BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

EVALUATION OF THE SUPERINTENDENT

The Board of Education believes it is essential that it evaluate the Superintendent's performance periodically in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership. **To carry out this responsibility, the Board will evaluate the Superintendent utilizing a rigorous, transparent, and fair performance evaluation system that does all of the following:**

A. Evaluates the Superintendent's job performance at least annually in a year-end evaluation, while providing timely and constructive feedback.

A Superintendent rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, at the District's discretion.

B. Establishes clear approaches to measuring student growth and provides the Superintendent with relevant data on student growth.

C. Evaluates the Superintendent's job performance as highly effective, effective, minimally effective or ineffective, using multiple rating categories that take into account data on student growth as a significant factor in the evaluation in accordance with State law.

For these purposes, student growth shall be measured by national, State, or local assessments, and other objective criteria. During the 2014-2015 school year, student growth shall be measured using the State and alternative assessments as prescribed by the Revised School Code.

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D. Uses the evaluations, at a minimum, to inform decisions regarding all of the following:

1. The effectiveness of the Superintendent, so that s/he is given ample opportunities for improvement.

2. Promotion, retention, and development of school administrators, including providing relevant coaching, instruction support, or professional development.

3. Whether to grant full certification, to school administrators using rigorous standards and streamlined, transparent, and fair procedures.

4. Removing an ineffective Superintendent after s/he has had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

E. The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following for the entire District:

1. The Superintendent's training and proficiency in conducting teacher performance evaluations if s/he does so or his/her designee's proficiency and training if the Superintendent designates such duties.

2. The progress made by the school or District in meeting the goals established in the school/District improvement plan.

3. Student attendance.

4. Student, parent and teacher feedback and other information considered pertinent by the Board.

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OPTIONAL

The Board's evaluation shall also include an assessment of the:

( ) **progress toward the educational goals of the District;**

( ) **working relationship between the Board and the Superintendent;**

( ) **Board's own effectiveness in providing direction to the Superintendent.**

Such assessments will be based on defined quality expectations developed by the Board for each criteria being assessed. [END OF OPTIONAL LANGUAGE]

The evaluation system shall ensure that if the Superintendent is rated as minimally effective or ineffective, the person(s) conducting the evaluation shall develop and require the Superintendent to implement an improvement plan to correct the deficiencies. The improvement plan shall recommend professional development opportunities and other measures designed to improve the rating of the Superintendent on his/her next annual year-end evaluation. A Superintendent rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment with the District.

The evaluation program shall aim at the early identification of specific areas in which the Superintendent needs help so that appropriate assistance may be provided or arranged for. The Board shall not release the Superintendent from the responsibility to improve. If the Superintendent, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted of each administrator as stipulated in the revised School Code, the employment contract, the Superintendent's administrative guidelines and as directed by the Michigan Department of Education. An administrator shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

This policy shall not deprive an administrator of any rights provided by State law or any contractual rights consistent with State law.

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~~The Board shall~~

~~[ ] annually, no later than _____~~

~~[ ] periodically, but not less than every _____~~

~~evaluate the performance of the Superintendent. (See Policy 1110) Such evaluation shall include an assessment of:~~

~~[ ] the progress toward the educational goals of the District;~~

~~[ ] the working relationship between the Board and the Superintendent;~~

~~[ ] the Board's own effectiveness in providing direction to the Superintendent.~~

~~Such assessments will be based on defined quality expectations developed by the Board for each criteria being assessed.~~

~~The Board~~

~~[ ] and the Superintendent, jointly,~~

~~shall, at the outset of each evaluation, determine the method by which the evaluation shall be conducted. Such method may include:~~

~~[ ] the Superintendent's own self-analysis of the current status of the District;~~

~~[ ] the active participation of each Board member;~~

~~[ ] a recommendation from a Board committee;~~

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~~[ ] a compilation of assessments~~

~~( ) on a prepared standard form~~

~~by individual Board members, which shall then be reviewed jointly by the Board and Superintendent;~~

~~[ ] evaluation interviews between the Board and Superintendent during which no other business is discussed;~~

~~[ ] the Superintendent's assessment of Board efficiency and effectiveness.~~

As an outcome of the evaluation of the Superintendent's performance, the Board should be prepared to judge the advisability of retention of the Superintendent and be prepared better to:

( ) determine the Superintendent's salary;

( ) identify strengths and weaknesses in the operation of the District and determine means by which weaknesses can be reduced and strengths are maintained;

( ) establish specific objectives, the achievement of which will advance the District toward its goals;

( ) improve its own performance as the public body ultimately charged with the educational responsibility of this District.

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

ADMINISTRATION
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REVISED POLICY - VOL. 29, NO. 2

SCHOOL ADMINISTRATOR EVALUATION

The Board of Education, through the powers derived from the School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, with the involvement of school administrators, it delegates to the Superintendent, the function of establishing and implementing a rigorous, transparent, and fair performance evaluation system that does all of the following:

A. Evaluates the school administrator's job performance at least annually in a year-end evaluation, while providing timely and constructive feedback.

The ~~Board shall perform the superintendent's evaluation; the~~ Superintendent or designee shall perform ~~all other~~ administrators' evaluations. **Administrators rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, at the District's discretion.**

B. Establishes clear approaches to measuring student growth and provides school administrators with relevant data on student growth.

C. Evaluates a school administrator's job performance **as highly effective, minimally effective or ineffective**, using multiple rating categories that take into account data on student growth as a significant factor in the evaluation in accordance with State law.~~(recommend at least twenty-five percent (25%)~~

For these purposes, student growth shall be measured by national, State, or local assessments and other objective criteria. During the 2014-2015 school years, student growth shall be measured using the State and alternative assessments as prescribed by the Revised School Code.

DRAFT

D. Uses the evaluations, at a minimum, to inform decisions regarding all of the following:

1. The effectiveness of school administrators, so that they are given ample opportunities for improvement.

2. Promotion, retention, and development of school administrators, including providing relevant coaching, instruction support, or professional development.

3. whether to grant full certification, to school administrators using rigorous standards and streamlined, transparent, and fair procedures

4. Removing ineffective school administrators after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

E. The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following for the each school in which the school administrator works as an administrator:

1. The school administrators' training and proficiency in conducting teacher performance evaluations if s/he does so or his/her designee's proficiency and training if the administrator designates such duties.

2. The progress made by the school or District in meeting the goals established in the school/District improvement plan.

3. Student attendance.

4. Student, parent and teacher feedback and other information considered pertinent by the Board.

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The evaluation system shall ensure that if the administrator is rated as minimally effective or ineffective, the person(s) conducting the evaluation shall develop and require the school administrator to implement an improvement plan to correct the deficiencies. The improvement plan shall recommend professional development opportunities and other measures designed to improve the rating of the administrator on his/her next annual year-end evaluation. An administrator rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment with the District.

The evaluation program shall aim at the early identification of specific areas in which the individual administrator needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to an administrator shall not release that professional staff member from the responsibility to improve. If an administrator, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted of each administrator as stipulated in the revised School Code, the employment contract, the Superintendent's administrative guidelines and as directed by the Michigan Department of Education. An administrator shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

The evaluation procedure set forth above in this policy shall be in effect as of September 1, 2011, unless there is a collective bargaining agreement in place as of July 19, 2011, which would prevent implementation of this procedure. In that case, the procedure must be in place and become effective upon the expiration of the bargaining agreement.

This policy shall not deprive an administrator of any rights provided by State law or any contractual rights consistent with State law.

M.C.L. 380.1249

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

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REVISED POLICY - VOL. 29, NO. 2

SECTION 504/ADA
PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA") and the implementing regulations (collectively "Section 504/ADA"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Education does not discriminate in admission or access to, or participation or treatment in its programs or activities. As such, the Board's policies and practices will not discriminate against students with disabilities and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

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The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

A. who is of an age during which nondisabled persons are provided educational services;

B. who is of any age during which it is mandatory under Michigan law to provide educational services to disabled persons; or

C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

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Compliance Officer(s)

The Board designates the following individual(s) to serve as the District's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "District Compliance Officer(s)".

[NOTE: School Districts may want to consider appointing both a male and a female District Compliance Officer in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) District Compliance Officers, there should always be a Compliance Officer available to investigate a claim that pertains to the other Compliance Officer.]

_____	_____
(Name)	(Name)
_____	_____
(School District Title)	(School District Title)
_____	_____
(Telephone Number)	(Telephone Number)
_____	_____
(Office Address)	(Office Address)
_____	_____
(E-mail Address)	(E-mail Address)

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The name(s), title(s), and contact information of this/these individual(s) will be published annually:

( ) in the parent/student and staff handbooks.

( ) in the School District Annual Report to the public.

( ) on the School District's web site.

( ) on each individual school's web site.

( ) in the School District's calendar.

( ) _____.

Building Principals shall serve as Building Section 504/ADA Compliance Officer(s) ("Building Compliance Officers").

The District Compliance Officer(s) **[is] [are]** responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of the implementing regulations, may be obtained from the District Compliance Officer(s).

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The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below. The Board will further establish and implement a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing. See AG 2260.01B.

Training

The District Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities.

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Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who have a physical or mental impairment that substantially limits one or more major life activities, regardless of the nature or severity of their disabilities.

An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under the IDEIA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, even with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

The District will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Non-academic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and non-academic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such services and activities to the maximum extent appropriate.

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Notice

Notice of the Board's policy on nondiscrimination in education practices and the identity of the District's Compliance Officer(s) will be posted throughout the District, and published in the District's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), parents and students will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, students and their parents will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights. Finally, students and parents will be advised of their right to request a due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation or educational placement of persons with disabilities, **including the right to participation by the student's parents or guardian and representation of counsel,** and their right to examine relevant education records.

Internal complaints and requests for due process hearings must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint or the request for a hearing, and offer possible solutions to the dispute. The complaint or request for due process hearing must be filed with a District Compliance Officer within specified time limits. The District's Compliance Officer is available to assist individuals in filing a complaint or request.

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Internal Complaint Procedures

An internal complaint may be filed by a student and/or parent. A student and/or parent may initiate the internal complaint procedure when s/he/they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the following procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as disabled or believed to be disabled pursuant to Section 504, and are not eligible under the IDEIA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights or requesting a due process hearing.

Step 1 — Investigation by the Building Compliance Officer: A student or parent may initiate an investigation by filing a written internal complaint with the Building Compliance Officer. The complaint should fully describe the circumstances giving rise to the dispute and how the child is adversely affected. The complaint must be filed as soon as possible, but not longer than thirty (30) calendar days after disclosure of the facts giving rise to the complaint. The Building Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Building Compliance Officer shall permit the complainant to present witnesses and other evidence in support of the complaint. The investigation shall be completed within fifteen (15) school days of the written complaint being filed. The Building Compliance Officer will notify the complainant in writing of his/her decision.

Step 2 — Appeal to the District Compliance Officer: If the complaint is not resolved satisfactorily at Step 1, the student or parent may appeal the Building Compliance Officer's decision in writing to the District Compliance Officer. The appeal must be made within five (5) school days following receipt of the Building Compliance Officer's decision. The District Compliance Officer will review the case, may conduct an informal hearing, and will notify all parties in writing of his/her decision within ten (10) school days of receiving the appeal.

Step 3 If the complaint is not resolved satisfactorily at Step 2, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

If it is determined that the Complainant was subjected to unlawful discrimination, the Building and District COs must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if a student or parent believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

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

Except in extraordinary circumstances, the OCR does not review the result of individual placement and other educational decisions, so long as the District complies with the "process" requirements of Subpart D of Section 504.

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Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended
34 C.F.R. Part 104
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

EMPLOYMENT OF PROFESSIONAL STAFF

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with highly-qualified and competent personnel. **Further, pursuant to the Administrative Rules Governing the Certification of Michigan Teachers, the Board requires that anyone employed as a professional staff member with instructional responsibilities in an elementary or secondary school in this District hold a certificate, permit, or vocational authorization valid for the positions to which s/he is assigned, and that the individual meets the established criteria to be highly qualified in his/her assignment.**

The Board shall approve the employment, and also, when not covered by the terms of a negotiated, collectively-bargained agreement, fix the compensation, and establish the term of employment for each professional staff member employed by the Board.

Individuals employed in the following categories shall be considered members of the professional staff:

_____

_____

_____

_____

_____

_____

All professional staff are subject to a criminal history record check. See Policy 3121.

[ ] Such approval shall be given only to those candidates for employment recommended by the Superintendent.

[ ] Such approval shall be given only to those candidates for employment chosen by the Board from a group selected by the Superintendent.

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[ ] When any recommended candidate has been rejected by the Board, the Superintendent shall make a substitute recommendation.

[ ] All applications for employment shall be referred to the _____.

Relatives of Board members may be employed by the Board, provided the Board member does not participate in any way in the discussion or vote on the employment when a conflict of interest is involved.

[ ] Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he would be supervised directly by the relative staff member.

[ ] The Board will not employ (but may reemploy) the

( ) children, siblings, spouse, parents, in-laws, or bona fide dependents (IRS criteria) of a Board member.

( ) children, siblings, spouse, parents, in-laws, or bona fide dependents (IRS criteria) of a regular full-time professional staff member.

[ ] Applications for employment will not be accepted from any current District Board member. If a Board member wishes to apply for a position, his/her resignation must be accepted by the Board prior to submitting an application.

~~[ ] The Board may employ administrators, without provision for tenure, by means of a written contract for a term not to exceed three (3) years.~~

[ ] Any professional staff member's intentional misstatement of fact or omission material to his/her qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

[ ] The temporary employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

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~~[ ] A person who is employed as an administrator is not required to have a school administrator's certificate issued by the Department of Education but must confirm that s/he has met or is in the process of fulfilling the educational requirements for school administrators established by the State Board of Education.~~

[ ] No candidate for employment to the professional staff as a nonadministrator shall receive recommendation for such employment without having proffered visual evidence of proper certification or that application for such certification is in process, except under the following circumstances:

A. The Superintendent may employ noncertificated, nonendorsed teachers to teach, in grades 9-12, a course in computer science, foreign language, mathematics, biology, chemistry, engineering, physics, robotics, or any other course approved by the State Board, providing they meet all of the conditions established by law and by the Superintendent.

B The Superintendent may also employ a teacher without a valid teaching certificate **as a substitute teacher, on a day-to-day basis,** if the person has at least ninety (90) semester hours of college credit from a college or university **or for a full school year if the person has at least a bachelor's or higher degree from a college or university, and has met all other conditions established by law and by the Superintendent**.

C. The Superintendent may hire an individual who does not hold a valid teaching certificate to serve in a counseling, social worker or speech pathologist role provided s/he meets all the requirements established by law. Policy 3120 and Policy 3121 shall apply with respect to that individual in the same manner required for employing a person with a teaching certificate.

Prior to hiring an applicant, the Superintendent shall obtain from the applicant a signed Consent to Obtain Records (Form 3120 F2) and shall obtain from the applicant's current or immediately-previous employer any records, including the applicant's personnel file relating to unprofessional conduct in which the applicant engaged. Any such records are to be reviewed prior to a recommendation for employment and may be disclosed to those individuals directly involved in evaluating the applicant's qualifications.

DRAFT

The Superintendent shall prepare administrative guidelines for the recruitment and selection of all professional staff.

REQUIREMENTS FOR ~~TITLE I TEACHERS~~HIGHLY QUALIFIED STATUS

~~All teachers hired for a Title I supported program must be "highly qualified."~~**Pursuant to State law, "Highly Qualified" means:**

~~"Highly Qualified" means:~~

A. full State certification as a teacher or passed State teacher licensing exam and holds current license to teach; certification or license requirements may not be waived on emergency, temporary, or provisional basis;

B. for elementary teachers new to the profession, this also requires:

   1. at least a bachelor's degree;

   2. passing a rigorous State test on subject knowledge and teaching skills in reading, writing, math, and other areas of elementary curriculum (State certification test may suffice);

C. for secondary or middle school teachers new to the profession this also requires:

   1. at least a bachelor's degree, and

   2. passing a rigorous State test in each of the subject areas s/he will teach (State certification test may suffice), or

   3. for each academic subject taught, having an academic major, course work equivalent to an undergraduate major, a graduate degree, or advanced certification or credentialing;

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D. for elementary, middle, or secondary school teachers with prior experience, this also requires:

1. at least a bachelor's degree, and

2. meets standards for new teachers (above), or

3. demonstrates competence in all academic subjects s/he teaches based on a uniform State standard of evaluation (standard for academic subject matter and teaching skills set by the State).

REQUIREMENTS FOR TEACHERS IN DISTRICT RECEIVING TITLE I FUNDING

All teachers hired for a Title I supported program or a core subject area must be "highly qualified."

~~All~~ **As a condition of employment, all newly-hired teachers in a Title I supported program or in** core subject **areas** ~~teachers (as defined in the No Child Left Behind Act) in a District receiving Title I funds~~ shall be **required to submit documentation that they are** "highly qualified" as described above. ~~The District must have a plan and show annual progress towards meeting these teacher qualification requirements.~~

As designated by Federal law, core subject areas shall include the following: English, reading or language arts, science (which includes physics, chemistry, biology, earth science, and physical science), mathematics, arts (which includes instrumental music, vocal music, visual arts, dance, and drama/theater), foreign languages, government and civics, history, economics and geography.

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The Superintendent shall prepare a plan that will result in all teachers who are employed in professional staff positions with instructional responsibilities in Title I supported programs and/or core subject areas to be highly qualified by a date specific, and the Superintendent shall show annual progress towards meeting these teacher qualification requirements.

M.C.L. 380.1229 – 1231, 380.1233, 380.1237, 380.1531d, 380.623
20 U.S.C. 6319 & 7801
R 390.1105

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

PROFESSIONAL STAFF
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REVISED POLICY - VOL. 29, NO. 2

STAFF DISCIPLINE

Whenever it becomes necessary to discipline a member of the staff, the ~~Board of Education directs the~~ Superintendent ~~to~~ **shall** utilize: ~~related procedures described in the current negotiated agreement, if applicable. All matters that could involve teacher discharge or suspension of fifteen (15) days or more without pay from the District must be dealt with in accordance with the Teacher Tenure Act.~~

~~( )~~ **related procedures described in the current negotiated agreement, if applicable.**

(X) **the following principles and procedures.**

A teacher may only be discharged, demoted or otherwise disciplined for a reason that is not arbitrary or capricious. In all instances, discipline, discharge and demotion shall occur in accordance with the statutory requirements under the Teacher Tenure Act and the Revised School Code.

The teacher shall be provided with oral or written notice of the issue or incident being investigated by the

(X) **appropriate administrator.**

~~( )~~ **Superintendent.**

The administrator/Superintendent shall conduct an investigation of any alleged act or omission by a teacher that could result in disciplinary action. The investigation shall include, at a minimum, interviews of appropriate persons and a meeting with the subject teacher and, if requested or if required by the bargaining agreement, his/her designated representative (either another employee or a union representative if part of a bargaining unit). The teacher shall be advised of the alleged act or omissions and provided an opportunity to respond to the complaint. Prior notice of this meeting shall be provided to the teacher for any discipline that will result in a suspension or loss of pay. The meeting shall not proceed without the teacher's designated representative; however, the meeting shall not be unduly delayed to secure the attendance of the teacher's preferred representative. The District may substitute another representative from the union to timely process the investigation.

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After completion of the investigation, if discipline is to be imposed, the teacher shall receive written notice of the discipline and this notice shall also be placed in the teacher's file.

Discipline can include, but is not limited to:

A. written warning;

B. written reprimand;

C. suspension (paid or unpaid);

D. discharge.

The District does not have to apply discipline in a progressive manner, but, rather, may impose discipline consistent with seriousness of the teacher's conduct, as determined by the District. Additionally, nothing in this policy limits the District's right to take other appropriate action, such as placing a teacher on administrative leave during the pendency of an investigation or issuing a counseling memorandum, which is considered instructional, not disciplinary.

[X] **If it appears that disciplinary action beyond written reprimand may be necessary, the administrator should contact the Superintendent to discuss the disciplinary action that is to be taken.**

[X] **[only applicable if original investigation conducted by another administrator] Any disciplinary action that is not subject to Board review as described below may be submitted to the Superintendent for review within five (5) work days of the teacher's receipt of the written confirmation. The Superintendent is not required to conduct an independent investigation. S/He shall meet with the administrator who issued the discipline and with the teacher and his/her designated representative, if requested. The Superintendent may affirm, revise or reject any disciplinary action taken against a teacher and his/her decision is final.**

DRAFT

[ ] **The administrator's decision to impose any disciplinary action that is not subject to Board review, as described below, is final:**

A. discharge of a tenured or probationary teacher;

B. demotion of a tenured teacher (which includes suspension for fifteen (15) or more consecutive days without pay or a reduction in compensation by more than equivalent of thirty (30) days compensation in one (1) school year);

C. non-renewal of a probationary teacher;

D. discharge, demotion or non-renewal of an administrator.

~~Using due process procedures, the Superintendent shall conduct an investigation, as appropriate to the situation, including providing the employee with reasonable notice and the opportunity to respond. If it appears that disciplinary action beyond verbal reprimand may be necessary, s/he should~~

~~( )~~ ~~contact the school attorney to~~

~~determine the disciplinary action that should be taken and so inform the Board President who shall determine whether or not a report should be made to the Board in open session, unless a closed session is requested by the staff member.~~

~~A suspension without pay may be invoked. The length of the suspension will be at the discretion of the Superintendent according to the severity of the violation. The Board~~

~~( )~~ ~~strongly recommends~~

~~( )~~ ~~requires~~

~~that before such suspension is invoked the Superintendent contact the school attorney.~~

DRAFT

~~The Board requires that all disciplinary actions involving loss of pay and/or suspension be submitted to the Board for review~~

~~( )~~ ~~prior to the action being taken.~~

~~( )~~ ~~as soon as possible after the action has been taken.~~

~~The Superintendent should ascertain whether or not the staff member wishes such a report to be made in a closed session of the Board.~~

~~M.C.L. 38.74, et seq.~~
M.C.L. 38.101 et seq., 38.74, 380.1230d, 380.1535a

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DRAFT

BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

PROFESSIONAL STAFF EVALUATION

The Board of Education, through the powers derived from the School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, with involvement of professional staff, it delegates to the Superintendent the function of establishing and implementing a rigorous, transparent, and fair performance evaluation system that does all of the following:

A. evaluates the employee's job performance at least annually in a year-end evaluation,while providing timely and constructive feedback

   Teachers rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, at the District's discretion.

B. establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth

   Commencing with the 2015-16 school year, the year end evaluation of student growth shall be based on the most recent three (3) consecutive school years of student growth data, or all available student growth data if less than three (3) years is available.

C. evaluates an employee's job performance, ~~multiple~~ **using** rating categories of highly effective, effective, minimally effective and ineffective, which take into account data on student growth as a significant factor in the evaluation in accordance with State law.~~(recommend that it be no less than twenty-five percent (25%))~~

   For these purposes, student growth shall be measured by national, State, or local assessments and other objective criteria. Student growth shall be measured using the State and alternative assessments as prescribed by ~~the~~ Section 1249 (M.C.L. 380.1249).

DRAFT

D. uses the evaluations, at a minimum, to inform decisions regarding all of the following:

1. the effectiveness of employees, so that they are given ample opportunities for improvement

2. promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development

3. whether to grant tenure or full certification, or both, to employees, using rigorous standards and streamlined, transparent, and fair procedures

4. removing ineffective tenured and untenured employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

Commencing with the 2015-16 school year:

E. provides a mid-year progress report for every **( )** certificated **[end of option]** teacher who is in the first year of probation or has received a rating of minimally effective or ineffective on the last year-end evaluation

This mid-year report shall not replace the annual year-end evaluation. The mid-year report shall:

1. be based, at least in part, on student achievement;

2. be aligned with the teacher's individualized development plan;

3. include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.

DRAFT

F. includes classroom observations in accordance with the following:

1. must include review of the lesson plan, state curriculum standards being taught and student engagement in the lesson

2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) year-end evaluations

3. observations need not be for an entire class period

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. A teacher rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment as a teacher with the District. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted of each professional staff member as stipulated in the Teacher Tenure Act, the revised School Code, a negotiated agreement or contract, the Superintendent's administrative guidelines and as directed by the Michigan Department of Education. A professional staff member shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

DRAFT

The evaluation procedure set forth above in this policy shall be in effect as of September 1, 2011, unless there is a collective bargaining agreement in place as of July 19, 2011, which would prevent implementation of this procedure. In that case, the procedure must be in place and become effective upon the expiration of the bargaining agreement.

This policy shall not deprive a professional staff member of any rights provided by State law or contractual rights consistent with State law.

M.C.L. 380.1249 (as amended)

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

EMPLOYMENT OF SUPPORT STAFF

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with qualified and competent support staff.

The Board shall approve the employment, and also, when not covered by the terms of a negotiated, collectively-bargained agreement, fix the compensation, and establish the term of employment for each support staff member employed by this District.

Individuals employed in the following categories shall be considered members of the support staff:

_____
_____
_____
_____
_____
_____

DRAFT

All support staff are subject to a criminal history record check. See Policy 4121.

[ ] Such approval shall be given only to those candidates for employment recommended by the Superintendent.

[ ] Such approval shall be given only to those candidates for employment chosen by the Board from a group selected by the Superintendent.

[ ] When any recommended candidate has been rejected by the Board, the Superintendent shall make a substitute recommendation.

[ ] All applications for employment shall be referred to the _____.

Relatives of Board members may be employed by the Board, provided the Board member does not participate in any way in the discussion or vote on the employment when conflict of interest is involved.

[ ] Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he would be supervised directly by the relative staff member.

[ ] The Board will not employ (but may reemploy) the

( ) children, siblings, spouse, parents, in-laws, or bona fide dependents (IRS criteria) of a Board member.

( ) children, siblings, spouse, parents, in-laws, or bona fide dependents (IRS criteria) of a regular full-time support staff member.

[ ] Applications for employment will not be accepted from any current District Board member. If a Board member wishes to apply for a position, his/her resignation must be accepted by the Board prior to submitting an application.

[ ] Any support staff member's intentional misstatement of fact material to his/her qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

Staff hired to serve as an athletic trainer must be properly licensed by the State or otherwise legally authorized to engage in the practice of athletic training. Staff is prohibited from engaging in the practice of athletic training unless licensed and shall not offer to provide any service(s) that s/he was not qualified to perform by education, training, or experience or otherwise prohibited by law from performing.

[ ] Staff hired to coach an interscholastic team/sport must have first aid and safety training as required by State statute. Certification of this requirement must come from the Red Cross or an equivalent agency.

DRAFT

Prior to hiring an applicant, the Superintendent shall obtain from the applicant a signed Consent to Obtain Records (Form 4120 F2) and shall obtain from the applicant's current or immediately-previous employer any records, including the applicant's personnel file relating to unprofessional conduct in which the applicant engaged.

Any such records are to be reviewed prior to a recommendation for employment and may be disclosed to those individuals directly involved in evaluating the applicant's qualifications.

[ ] The employment of support staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in District operations. Employment shall be recommended to the Board at the next regular meeting.

[ ] When appropriate, no candidate for employment as a support staff member shall receive recommendation for such employment without having proffered visual evidence of proper certification, when appropriate, or that application for such certification is in process.

The Superintendent shall prepare procedures for the recruitment and selection of all support staff.

DRAFT

REQUIREMENTS FOR TITLE I PARAPROFESSIONALS

All paraprofessionals hired for a Title I supported program must have a secondary school diploma or its recognized equivalent and one of the following:

A. Completed two (2) years study at an institution of higher education; or

B. Obtained at least an associates degree; or

C. Met a rigorous standard of quality and demonstrate through formal State or local academic assessment:

1. knowledge of and the ability to assist in instructing, reading, writing, and mathematics; or

2. knowledge of and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

Exceptions – These requirements do not apply to a paraprofessional:

A. who is proficient in English and a second language and serves as a translator primarily to enhance the participation of children in Title I programs; or

B. whose duties consist solely of conducting parental involvement activities.

Paraprofessional duties – Paraprofessionals working for a Title I supported program may be assigned to:

A. provide one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;

~~B. assist with classroom management, such as organizing instructional and other materials;~~

~~C.~~**B.** provide **instructional** assistance in a computer laboratory;

~~D.~~**C.** provide **instructional** support in a library or media center;

~~E. conduct parental involvement activities;~~

~~F. act as a translator;~~

DRAFT

~~G.~~**D.** provide instructional services to students, if working under the direct supervision of a teacher;

~~H.~~**E.** perform limited duties beyond classroom instruction or that do not benefit program participants, so long as those duties are also assigned to non-Title I paraprofessionals. Title I paraprofessionals may not be assigned to more of these duties, proportional to their total work time, than the amount assigned to similar non-Title I paraprofessionals in the same school.

M.C.L. 37.2101 et seq., 333.17901, 380.1230 et seq.
20 U.S.C. 6319

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_____ SCHOOL DISTRICT

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REVISED POLICY - VOL. 29, NO. 2

ENTRANCE AGE

The Board of Education shall establish student entrance age requirements which are consistent with Michigan Law and sound educational practices which ensure equitable treatment.

A child who turns six (6) years of age before December 1st must be enrolled on the first school day of the school year in which the child's sixth birthday occurs, and a child who turns six (6) years of age on or after December 1st must be enrolled on the first school day of the school year following the school year in which the child's sixth birthday occurs.

A. Prekindergarten

A child is eligible for entrance into the District's prekindergarten program if s/he attains the age of four (4) on or before December 1st of the year in which s/he applies for entrance and has not yet attained the age at which s/he will be admitted to kindergarten. Children attending prekindergarten shall be charged tuition in accordance with Board policy.

( ) No Kindergarten Offered by the District

A child who is a resident of the District and is at least five (5) years of age on the first day of enrollment of the school year may attend school in the District if no kindergarten program is offered.

B. Kindergarten

A child who is resident of the District and at least five (5) years of age on or before ~~October 1st of 2014, or~~ September 1**st**, ~~2015 or any~~ **of the** school year of enrollment ~~thereafter~~ is eligible for entrance to the kindergarten program for that school year. The child may not be placed in an alternative program without permission of the parent.

DRAFT

C. Early Entrance

~~Upon written request by the parent or guardian, a~~ **A** child who is a resident**, or is eligible to enroll and be counted in membership under the State school of choice provisions (M.C.L. 388.1705 & 1705c),** but not yet five (5) years of age on or before ~~the specified eligibility date~~ **September 1st** for the applicable school year will be admitted to kindergarten under the following circumstances:

1. the child will have attained the age of five (5) by December 1st of the school year of enrollment; and ~~either 2 or 3 below;~~

2. the parent or guardian provides written notice to the District ~~by June 1st prior to the school year of enrollment~~ of intent to enroll the child **for that school year.**~~; or~~

~~3. the parent or guardian provides written notice to the District by August 1st prior to the school year of enrollment of intent to enroll the child, if the child became resident in the District after June 1st.~~

DRAFT

The District may make a recommendation to the parent or guardian that the child is not ready to start kindergarten due to age or other factors, but the decision whether to enroll the child will remain with the parent or guardian.

The District must allow early entry by nonresident Schools of Choice students, provided the parent/guardian notifies the District by the applicable notification date above (C. 2. or 3.) of the intent to participate in the early enrollment option and timely applies for and is selected under the District's Schools of Choice program.

The District shall notify the Department of Education by December 31st of each school year of the number of students enrolled under the Early Entrance exception for that school year.

[ ] The District may allow Early Entrance for students who do not meet the eligibility requirements stated above, however such students will not qualify for state aid and therefore shall be charged tuition in accordance with Board policy.

( ) Preschool Children with Disabilities

Compensatory education programs may be provided for children with disabilities of preschool age, if they have been certified in accordance with the rules of the State and are not part of a district's special education program.

All such programs must comply with any applicable State and Federal requirements, such as least restrictive environment.

( ) Preschool - Disadvantaged Children

Readiness and compensatory education programs may be provided for disadvantaged children of preschool age, if they have been certified in accordance with the rules and requirements of the State, such as the Great Start Readiness Program.

All such programs must comply with any applicable State and Federal requirements.

DRAFT

M.C.L. 380.1147, 380.1561, 388.1606, **388.1705 & 17-05c**
IDEA, Part B; 34 CFR Part 300
Dear Colleague Letter, Feb. 29, 2012, U.S.D.O.E., Office of Special Education and Rehabilitative Services
A.C. Rule 340.1754

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

FOREIGN AND FOREIGN-EXCHANGE STUDENTS

The Board of Education recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having ~~foreign~~ **exchange visitor** students as members of the student body of this District**'s high school(s)**.

~~The Board will permit the admission of foreign students and foreign exchange students (from recognized and approved student exchange programs) who are residing in this District. All nonresident students in both categories shall be eligible for admission on the same basis as other nonresident students.~~

Exchange Visitor Program (EVP) for Nonimmigrant Students with J-1 Visas

The Board authorizes the Superintendent to consider a request to admit an exchange visitor student who meets the United States Department of State (USDOS) requirements and applies for admission through a sponsoring organization, and determine whether or not that student should be accepted.

In accordance with Federal law, an exchange visitor student will be selected and sponsored by an organization that has been approved by the USDOS. The Board, pursuant to Federal law, requires the sponsoring agency to secure prior written acceptance of the Superintendent for the placement of an exchange visitor student

( ) in the District high school.

(X) in a District high school.

After written acceptance of school placement is secured, the sponsoring agency should issue the certificate of eligibility for J-1 Visas to the exchange visitor student who meets the criteria established in Federal law for participation in an EVP.

Pursuant to Federal law the sponsoring agency is also responsible for selecting a host family who resides in the District for each exchange visitor student.

DRAFT

Lastly, pursuant to Federal law, a sponsoring agency can place no more than five (5) exchange visitor students

( ) in the District high school.

(X) in a District high school.

[NOTE: The following section is optional. If appropriate, include the following language that will permit a sponsor to place more than five (5) exchange visitor students.]

[X] However, with Board approval, the Superintendent may request, in writing, the placement of more than five (5) students from a sponsoring agency

[Choose one of the following two (2) options to complete the sentence above.]

( ) in the high school.

(X) in a specific high school.

[END OF OPTION]

[NOTE: The following section is optional]

[ ] Student and Exchange Visitor Program for Nonimmigrant Students with F-1 Visas

The Board authorizes the District to petition for approval to provide a Student and Exchange Visitor Program (SEVP). As an authorized SEVP provider, the District will issue the certificate of eligibility to nonimmigrant students who complete the application process successfully, which will enable them to apply for an F-1 Visa.

DRAFT

Participation by nonimmigrant students in this program will be consistent with Federal law that requires the following:

A. the student possess sufficient English language proficiency to participate in the high school curriculum

B. the student's participation does not exceed an academic year

C. the student pays to the Board the full amount of tuition prior to the commencement of the academic term of attendance

D. the student otherwise maintains his/her lawful temporary immigration status

[END OF OPTIONAL SECTION]

Other Nonimmigrant Students

This policy does not apply to nonimmigrant students with citizenship in countries other than the United States who are not participating in an approved exchange visitor program at a District school

(X) or who are not sponsored by the District so they can attend a school in the District as participants in the student and exchange visitor program (SEVP) on a valid F-1 visa.

All other nonimmigrant students with citizenship in countries other than the United States who seek to enroll in the District's schools are subject to State law and the District's policies regarding enrollment and, if applicable, tuition.

8 C.F.R. 214 et seq.
8 U.S.C. 1101 (Immigration Reform and Control Act)
M.C.L. 380.1147
1985 O.A.G. 6316
Plyer v Doe, 457 U.S. 202 (1982)

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BOARD OF EDUCATION
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REVISED POLICY - VOL. 29, NO. 2

IMMUNIZATION

[ ] The Board of Education believes that immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the Board requires that all students be properly immunized at the time of registration or not later than the first day of school pursuant to the provisions of the ~~State Health~~ Department **of Health and Human Services (DHHS)** regulations.

Students must meet the immunization requirements set by State for attendance at school in order to enroll or attend.

Students who do not meet the immunization requirements on the opening day of school shall be admitted by the Superintendent in accordance with District administrative procedures. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify the contraindication on Form 5320 F2.

B. The parents hold religious or philosophical beliefs against receiving a vaccination. **Any parent/guardian/in loco parentis who wants to claim a nonmedical waiver will need to receive education regarding the benefits of vaccination and the risks of disease from a county health department before obtaining the certified nonmedical waiver form through the Local Health Department.** ~~The parents must submit Form 5320 F3 before a waiver is granted.~~

C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet.

DRAFT

When the District provides information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of students in at least grades 6, 9, and 12, the Board shall include information about meningococcal meningitis and, the vaccine for meningococcal meningitis and about human papillomavirus and the vaccine for human papillomavirus. The information shall include at least the causes and symptoms of meningococcal meningitis and how it is spread and the risks associated with human papillomavirus. In addition, the information shall include sources where parents/guardian may obtain additional information about both diseases and where they may obtain meningococcal meningitis and/or human papillomavirus vaccination of a child.

M.C.L. 333.9201 et seq., 380.1177, 380.1177a
A.C. 325.176

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

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REVISED POLICY - VOL. 29, NO. 2

STUDENT SUICIDE

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the schools, and a student who has attempted self-destruction poses a danger both to himself/herself and to other students.

All school personnel should be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

District staff shall receive professional development training in the risk factors, warning signs for suicide and depression and about the protective factors that help prevent suicide, as well as the available resources regarding youth suicide awareness and prevention. ( ) Such training shall include the warnings signs of non-suicidal self-injurious behaviors.

Additional professional development training in suicide risk assessment and intervention shall be provided to counselors, psychologists, and school nurses.

The Superintendent shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure which includes the following:

Step 1 - Stabilization

Step 2 - Assessment of the Risk

Step 3 - Use of Appropriate Risk Procedure

Step 4 - Communication with Appropriate Parties

Step 5 - Follow-up

DRAFT

[ ] The Superintendent shall implement instruction for students on the dangers of depression and suicide through age appropriate programs. Such instruction shall focus on:

A. awareness of the risks and warning signs;

B. access to appropriate prevention services;

C. prevention of suicidal behaviors among students.

Parents/Guardians shall be notified of any suicide prevention instruction provided their children ~~at a~~ **using the communication method used for regular communication with parents in that** particular building.

Throughout any intervention, it is essential that Board policies and District guidelines regarding confidentiality be observed at all times.

M.C.L. 380.1171 **(Chase Edwards Law)**
Kelson v City of Springfield, 767 F2d 651 (9th Cir. 1985)

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

GRADUATION REQUIREMENTS

It shall be the policy of the Board of Education to acknowledge each student's successful completion of the instructional program or a personal curriculum appropriate to the achievement of District goals and objectives as well as personal proficiency, by the awarding of a diploma at graduation ceremonies.

The Board shall annually notify each of its students and a parent or legal guardian of each of its students that all students are entitled to a personal curriculum. The annual notice shall include an explanation of what a personal curriculum is and state that if a personal curriculum is requested, the public school or public school academy will grant that request. The District shall provide this annual notice to parent and legal guardians by sending a written notice to each student's home or by including the notice in a newsletter, student handbook, or similar communication that is sent to a student's home, and also shall post the notice on the District website.

DRAFT

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board, the Michigan Department of Education (MDE), and as provided by State law.

Credit may be earned by:

A. traditional course work;

B. demonstrating mastery of subject area content expectations or guidelines for the credit;

C. related course work in which content standards are embedded;

D. non-traditional course work;

E. independent teacher-guided study;

F. testing out;

G. dual enrollment;

H. advanced placement courses;

I. international baccalaureate or other "early college" programs; or

~~J. on-line class.~~

J. Michigan Department of Education (MDE)-approved formal career and technical (CTE) program or curriculum.

K. on-line class

[ ] Students shall successfully complete an on-line course or learning experience OR shall have the on-line learning experience incorporated into each of the required credits of the Michigan Merit Curriculum.

[NOTE: Must select unless the District has required each teacher of each course that provides the required credits of the Michigan merit curriculum to integrate an on-line experience into the course.]

[NOTE: This option is provided to address Best Practice Incentive for Fiscal Year 2012-13.]

DRAFT

Special education students who properly complete the programs specified in their I.E.P., or in a personal curriculum, and meet the requirements for a high school diploma, and have received the recommendation of the I.E.P.C. may participate in graduation activities as recommended by the student's I.E.P.C. Reasonable accommodation shall be made for students with disabilities, as defined under State or Federal law, to assist them in taking any required tests or assessments for graduation.

For State-mandated curriculum requirements, a student shall be granted credit toward graduation if s/he successfully completes the subject area content expectations or guidelines developed by the department that apply to the credit. A student may also receive credit if s/he earns a qualifying score, as determined by the State on the assessments developed or selected for the subject area by the State or the student earns a qualifying score, as determined by the District on one or more assessments developed or selected by the School District that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit. For subject areas and courses in which a final examination is used as the assessment for successful attainment of the subject area content, a grade of C+ or better is required.

The Board shall grant credit toward high school graduation for any student who successfully completes, prior to entering high school, a State-mandated curriculum requirement, provided s/he completes the same content requirements as the high school subject area, and the student has demonstrated the same level of proficiency on the material as required of the high school students.

For elective courses, which are not State-mandated curriculum requirements, the Board shall grant credit to any high school student who is not enrolled in the course, but has exhibited a reasonable level of knowledge of the subject matter of the course by achieving C+ or better in the final exam for the course, or, if there is no final exam, through the basic assessment used for the course, which may consist of a portfolio, paper, project, presentation or other established means.

Such credit **( ) shall ( ) shall not** be counted toward the required number of credits needed for graduation. Mastery credits shall be counted toward any subject area requirement and any course sequence requirement. Once mastery credit is earned in a subject area, a student may not receive further credit for a lower sequence course in the same subject area.

A high school student shall be granted credit in any foreign language not offered by the District providing the student meets the competency criteria established by the Superintendent.

The career and technical education credits may include work-based learning by a student working at a business or other work setting with appropriate oversight by the District over the student's experience and learning in the work setting in which the work-based learning occurs.

DRAFT

Commencement exercises will include only those students who have successfully completed requirements as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation, however, when personal conduct so warrants.

M.C.L. 380.1166, 380.1278a(1), 380.1278a(2), 380.1278a(4)(c), 380.1279b
20 U.S.C. 1400 et seq.
20 U.S.C. 1401 et seq.
29 U.S.C. 794
42 U.S.C. 12131 et seq.

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REVISED POLICY - VOL. 29, NO. 2

BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS

DRAFT

It is the policy of the District to provide a safe and nurturing educational environment for all of its students.

This policy protects all students from bullying/aggressive behavior regardless of the subject matter or motivation for such impermissible behavior.

Bullying or other aggressive behavior toward a student, whether by other students, staff, or third parties, including Board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited. This prohibition includes written, physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions to a student, which cause or threaten to cause bodily harm, reasonable fear for personal safety or personal degradation.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

This policy applies to all "at school" activities in the District, including activities on school property, in a school vehicle, and those occurring off school property, if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

Notification

Notice of this policy will be **annually** circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

Parents or legal guardians of the alleged victim(s), as well as of the alleged aggressor(s), shall be promptly notified of any complaint or investigation as well as the results of the investigation to the extent consistent with student confidentiality requirements. A record of the time and form of notice or attempts at notice shall be kept in the investigation file.

To the extent appropriate and/or legally permitted, **confidentiality** will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation.

Reporting

No later than May 30, 2015, the District shall submit to the Department of Education a copy of this Policy.

The District shall report incidents of bullying to the Department of Education on an annual basis according to the form and procedures established by the Department of Education.

Should this Policy be amended or otherwise modified, the District shall submit a copy of the amended or modified Policy to the Department of Education no later than thirty (30) days after adopting the modification.

Implementation

The Superintendent is responsible to implement this policy, and may develop further guidelines, not inconsistent with this policy.

This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program.

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Procedure

Any student who believes s/he has been or is the victim of bullying, hazing, or other aggressive behavior should immediately report the situation to the Principal or assistant principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

A student may also submit a report or complaint to any of the above designated individuals through email, voicemail, regular mail or by leaving a sealed note addressed to the individual at that person's office or desk. The student may submit a report or complaint anonymously, but this may affect the ability to fully investigate the matter, when the complaining student is not available to provide additional information during the course of the investigation.

The identity of a student who reports bullying, hazing or aggressive behavior, as well as those students who provide information during an investigation will remain confidential to the extent possible and to the extent allowable by law. Only school personnel directly involved in the investigation of the complaint or responsible for remedying any violations will be provided access to the identity of the complaining student(s) and student witnesses, and then only to the extent necessary to effectively deal with the situation.

The identity of the student who files the report or complaint will not be voluntarily shared with the alleged perpetrator(s) or the witnesses unless the student (and his/her parent/guardian) give written permission to do so. Any investigation report will likewise not be voluntarily produced with the names of the reporting student(s) or witnesses. However, under certain circumstances, the District may be required by law to disclose the report and/or the student(s) names. Also, under certain circumstances, the identity of the reporting student may become obvious even without disclosure by school personnel.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports shall be made to those identified above. **While reports** may be made anonymously, ~~but~~ formal disciplinary action may not be taken solely on the basis of an anonymous report **without other corroborating evidence**.

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The Principal (or other **designated** administrator ~~as designated~~) shall promptly investigate and document all complaints about bullying, aggressive or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit

( ) and should be completed within three (3) school days

after a report or complaint is made.

If the investigation finds an instance of bullying or aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement or other appropriate officials.

If, during an investigation of a reported act of harassment, intimidation and/or bullying/cyberbullying, the Principal or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying, aggressive or other prohibited behavior, as well as any remedial action taken, including disciplinary actions and referrals, to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

Non-Retaliation/False Reports

Retaliation or false allegations against any person who reports, is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegations of bullying or aggressive behavior (as a witness or otherwise), or is the target of the bullying or aggressive behavior being investigated, is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint of bullying is substantiated. Suspected retaliation should be reported in the same manner as bullying/aggressive behavior.

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Making intentionally false reports about bullying/aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

Prevention/Training [OPTIONAL]

[ ] The Superintendent shall establish

( ) a Bullying Prevention Task Force.

( ) a program or other initiatives involving school staff, students, clubs or other student groups, administrators, volunteers, parents, law enforcement, community members, and other stakeholders, aimed at the prevention of bullying or other aggressive behavior.

[ ] The District shall provide, and all administrators, school employees, contracted employees and volunteers who have significant contact with students shall undertake

( ) annual

OR

( ) _____ **[insert frequency]**

training on preventing, identifying, responding to, and reporting incidents of bullying and other aggressive behavior.

[ ] The District shall provide, and all students shall undertake, annual training on preventing, identifying, responding to, and reporting incidents of bullying, cyber bullying and other aggressive behavior.

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[ ] The District shall provide and all parents or legal guardians

( ) shall

OR

( ) shall be offered the opportunity to

undertake annual training on preventing, identifying, responding to, and reporting incidents of bullying, cyber bullying and other aggressive behavior.

[END OF OPTIONS]

Definitions

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying, hazing, harassment or other aggressive behavior, regardless of whether it fits a particular definition, s/he should report it immediately and allow the administration to determine the appropriate course of action.

"**Aggressive behavior**" is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. Such behavior includes, for example, bullying, hazing, stalking, intimidation, menacing, coercion, name-calling, taunting, making threats, and hitting/pushing/shoving.

"**At School**" is defined as 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. It also includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by or under the control of the District.

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"Bullying" is defined as any **written, verbal, or physical acts, including cyber bullying (i.e. any electronic communication, including, but not limited to electronically transmitted acts, such as**~~gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e.~~ internet, telephone or cell phone, personal digital assistant (PDA), or wireless hand held device) that, without regard to its subject matter or motivating animus, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

A. substantially interfering with educational opportunities, benefits, or programs of one (1) or more students;

B. adversely affecting the ability of a student to participate in or benefit from the school 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; and/or

D. causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Bullying can be physical, verbal, psychological, or a combination of all three. Some examples of bullying are:

A. Physical – hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.

B. Verbal – taunting, malicious teasing, insulting, name calling, making threats.

C. Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation. This may occur in a number of different ways, including but not limited to notes, emails, social media postings, and graffiti.

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"**Harassment**" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status, or geographic location (e.g., from rival school, different state, rural area, city, etc.).

"**Intimidation/Menacing**" includes, but is not limited to, any threat or act intended to: place a person in fear of physical injury or offensive physical contact; to substantially damage or interfere with person's property; or to intentionally interfere with or block a person's movement without good reason.

"**Staff**" includes all school employees and Board members.

"**Third parties**" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in District business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events.

For further definition and instances that could possibly be construed as:

Harassment, see Policy 5517;
Hazing, see Policy 5516.

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M.C.L. 380.1310B (Matt's Safe School Law, PA 241 of 2011), **PA 478 of 2014**
Policies on Bullying, Michigan State Board of Education
Model Anti-Bullying Policy, Michigan State Board of Education

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

ANIMALS ON DISTRICT PROPERTY

Introduction

The Board of Education recognizes that there are many occasions when animals are present on District property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service or therapy animal in accordance with Federal and State law and this policy.

This policy applies to all animals on District property, including service animals.

Definitions

A. **"Animal"**: includes every vertebrate other than a human.

B. **"Service animal"**: pursuant to 28 C.F.R. Section 35.104, "means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

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The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

OPTION 1

[NOTE: The following section should be included in the policy only if the District intends to require this of any animal brought onto District property for official purposes or on a regular/recurring basis.]

[ ] Vaccination, Licensing and/or Veterinary Requirements

Animals~~, including service animals,~~ housed on or brought on to District property **for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on to District property** on a regular basis **for any purpose, including service animals,** must meet every veterinary requirement set forth in State law and County regulation/ordinance, including but not limited to rabies vaccination or other inoculations required to be properly licensed.

[END OF OPTION 1]

Non-Service Animals in Schools and Elsewhere on District Property

Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member **due to a disability (e.g.,** ~~who has a~~ seizure disorder**)**, those that provide a reasonable accommodation to a student in accordance with a Section 504 Plan, or those that serve as service animals as required by Federal and State law.

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Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit **non-service** animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

A. the staff member seeking approval to have ~~an~~ **non-service** animal in his/her classroom shall:

1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;

2. take precautions deemed necessary to protect the health and safety of students and other staff;

3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,

4. keep the surrounding areas in a clean and sanitary condition at all times;

B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of ~~an~~ **non-service** animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

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Service Animals for Students

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.~~The student's need for and use of the service animal must be documented in the student's individual education plan (IEP) or Section 504 Plan.~~

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare **( )** or supervision of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on District property or at District-sponsored events.

~~A service animal that meets the definition set forth in the ADA and this policy shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.~~**A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.**

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 4120.09.

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~~**Required Documentation**~~

~~The following documentation is required prior to a service animal being allowed at school or other Board property:~~

~~A. Current IEP or Section 504 Plan that includes a provision regarding the use of a service animal.~~

~~B. Current satisfactory health certificate or report of examination from a veterinarian for the service animal as required by this policy for all animals that are regularly present on District property.~~

~~C. Criminal background check for the handler, if the handler is not the student, in the same manner as required of vendors, individuals, or other entitles under contract with the Board.~~

~~The Principal is responsible for determining whether the required documentation has been provided for the student's service animal. When the required documentation has been provided, the service animal will be permitted to accompany the student with a disability anywhere on the school campus where students are permitted to be.~~

Removing and/or Excluding a Student's Service Animal

~~In instances when a service animal has demonstrated that it is not under the control of the student or its handler, the Principal is also responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.~~**If a service animal demonstrates that it is not under the control of the student or its handler, the Principal is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.**

~~In instances when the service animal has demonstrated that it is not sufficiently housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.~~ **Similarly, in instances when the service animal has demonstrated that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.**

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The Principal shall notify the Superintendent when a service animal is removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in **Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.**~~AG 2260.01B – Section 504/ADA – Complaint and Due Process Procedures.~~

The procedures set forth in **Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity**~~AG 2260B – Complaint Procedures for Nondiscrimination and Equal Educational Opportunity/Access are not intended to~~ **do not** interfere with the rights of a student and his/her parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights **or the Department of Justice**.

Eligibility of a Student's Service Animal for Transportation

~~In some cases, as identified on the student's IEP or Section 504 Plan, there may be a need for a student with a disability and his/her accompanying service dog to access School District transportation. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access School District transportation.~~**A student with a disability shall be permitted to access School District transportation with his/her service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access School District transportation.**

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When ~~Before~~ a service animal is **going** ~~permitted~~ to ride on a school bus or other Board-owned or leased vehicle, the student and his/her parents, or eligible student, and the handler, if s/he is someone other than the student, shall ~~comply with the following:~~

A. ~~The ( ) Principal ( ) Transportation Supervisor ( ) _____ shall meet with the student and his/her parents, or eligible student, and the handler, if s/he is someone other than the student, and the driver and bus assistant, if any. The student and his/her parents, or eligible student, and the handler, if s/he is someone other than the student, is responsible for providing information to the driver and bus assistant, if any, regarding critical commands needed for daily interaction and emergency/evacuation.~~ **meet with the ( ) Principal ( ) Transportation Supervisor ( ) _____ to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.**

B. ~~The Principal shall make arrangements for the student and his/her parents, or eligible student, and the handler, if s/he is someone other than the student, to provide an orientation for students who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.~~**At the discretion of the ( ) Principal ( ) Transportation Supervisor ( ) _____ an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.**

C. ~~The service animal must participate in bus evacuation drills with the student.~~

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. **The service animal must participate in bus evacuation drills with the student.**

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet. ~~A representative of the Transportation Office will meet with the student and his/her parents, or eligible student, and the handler, if s/he is someone other than the student, to determine whether the service animal should be secured on the bus/vehicle with a tether or harness.~~

DRAFT

Situations that would cause cessation of transportation privileges for the service animal include:

A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or

B. the service animal urinates or defecates on the bus.

The student and his/her parents shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the

( ) Transportation Supervisor.

( ) Principal.

( ) _____.

Although transportation may be suspended for the service animal, it remains the District's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

Service Animals for Employees

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with **reasonable** accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. **The request will be handled in accordance with the ADA mandated interactive process.** ~~As required of all animals under this policy, an employee with a disability who utilizes a service animal as an accommodation must provide a current satisfactory health certificate or report of examination from a veterinarian for the animal.~~

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Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the District's facilities where members of the public, as participants in services, programs or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the District's facilities with their service animals should notify the Principal that their service animal will accompany them during their visit.

~~As required of all animals under this policy, an individual with a disability who has a service animal will be required to provide a current satisfactory health certificate or report of examination from a veterinarian for the animal if they will visit an area of the District's facilities on a regular basis.~~

An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 - Public Attendance at School Events. ~~If the individual with a disability will attend a regularly scheduled series of events with his/her service animal, the individual with disabilities will be required to provide a current satisfactory health certificate or report of examination from a veterinarian for the animal, which is required for all animals by this policy.~~

DRAFT

28 C.F.R. 35.104
Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)
The Americans with Disabilities Act, as amended (ADA)
The Individuals with Disabilities Education Improvement Act (IDEIA)

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BOARD OF EDUCATION
_____ SCHOOL DISTRICT

REVISED POLICY - VOL. 29, NO. 2

SCHOOL SAFETY INFORMATION

The Board of Education is committed to maintaining a safe school environment. The Board believes that school crime and violence are multifaceted problems which need to be addressed in a manner that utilizes the best resources and coordinated efforts of School District personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-sponsored activity or while enroute to or from school, or a school-sponsored activity. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) **or threat**, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

Michigan law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons, drugs and registered sex offenders. Individuals are prohibited from engaging in these activities at any time on District property, within the Student Safety Zone, or at any District-related event.

The District will work with local officials in arranging signage defining the 1,000 foot boundary.

[ ] The Superintendent shall take the necessary steps so that an individual eighteen (18) years of age or older who is a registered sex offender, and resides, works, or loiters in violation of the Student Safety Zone, is prosecuted to the fullest extent of the law.

Annually, the _____ shall convene a meeting for the purpose of reviewing the provisions of the *School Safety Information Policy Agreement*, and making modifications as deemed necessary and proper; discussing additional training that might be needed; and, discussing any other such related matters as may be deemed to be necessary by the participants. Participants in this meeting shall include the Superintendent, members of the Board, the County Prosecutor or his/her designee, and representatives from the local law enforcement **( ) agency ( ) agencies.** The following may also be invited to participate in the meeting:

( ) Chief Judge of Circuit and/or District Courts or his/her designee, including a representative of the family division;

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( ) representative from the Intermediate School District (ISD);

( ) representative(s) from the local child protection agency;

( ) building administrators;

( ) teachers;

( ) parents;

( ) students **( ) in grades ___ through ___;**

( ) Fire Marshall or his/her designee;

( ) representative(s) from emergency medical services;

( ) representative(s) from county emergency management service agency;

( ) School Resource Officer;

( ) representatives from other school districts within _____ **[county/ISD]**;

( ) (Other) _____ .

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The Superintendent shall make a report to the Board about this annual review and recommend the approval and adoption of any proposed revisions or additions.

District Contact Person

Furthermore, in accordance with state law, the Board hereby designates the _____ as the District contact person who shall receive information from law enforcement officials, prosecutors and the court officials. The District contact person shall notify the principal of the school of attendance of a student about whom information is received from law enforcement officials, prosecutors, or court officials within twenty-four (24) hours of the receipt of that information. The principal shall, in turn, notify the building staff members who s/he determines have a need to know the information that has been received within twenty-four (24) hours of receipt of that information.

The District contact person shall notify the appropriate law enforcement officials when an adult or a student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement.* Reporting such information is subject to Section 444 of subpart 4 of part C of the General Education Provisions Act, Title IV of Public Law 90-247, 20 U.S.C. 1232g., commonly referred to as the Family Educational Rights and Privacy Act of 1974.

If a student is involved in an incident that is reported to law enforcement officials pursuant to the District's *School Safety Information Policy Agreement,* then, upon request by school officials, the student's parent or legal guardian shall execute any waivers or consents necessary to allow school officials access to school, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

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Required Reporting

The Superintendent shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the District during the preceding school year and the reason for the expulsion.

The Superintendent shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at school. At least annually, a copy of the most recent report of incidents of crime shall be made available to the parent or legal guardian of each student enrolled in the District. This report will include at least crimes involving:

A. physical violence;

B. gang related acts;

C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;

D. trespassing;

E. property crimes, including but not limited to theft and vandalism, including an estimate of the cost to the District resulting from the property crime.

Each school building shall collect and keep current on a weekly basis the information required from the report of incidents of crime, and must provide that information, within seven (7) days, upon request.

Law Enforcement Information Network (LEIN)

The Board authorizes the **( ) Superintendent ( ) principal ( ) assistant principal(s)** to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

[ ] Threat Assessment

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. This policy is designed to be consistent with the process for identifying, assessing, and managing students who may pose a threat as set forth in the joint U.S. Secret Service and U.S. Department of Education publication, *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates.* The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board of Education authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and include a school counselor, school psychologist, instructional personnel, and, where appropriate, the School Resource Officer. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

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The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

A. identifying team participants by position and role;

B. requiring team participants to undergo appropriate training;

C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;

D. defining that types of information that may be gathered during the assessment;

E. stating when and how parents/guardians of the student making the threat shall be notified and involved;

F. designating the individuals (by position) who would be responsible for gathering and investigating information;

G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

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Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 – Student Records, and State and Federal law.

[END OF OPTION]

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall

( ) discuss this at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

( ) convene a meeting of the building administrator, representative(s) of the local law enforcement **( ) agency ( ) agencies**, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

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The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall

( ) discuss the school's designation as a persistently dangerous school at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

( ) convene a meeting of the building administrator, representative(s) of the local law enforcement **( ) agency ( ) agencies**, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

[ ] If a school in a neighboring district is identified as persistently dangerous and there is not another school in that district, the District will admit students from that school in accordance with Board Policy 5113.02.

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Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

Title IX, Section 9532 of the No Child Left Behind Act of 2001
M.C.L. 380.1308 and 380.1310a, 771.2a

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