.
• A licensed private investigator or private detective.

• A corrections officer of a county sheriff’s department licensed to carry a concealed pistol.

• A motor carrier officer or Department of State Police capitol security officer licensed to carry a concealed pistol.

• A member of a sheriff’s posse who is licensed to carry a concealed pistol.

• An auxiliary or reserve officer of a police or sheriff’s department licensed to carry a concealed pistol.

• A Department of Corrections parole or probation officer licensed to carry a concealed pistol.

• A current or retired state court judge licensed to carry a concealed pistol.

• A court officer licensed to carry a concealed pistol.

All such individuals are subject to the requirements of the Concealed Pistols Licensing Act and, if required by that Act, shall have his or her license to carry a concealed pistol in his or her possession at all times he or she is carrying a concealed pistol.

Possession of a firearm for security purposes: An employee or contractor of the District may possess a firearm for purposes of providing security to the District only with the express written pre-approval of the District’s Superintendent. The Superintendent will not authorize a person to possess a firearm for purposes of providing security to the District unless the person:

• First undergoes the criminal history and criminal records check referenced in sections 1230 and 1230a of the Revised School Code, MCL 380.1230, 1230a, and the criminal history and criminal records check show that the person could otherwise lawfully work
in the District and that the person has no history of violent or weapons-related criminal activity,

- Is trained to provide security,
- Is trained on the proper use of firearms, and
- Is licensed to carry a firearm.

Possession of a firearm for instructional purposes: A person may possess a firearm on school property as part of a District-approved instructional program only with the express written pre-approval of the District’s Superintendent. The Superintendent will not authorize a person to possess a firearm for purposes of providing or receiving instruction unless:

- The District’s Board of Education first approves the instructional program,
- All employees, volunteers, agents, or contractors who will possess a firearm for instructional purposes undergo the criminal history and criminal records check referenced in sections 1230 and 1230a of the Revised School Code, MCL 380.1230, 1230a and the criminal history and criminal records check show that the person could otherwise lawfully work in the District and that the person has no history of violent or weapons-related criminal activity,
- All employees, volunteers, agents, or contractors who will possess a firearm for instructional purposes have been trained on the proper use of firearms,
- All employees, volunteers, agents, or contractors who will possess a firearm for instructional purposes are qualified to provide instruction in the safe use of firearms, and
- Any person, including a minor, receiving instruction on the use of a firearm is under the immediate and direct control of an adult who satisfies the above criteria.
Possession of a firearm while transporting students to or from school: A person who is 18-years-old or older and who is not a District student may possess a firearm while transporting a student to or from school if any of the following is true:

- The person is carrying an antique firearm, completely unloaded, in a wrapper or container in the trunk of the person’s vehicle while en route to or from a hunting or target shooting area or function involving exhibition, demonstration, or sale of antique firearms.

- The person is carrying a firearm unloaded in a wrapper or container in the trunk of the person’s vehicle, while in possession of a valid Michigan hunting license or proof of valid membership in an organization having shooting range facilities, and while en route to or from a hunting or target shooting area.

- The person is carrying a firearm unloaded in a wrapper or container in the trunk of the person’s vehicle from the place of purchase to his or her home or place of business or to a place of repair or back to his or her home or place of business, or in moving goods from one place of abode or business to another place of abode or business.

- The person is carrying an unloaded firearm in the passenger compartment of a vehicle that does not have a trunk, if the person is otherwise complying with the requirements of one of the above-three bullet points and the wrapper or container is not readily accessible to the occupants of the vehicle.

- The person is a parent or legal guardian of a District student and the person is carrying a concealed pistol while in a vehicle on school property if he or she has a concealed pistol license and is dropping the student off at school or picking the
student up from school.

Possession of a firearm by any other person: Except for those situations addressed above, any person who believes that he or she has the legal authority to possess a firearm on school property and intends to possess a firearm on school property should first contact the Superintendent and should: (1) provide the Superintendent notice of his or her intent to possess a firearm on school property; (2) provide the Superintendent notice of when, where, and for how long the person intends to possess the firearm; and (3) provide the Superintendent proof of his or her authority to possess a firearm on school property, including a copy of his or her license to carry a concealed pistol.

If the Superintendent has reason to believe that the person does not have authority to possess a weapon on school property, the Superintendent shall notify the person that he or she may not possess the weapon on school property and shall contact local law enforcement about the request. If the Superintendent determines that the person has the authority to possess a weapon on school property, the Superintendent shall assign a District administrator or District employee to accompany the person at all times the person is in possession of a firearm on school property.

Unauthorized possession of a firearm or possession of a firearm without notice: If a person possesses a firearm on school property and that person has not demonstrated to the satisfaction of the Superintendent, appropriate building administrator, or staff person supervising a District activity or event that he or she has the authority to possess the firearm on school property as explained above, the Superintendent, building administrator, or staff person supervising the District activity or event shall take the following actions:
1. Immediately initiate the District’s emergency preparedness plan for the presence of a potentially dangerous individual,

2. Immediately contact law enforcement and report that a person is possessing a firearm on school property,

3. Request that law enforcement ascertain whether the person has the legal authority to possess a firearm on school property,

4. Await further direction from law enforcement, and

5. Upon completion of the lock down, notify the parents of all students involved about the situation giving rise to the lock down.

Because of the inherently disruptive impact the possession of a firearm has on the educational environment, individuals other than peace officers, those providing security to the District, and those providing or receiving instruction on the use of a firearm, are discouraged from possessing a firearm on school property, even if those individuals are otherwise lawfully authorized to possess a firearm on school property.

Any person possessing a firearm on school property is subject to all District policies and procedures, including those policies and procedures governing students, employees, volunteers, and visitors. District administrators may remove any person from school property who refuses to leave or creates a disturbance. See Policy # 9400 (Visitors).

Except for the Superintendent consistent with these administrative regulations, no District or building administrator or agent may grant permission to any person to possess a firearm on school property, except that the Superintendent or building administrator may authorize possession of a firearm as a prop or for use as a starter pistol if the Superintendent or building administrator is satisfied that appropriate precautions have been taken to ensure that
the use of the firearm poses no danger to others.
Solicitation, Free Materials Distribution, and Advertising in Schools

It is the Board’s intent to create a “limited public forum” and institute, “time, place, and manner” restrictions on the solicitations/distribution/positions on school property and at school-sponsored events. Under no circumstances should the Superintendent’s grant of permission to solicit/distribute/post material on school property be construed as an endorsement of the group or their cause.

All requests to solicit/distribute/post literature on school property and at school-sponsored events must be presented to the superintendent or designee in writing at least three (3) days before the planning solicitation/distribution/posting and must receive the Superintendent’s or designee approval prior to solicitation/distribution/posting. The materials must meet the following requirements:

1. Material must contain a writing, prominent disclaimer of school sponsorship and endorsement;

2. Materials must contain the name of its author and the name of any group or organization on whose benefit it is to be distributed; and

3. Materials must contain a signature acknowledging that the individual who is responsible for the contents of the material.

Literature

Material containing the following content is inappropriate in a public school setting and is not permitted:

1. Vulgarity;

2. Threats to health or safety;

3. Promotion of illegal drugs or underage drinking;
4. Harm to rights of others;
5. Defamation;
6. Inciting lawlessness action;
7. Hate speech;
8. Constituting a copyright violation; and
9. Literature that causes a substantial and material disruption to the school environment or where administrators can reasonably forecast a substantial and material disruption to the school environment.

A. Reasonable Time, Place, and Manner Restrictions

1. Special interest groups may bring literature to the District for distribution/posting during the 15 minutes before the start of the school day and the 15 minutes after the conclusion of the school day in that building.

2. Once approved, flyers and notices from special interest groups may be made available for students to pick up or view at the literature distribution rack/table by the school building’s office.

3. Those fliers and notices that remain on the distribution rack/table after 4 days (96 hours) will be removed and disposed of by a District employee.

4. No literature should be distributed or posted in other areas of the school building.

5. Under no circumstances will the District make copies or use other District property to facilitate distribution or posting of the literature in a school building.
Solicitation

A person seeking to sell or solicit, an item to any school employee or student on school premises must first secure permission from the Superintendent or designee before any solicitation or display is made by following the procedure of this policy.

Solicitations may not take time of teachers or students from normal student or teaching activities.

The students and faculty of the District shall not be used to promote commercial or private financial interests, either through direct sales or through promotion of competitive goods or services originating outside the school and that are not sponsored or approved by the District.

Solicitations in Schools

Vendors, commercial schools, colleges, other agencies, or other solicitors may be permitted to meet with students only when the invitation and arrangements are approved in advance by the superintendent in accordance with this policy. Counseling of students relative to continuation of their schooling or to job placement by outside organizations will be handled through the District’s guidance department under the supervision of a District guidance counselor. A parent or guardian may opt their student out of events involving solicitation by providing documentation of their decision.

Solicitation by Students

Solicitations by students within the schools or on school grounds for any cause is prohibited except as approved by the Superintendent in accordance with this policy.

Solicitations may not take time of teachers or students from normal student or teaching activities.
The students and faculty of the District shall not be used to promote commercial or private financial interests, either through direct sales or through promotion of competitive goods or services originating outside the school and that are not sponsored or approved by the District. Solicitation requests must be made in writing to the Superintendent, and include the proposed solicitation materials and project information. Requests will be considered in light of the proposal’s direct contribution to the educational values in the school and the added work and responsibility for staff members.

**Solicitations of Staff Members**

All vendors must secure permission from the Superintendent or designee, to interview a school employee on District property. If any vendor violates this procedure, he/she may be barred from making appointments with school employees. The Superintendent may recommend not to purchase products or other items from a vendor that violates this policy. If a vendor violates Board policy and is subsequently barred from soliciting in the school district, the Superintendent will send appropriate notices to each building Principal.

**Violators**

Violators will be reported to the Board by the Superintendent, and may be denied further access to school premises by Board action.

If any vendor violates this procedure, he/she may be barred from making appointments with school employees. The Superintendent may recommend not to purchase products or other items from a vendor that violates this policy. If a vendor violates Board policy and is subsequently barred from soliciting in the school system, the Superintendent will send appropriate notices to each building Principal. The notice will include the name of the individual and company, and the reason for, and length of, the suspension. The Superintendent may ban a
vendor from soliciting District employees for a period not to exceed 12 months from the date of suspension. Said notice will be sent to the vendor and to his/her immediate employer. The rights of the vendor may be restored at the Board’s discretion, at a time sooner, upon petition by the vendor to the Board.

Approved:
9400 Visitors to the School

All school buildings must post a notice requiring all visitors to first report to the appropriate building Principal or designee before further entering or remaining on school grounds.

The building Principal will develop rules and regulations governing the presence of visitors in the buildings. All visitors are subject to such rules and requirements.

The Principal may request aid from a law enforcement agency if a school visitor refuses to leave or creates a disturbance. (See 9290) Violation of this rule may lead to removal from the building or grounds and denial of further access to the building or grounds. Violators of this Board policy and its rules may be subject to governmental trespass laws.

Public Visitors to the Schools

Public visits must be made in accordance with the following guidelines:

• Visits must be scheduled with the teacher and the building Principal.
• The Principal or designated representative may accompany the visitor on the visit.
• Such visits are for becoming acquainted with school instruction, programs, personnel, operation, and/or the facility.
• Visitors will refrain from giving directions or making evaluations of personnel or operating procedures during their visits.
• If a school visit leaves the visitor with a concern, this concern should be discussed with the building Principal or Superintendent.

Approved:
LEGAL REF: MCL 380.1137(2)
Parent(s)/Guardian(s) Visitation of Classrooms (Cf. 7175, 9400)

The Board recognizes the central role parent(s)/guardian(s) play in the education of their children, and supports active parent(s)/guardian(s) involvement in the educational process. Parent(s)/Guardian(s) are encouraged to maintain regular contact with their child’s instructors. To familiarize themselves with their child’s learning environment, parent(s)/guardian(s) are encouraged to come to scheduled conference evenings, school open houses, and visitation days.

Parent(s)/Guardian(s) may visit their child’s classes, subject to the approval of Principal or designee and the following guidelines. Parent(s)/Guardian(s) are asked to understand the Board’s responsibility to safeguard the learning environment for all students and to be sensitive to the parental disruption that can be caused by having visitors frequently observe the classroom and place demands on teacher time. The Board must protect the privacy rights of all students and their families by ensuring that the frequency of visits by one parent/guardian does not allow that parent/guardian to develop inappropriate knowledge of the behavior or academic progress of other students.

The Board adopts the following regulations for parent(s)/guardian(s) visitations:

1. All parent(s)/guardian(s) visits are subject to the approval of the school Principal, who is charged by the Board with the responsibility of protecting the learning environment and privacy of students.

2. Parent(s)/guardian(s) that wish to visit a classroom must submit a written request to the building Principal at least two (2) days before the visit.

3. The Principal, or designee, may accompany the parent(s)/guardian(s) on their visit.
4. Visitors are required to check in at the school office prior to the start of the class that they wish to observe, and to follow applicable school procedures including visitor sign-in, passes and escorts.

5. Parent(s)/Guardian(s) in classrooms are there as guests and are asked to behave as quiet observers of classroom activities, unless specifically requested otherwise by the classroom teacher. Visitors must arrive before the start of class and stay until the class is dismissed or as discussed with teachers.

6. Except on special open house or visitation days arranged by the Superintendent, no more than two visitors shall be permitted in a classroom on any given day.

7. To protect the privacy of every student, parent(s)/guardian(s) may be limited to two classroom visits per marking period, and shall agree to keep any information gained on the behavior or performance of other students strictly confidential.

8. Visits are not allowed during tests or other student examination/evaluation.

9. Teachers are expected to use the time between classes for preparation, student meetings, and discussion with colleagues. Visiting parent(s)/guardian(s) are to refrain from using classroom visits for impromptu parent/guardian-teacher conferences either during or outside of class time. An appointment should be made with the teacher if the parent(s)/guardian(s) wish to discuss their child’s educational progress. Teachers are prohibited from discussing the behaviors or achievement of other students with visiting parent(s)/guardian(s).

10. Board members who have students in the District and therefore have parent(s)/guardian(s) opportunities to converse with their student’s teacher,
counselor, or administrator must make it clear that they are speaking or visiting as the parent(s)/guardian(s) and not as Board member.

11. Parent(s)/Guardian(s) who are registered under the Sex Offenders Registration Act, Public Act 295 of 1994, must act in accordance with that law at all times. Parent(s)/Guardian(s) who fail to abide by these regulations or who intentionally disrupt the educational process of the school may be asked to leave and/or be denied permission for future visits.

The Superintendent will ensure that the provisions of this policy are published in the appropriate handbook(s) and that copies are provided to visitors.

Approved:

LEGAL REF: MCL 380.1137
Recognition of Common Allergens and Anaphylaxis Symptoms

Anaphylaxis is a severe and life-threatening allergic reaction. Anaphylaxis may occur within minutes or longer after exposure to an allergen. The most common allergens that may cause anaphylaxis are food, insect bites, medications, and latex.

The symptoms of anaphylaxis may be different for different individuals, and may also be different for one person over time. Reported symptoms include:

- Skin reactions, including hives along with itching, and flushed or pale skin (almost always present with anaphylaxis)
- A feeling of warmth
- The sensation of a lump in the throat
- Constriction of the airways and a swollen tongue or throat, which can cause wheezing and trouble breathing
- A weak and rapid pulse
- Nausea, vomiting, or diarrhea
- Dizziness or fainting

Emergency Preparedness

(9) The Board President (or designee) shall obtain a prescription in the name of the Battle Creek Public Schools Board of Education as authorized by law for auto-injectable epinephrine as required to comply with this policy and applicable law.
(10) Each school operated by the Battle Creek Public School District shall maintain at least two epinephrine auto-injector devices at all times, regardless of whether any student/staff member has been diagnosed with allergies.

(11) The epinephrine auto-injectors maintained by the school may only be used by: (a) a licensed registered professional nurse who is employed or contracted by the Battle Creek Public School District; or (b) a school employee who is trained in the administration of an epinephrine auto-injector and who is authorized pursuant to this policy to administer an epinephrine auto-injector maintained by the school.

(12) The Superintendent (or designee) shall, in consultation with a licensed registered professional nurse or other health care provider, determine the appropriate dose(s) of epinephrine auto-injectors (e.g., Junior or Adult) to be maintained at each school based upon the school population.

(13) Maintenance/Storage/Disposal Requirements. Epinephrine auto-injectors maintained by the school shall be stored according to manufacturer’s direction, at the appropriate temperature, and in a clearly labeled and unlocked cabinet/container easily accessible to authorized personnel.

(14) The Board directs the Superintendent (or designee) to authorize a licensed registered professional nurse who is employed or contracted by the Battle Creek Public School District, or a school employee who is trained in the administration of an epinephrine auto-injector under this policy, to possess an epinephrine auto-injector and to administer an epinephrine auto-injector to:

a. a student who has a prescription on file at the school; or
b. any other individual (including a student) on school grounds who is believed to be having an anaphylactic reaction.

(15) The Superintendent (or designee) shall:

a. Designate and ensure that each school building within the Battle Creek Public School District, with an instructional and administrative staff of at least 10 has at least two employees at the school who have been trained in the appropriate use and administration of an epinephrine auto-injector.

b. Designate and ensure that each school building within the Battle Creek Public School District, with an instructional and administrative staff of fewer than 10 has at least one employee at the school who has been trained in the appropriate use and administration of an epinephrine auto-injector.

(16) Training

a. For purposes of this policy, "trained in the appropriate use and administration of an epinephrine auto-injector" means completion of training in compliance with the Training Guidelines for Designated Staff on Allergies, Anaphylaxis, and Emergency Responses issued by the Michigan Department of Education (as may be amended from time to time), conducted under the supervision of a licensed registered professional nurse, and shall include evaluation by a licensed registered professional nurse.

b. The Superintendent (or designee) shall maintain documentation of training completed by each employee authorized to administer an epinephrine auto-injector.

Notice and Reporting
The Superintendent (or designee) shall:

(3) Promptly notify the parent/legal guardian of a pupil to whom an epinephrine auto-injector has been administered and document all actual and attempted notice.

(4) At least annually, report to the Michigan Department of Education, in the form and manner prescribed by the Department, all instances of epinephrine auto-injector administration to a student at school.

Student Possession and Use

(1) The emergency anaphylactic policy requirements in this section do not alter the rights of those individuals authorized by law to self-possess or self-administer:

a. A metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms or for use before exercise to prevent the onset of asthmatic symptoms.

b. An epinephrine auto-injector or epinephrine inhaler to treat anaphylaxis.

(2) Nothing in this policy alters or diminishes the rights of individuals who have prescription epinephrine auto-injectors or students under an allergy response plan in a health plan, Section 504 plan, or individualized education plan.

Authority: MCL 380.1178, 380.1179, and 380.1179a; MCL 333.17744a
Michigan Department of Education Addendum to the 2002 Guidelines for Administering Medications to Pupils at School, Guidelines for Responding to an Anaphylaxis Emergency at School

Center for Disease Control and Prevention website: http://www.cdc.gov/healthyyouth/foodallergies/
Mayo Clinic website: http://www.mayoclinic.org/diseases-conditions/anaphylaxis/basics/symptoms/con-20014324
9450  Complaints (Cf. 1370, 2450, 5030, 5210, 7400, 8015)

All complaints about the District should be resolved at the lowest possible administrative level.

About Policies
Complaints about District policies should be directed to the Superintendent.

About Curriculum
Complaints about the curriculum of the District should be directed to the Superintendent.

About Instructional Materials
Complaints about specific instructional materials should be directed to the appropriate building Principal. The building Principal will inform the Superintendent and the Board Review Committee of any complaints. The Board will then review the complaint pursuant to Policy 7400.

About Facilities and Services
Complaints about District facilities and services should be directed to the Superintendent.

About Personnel
Complaints about District personnel will be investigated fully and fairly, and the employee’s rights to due process will be protected at all times.

Whenever a complaint about District personnel is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the Superintendent or designee for study and possible solution. The employee involved will be informed of the complaint and will be given an opportunity to explain, comment, and present information about the complaint.

If an employee’s complaint requires Board action, the employee involved may request a closed session of the Board as provided under the Open Meetings Act. (Cf. 1310)
The Board may request a disinterested third party to act as moderator to help the Board reach a mutually satisfactory solution.

Approved:
LEGAL REF:  MCL 15.261 et seq.
About Policies

The Superintendent will report any unresolved complaint about policies to the Board at the next regularly scheduled Board meeting.

About Curriculum

The Superintendent shall report a failure to resolve any complaint about curriculum to the Board at the next regularly scheduled Board meeting.

About Instructional Materials

The building Principal involved will report any unresolved complaint about instructional materials to the Superintendent and Board Review Committee immediately after receiving the complaint.

About Facilities and Services

The Superintendent will report any unresolved complaint about facilities and services to the Board at the next regularly scheduled Board meeting.

About Personnel

The Superintendent or the building Principal involved will report any unresolved complaint about personnel to the Board at the next regularly scheduled Board meeting.
470  Loitering - Unauthorized Persons

Loitering is not allowed on school grounds or in any school building. Unauthorized persons loitering in any school building or on school grounds shall be asked to leave the premises. Any such person failing to leave the premises will be considered to be in violation of applicable disorderly conduct or trespassing statutes and law enforcement officers will be notified and requested to remove the individual from the building or grounds.

Approved:
Employees must report to the Principal any person loitering in a school building or on school grounds.

The Principal may request such unauthorized person to leave the school premises or area.

If the person does not leave voluntarily, law enforcement officials will be notified and requested to assist in the removal.

The Principal will notify the Superintendent immediately if such a situation develops.
Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment in the District schools, and for safeguarding all school property.

The behavior of students outside of school hours and away from the school grounds that does not cause a substantial disruption to the school environment is the responsibility of the parent(s)/guardian(s) rather than the educational system.

Based on the statutory authority bestowed upon the Department of Health and Human Services concerning an investigation of child abuse, authorized agents of said department with proper identification will be permitted to talk with students in school without the presence of the parent(s)/guardian(s).

The District recognizes that the Department of Human Services may, lawfully, interview a child alleged to have been abused without the presence of the building Principal or other school personnel. However, in appropriate cases, the Principal may request that he or she, or a designated representative, be present during the interview.

Approved:
LEGAL REF:  MCL 722.628
9600 Relationship with Planning Authorities

The Board will participate in local planning functions that may directly affect District schools and their immediate environment.

Approved:
9600-R Relationship with Planning Authorities

The Superintendent will keep informed of planning matters bearing directly on the District’s operation of its schools or school-sponsored programs, and shall undertake action on behalf of the Board to influence the matter in the best interests of the students, schools, and the District.

The Superintendent will give particular attention to the following factors when analyzing the impact of local planning proposals:

1. Effect of potential growth on the school and its students in relationship to present and/or planned school facilities,
2. Traffic implications such as noise and air pollution, hazardous crossings, and congested ingress and egress,
3. Overload, deterioration, vandalism, and maintenance of schools and school facilities as neighborhood civic centers, and
4. Need for bikeways, parking and additional bus transportation.
9610 Relationship with Zoning Authorities

The Board directs the Superintendent to request that notification of zoning proposals and changes that may affect the District be sent to the District by zoning authorities in the county, townships, and cities within the District, it being understood, however, that only the State Superintendent of Instruction is authorized, by law, to approve building and site plans for public schools.

Approved:

9610-R Relationship with Zoning Authorities

The Superintendent will keep informed of zoning proposals and will make recommendations to the Board about any concerns the Board may have or about actions the Board should take on zoning proposals, and will arrange for Board representatives to discuss their concerns and actions with the proper zoning authorities.
9670 Relations with Federal Governmental Authorities (Cf. 9060)

The Board will strive to keep informed of federal legislative proposals that affect schools. The Board may take positions on such issues and communicate such positions to congressional representatives and U.S. senators either directly or through its state association. Copies of positions sent to congressional representatives and U.S. senators may be sent to the Michigan Association of School Boards as a matter of record.

Approved:
9710  Relations with Booster/Parental/Guardian Organizations (Cf. 3800, 9730)

Each booster/parental/guardian organization should request official recognition by the Board, and in so doing, present its purposes and goals, along with its constitution and bylaws, to assist the Board in its deliberations as to whether or not the organization should be recognized as a bona fide community/school group supported by the Board. Once recognized, such organizations will work closely with the Board and school personnel in the buildings or the departments that they represent in any projects carried on for the benefit of the school or school programs.

Board-recognized booster/parental/guardian organizations must keep on file in the Superintendent’s office a record of officers, bylaws, mailing addresses and other pertinent information.

Board-recognized booster/parental/guardian organizations will handle their own accounting and bookkeeping procedures and maintain their own separate accounts for income and expenditures. All purchases by such organizations will be billed directly to the organization and sent to its mailing address and not to the District. Equipment and material purchased by such organizations and presented to the District will become the District’s property and under the control of the Board.

The Board encourages active support and cooperation with parental/guardian organizations by administrators, teachers and other employee groups.

Approved:
The Board encourages parent(s)/guardian(s) involvement in the schools through programs and activities designed to increase parent(s)/guardian(s)-school communications and to involve parent(s)/guardian(s) in the development and implementation of educational policies and school programs.

The Superintendent is responsible for facilitating parent(s)/guardian(s) involvement in the schools by affording special consideration to single and working parent(s)/guardian(s). Schools should schedule meetings, programs, and events so that working parent(s)/guardian(s) can attend.

Approved:
Building administrators, in cooperation with the Superintendent, will develop appropriate procedures to schedule building activities to accommodate the needs of parent(s)/guardian(s) such as, by way of example: (1) scheduling parent(s)/guardian(s) teacher conferences at times convenient to parent(s)/guardian(s), (2) offering childcare during such meetings and other school functions, and (3) varying the nights on which meetings and other school functions take place.
9820 Intermediate District Relations (Cf. 1300)

The Board is committed to cooperating with the Calhoun Intermediate School District in special programs and services provided by the ISD. The Superintendent is responsible for evaluating the various programs and services provided by the ISD, alerting the Board to the various services and programs, and recommending to the Board participation in the various services and programs. Guidance to the Board will take into account the service or programs:

- Educational value to students,
- Effect on the District operational efficiency, and
- Economic factors concerning the proposed service or programs and the District’s budget.

The Board will appoint a member to attend Calhoun Intermediate District’s annual budget hearing. Before the Calhoun Intermediate District’s annual budget hearing, the Board will secure copies of the budget, review and discuss the budget, and give directions to its representative. Such review and discussion will be an agenda item at a regular or special meeting of the Board before the ISD’s budget hearing.

The Board will also appoint one member as a representative to cast a vote in the biennial Calhoun Intermediate Board election. The representative will cast his/her vote according to the will and direction of the majority of the Board. In the event, however, there are three tie votes in an attempt to elect a member(s) of the Calhoun Intermediate Board of Education, the Board’s representative will be free to cast his/her vote for any candidate of his/her choosing.

Approved:
LEGAL REF: MCL 380.624
The Board will, through directions to the Superintendent or by specific action, communicate to the Calhoun Intermediate District its concerns about intermediate organizational services and suggestions or recommendations of services, which, in its judgment, deserve consideration.
9830  College and Universities

The Board will work cooperatively with post-secondary colleges and universities in order to provide students the opportunities for dual enrollment and dual credit for academic classes.

Approved:
The Board may consider the use of student teachers and interns in classes and programs maintained by the District upon execution of a written contract with an area college or university.

Approved:

LEGAL REF: MCL 380.1531b
The Board will make every effort through its policies and decisions to operate an educational program that meets the criteria of the Michigan State Board of Education and Michigan Department of Education. District administrators and staff shall cooperate fully with the Michigan Department of Education in meeting the requirements of the accreditation process and will keep the Board informed about the accreditation process. The Superintendent will keep the Board informed regarding weaknesses that may endanger accreditation and will make recommendations to correct such weaknesses.

Approved:
LEGAL REF:  MCL 380.1204a