



**ROCHESTER**  
**COMMUNITY SCHOOLS**

· PRIDE IN EXCELLENCE

## **BOARD OF EDUCATION BYLAWS AND POLICIES**



### **Miller Johnson School Policy Services**

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NAME

0111 BOARD OF EDUCATION NAME

The name of the Board of Education shall be the Board of Education of the Rochester Community School District, Oakland and Macomb Counties, Michigan.

0112 COMPOSITION

The School District is comprised of all the area within the municipal boundaries of the City of Rochester and a portion of the area within the municipal boundaries of the Cities of Rochester Hills and Auburn Hills and the Townships of Oakland, Orion, Shelby, and Washington.

0113 DISTRICT LEGAL NAME AND CLASSIFICATION

The legal name of the School District is the Rochester Community School District, more commonly known as Rochester Community Schools. The School District is a Michigan general powers school district within the meaning of the Michigan Revised School Code (RSC), MCL 380.1 *et seq.*

0114 ADDRESS

The address of the Board of Education of the Rochester Community School District shall be 501 West University Drive, Rochester, Michigan 48307.

## AUTHORITY AND POWERS

- 0121 Bylaws and Policies: The School District is governed by the Board of Education (the Board). A principal function of the Board is to adopt Bylaws and Policies that are reasonable and necessary to guide present and future Board and School district decision making and operations. The adoption, amendment or repeal of Bylaws or Policies may be proposed at any time in accordance with the Open Meetings Act and requires a motion, public discussion and a majority vote of the of the Board members elected and serving. All adoptions, amendments or repeals of Bylaws and Policies will be presented for a first and second reading.

Bylaws and Policies supplement the wide body of federal and state statutory and regulatory law that applies to public schooldistricts in the State of Michigan. Federal and state law supersedes these Bylaws and Policies, to the extent of any inconsistency. The Board has determined that it is not reasonable or necessary to attempt to replicate statutes or regulatory law in these Bylaws and Policies.

- 0122 Board Handbook: A Board Handbook which contains Board of Education procedures and protocols shall be approved by the Board of Education at a regular meeting. The Handbook shall be reviewed as part of the annual organizational meeting and may be revised at any time in accordance with the Open Meetings Act requiring a motion, public discussion and a vote by a majority vote of the Board. Board members are required to comply with all provisions in the Board Handbook.

- 0123 Superintendent of Schools: The Board will, at all times, employ a Superintendent of Schools in conformity with the Revised School Code and other applicable laws. The Superintendent will serve as the School District's chief administrator and is responsible for the development and implementation of necessary regulations to give operational effect to the Board Policies. Regulations are to be consistent with these Bylaws and Policies and, except as otherwise agreed to by the Board, will not be effective for a period of one month from the date they are provided to the Board.

- 0124 Independent Auditor: The Board shall designate an independent auditor. The duties of the independent auditor shall include the following:

To examine the balance sheet of the School District at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;

To conduct such examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;

To render an opinion on the financial statements as prepared at the close of the fiscal year;

To make such recommendations to the Board concerning its accounting records, procedures, internal controls, financial processes, and related activities as may appear necessary or desirable;

to perform such other appropriate services as may be requested by the Board or the Superintendent/Designee.

## MEMBERS

- 0131      Composition: The Board of Education is comprised of seven (7) members, elected or appointed in accordance the RevisedSchool Code and the Michigan Election Law.
- 0132      Term of Office: The term of office of each member is six (6)years.
- 0133      Oath of Office: Newly elected, reelected and appointed members of the Board will take the required oath of officebefore being seated.
- 0134      Duties and Responsibilities of Board Members: Board members are elected to serve the interests of the School District and the entire school community. These interests maynot be subordinated to any partisan principle, group or interest. Board members are expected to be and remain informed about issues that may come before the Board for decision. Regular attendance at Board meetings is necessary to fulfill the obligations of a Board member.
- 0135      Role of Individual Board Members: The Board acts as a whole,and only at properly convened Board meetings. An individual Board member lacks independent authority and may not act for or on behalf of the Board unless he/she has been specifically delegated authority by the Board to act in a particular instance.
- 0136      Confidentiality: In their official capacities Board members mayreceive information that is not available to the general public. This includes information that is received during a closed session of the board. In order for the proper functioning of the Board, an individual Board member will not share confidentialinformation without the prior authorization of the Board or as may be required by law.
- 0137      Vacancies: In the event of a vacancy, the Board will follow the Revised School Code and Michigan Election Law in appointingan eligible candidate to fill the position. The appointed person will be selected by a majority vote of the Board and will serve

until a successor is elected at the next regular School District election and the elected person takes office.

- 0138      New Members: Board Service requires a considerable preparation and study. New Board members are strongly encouraged to participate in orientation and educational activities to acquaint themselves with their duties and responsibilities.
- 0139      Compensation: Board members will not be compensated for serving on the Board.
- 0139.1      Reimbursement of Expenses: Board members will be reimbursed for actual and necessary expenses incurred in the discharge of their official duties, as well as for attending Board approved activities and functions. Board members are expected to exercise good judgment, and ensure that expenditures incurred are reasonable, necessary, and in the best interest of the School District. Board members will not be reimbursed for entertainment expenses or purchases of alcoholic beverages.
- 0139.2      Indemnification: The School District will indemnify the Board and individual Board members to the extent permitted by law. The School District will also purchase and keep in effect reasonable insurance policies for the defense and indemnification of the Board and individual Board members.
- 0139.3      Conflict of Interest: Board members are expected to conduct themselves in a manner that does not create or give the appearance of a conflict of interest prohibited by law.
- 0139.4      Discipline and Removal: By a majority vote, the Board may censure an individual Board member or members for violating federal or Michigan law, these Bylaws, Board policy, the Board Handbook or otherwise acting in a manner unbecoming a Board member. By a majority vote, the Board may petition the Governor to remove an individual Board member or members pursuant to Section 1107 of the Revised School Code.  
Alternatively, the Board may, in less serious cases where the Board deems removal or discipline unwarranted (such as failing to carry out Board assigned duties), the board may remind, remand and, finally reassign the Board member's duties to another Board member.
- 0139.5      Code of Cooperation for Conduct Among Board Members:
1.      Board members will share information and concerns with one another.
  2.      Board members will respect one another and members of the community and value other opinions.
  3.      Board members will be honest when expressing either their own opinions or those of community members.
  4.      Board members are encouraged to offer solutions when they have concerns.
  5.      Disagreements among the Board Members will be handled through frank, open, and respectful discussion.

6. Individual Board members have the responsibility to articulate the Board's stance to the community. If Board members express opinions outside a board meeting, they must be clear that they are expressing their personal opinions and not the opinion of the Board of Education.
7. Board deliberations and decisions will take place in open meetings, as required by the Open Meetings Act (OMA).
8. The Board President will be the spokesperson for the Board.

The Code of Cooperation for Conduct among Board Members will be read aloud by the Board of Education Secretary in January of each school year. At that time, Board of Education Members will be asked to sign the document by the President.

0139.6      Code of Cooperation for Board Conduct with Administrators:

1. The Board will respect the Administration and value other opinions.
2. The Board, not individual Board members, will direct the Superintendent and/or his/her representatives and other District employees.
3. The Board will share information and concerns with the Administration.
4. Questions from Board members will first be directed to the Superintendent, Assistant Superintendent for Business, and/or Assistant Superintendent for Curriculum. When emailing questions or comments to the Assistant Superintendents, Board members will copy the Superintendent in their emails.
5. When the Board raises a topic for discussion, the administration will determine which staff will be responsible for a response and will set a reasonable time frame.
6. Disagreements with the administration will be handled through frank, open, and respectful discussion.
7. The Board will concern itself with determining policy and rely on the Administration to implement policy, including through the development of Regulations.
8. Board members will work through administrative channels.

The Code of Cooperation for Board Conduct with Administrators will be read aloud by the Board of Education Secretary in January of each school year. At that time, Board of Education Members will be asked to sign the document by the President.

## ORGANIZATION

- 0141 Michigan Open Meetings Act: The Michigan Open Meetings Act (OMA), MCL 15.261 et seq. governs many aspects of the Board of Education meetings. The Board and individual Boardmembers will comply with the Open Meetings Act. These Bylaws supplement the requirements of the Open Meetings Act.
- 0142 Annual Organizational Meeting: An organizational meeting will be held annually during the month of January. The business of the meeting will include: swearing in newly elected and/or reelected Board members; electing Board officers; establishing a schedule of regular Board meetings; reviewing the Board Handbook; reading and signing the Codes of Cooperation; and such other business as the Board chooses to address.
- 0143 Election of Officers of the Board: The President, Vice President, Treasurer and Secretary of the Board will be elected at the Board's annual organizational meeting. The vote of a majority of the Board members elected and serving will be necessary for their election. The elected officers will hold office for one year, and continue in office until their successor is chosen and take office. Board officers are eligible for reelection to their office.

### Board President

The President of the Board will preside at all meetings of the Board and conduct meetings in the manner prescribed by these Bylaws. The President will prepare the agenda for Board meetings in cooperation with the Superintendent of Schools and may perform such other tasks as are reasonably necessary to facilitate Board meetings.

The President, or his/her designee, functions as the official spokesperson for the Board. The President will be the official recipient of correspondence directed to the Board and will provide copies of School District related correspondence to all other Board members and the Superintendent. Board members who receive School District related correspondence that was not addressed to the President will promptly provide

a copy to the President. The President will sign all papers and documents required by law or otherwise authorized by action of the Board.

The President, on behalf of the Board, is authorized to consult with the Superintendent and/or School district legal counsel prior to presentation of an issue to the full Board.

Vice President

The Vice-President will have the powers and duties of the President during the temporary absence or disability of the President. The Vice President will also have such other powers and duties as the Board may from time to time determine.

Board Secretary

The Superintendent's Executive Assistant will take and prepare the minutes per the Board Secretary's direction and supervision. The Board Secretary will have the powers and duties of the President during the temporary absence or disability of the President and Vice President and will perform such other duties as the Board may from time to time determine.

Treasurer

The Treasurer of the Board will sign all School District legal documents as may be required by law or otherwise authorized by action of the Board. The Board Treasurer will have the powers and duties of the President during the temporary absence or disability of the President, Vice President and Secretary and will perform other duties required by law and/or assigned by the Board.

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Vacancies in Officer Positions

In the event of a vacancy in a Board office position, the Board will elect a successor to serve for the balance of the term.

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Removal from Office

The Board may remove a person from an elected Board office, by a majority vote of the serving members. Removal from an office does not constitute removal from the Board.



## MEETINGS

- 0151      Regular Meetings: Regular meetings of the Board will be held in accordance with the schedule established by the Board at the Organizational meeting. The agenda for each regular meeting will be developed by the President of the Board in cooperation with the Superintendent of Schools.
- Special Meetings: Special meetings of the Board may be called by the President or any three (3) Board members by providing not less than 24 hours notice to all Board members. The notice shall be consistent in manner and form with the requirements of the Open Meetings Act.
- 0152      Quorum: Unless otherwise required or permitted by law, a majority of the serving members constitutes a quorum.
- 0153      Guidelines for Public Participation at Board Meetings: The Board will publish guidelines concerning public participation at Board meetings. Those guidelines will include, but not be limited to:
- Limiting the total time devoted to public participation, but such limit will not apply in a circumstance where any individual would be denied an opportunity to address the Board
  - Limiting the time any individual may address the Board.
  - Requiring individuals who wish to address the Board to complete a request card (to be available in the Board meeting room) and hand it to the Board Secretary either before or during the meeting.
  - Requiring individuals who wish to address the Board to identify themselves, any organization they may represent, whether they have children who attend school in the School District and whether they live within the School District's geographical boundaries.
  - Advising the public that, generally, the Board and individual Board members will not directly respond to comments and questions that arise during the public participation portion of the meeting.
  - Requiring individuals who wish to address the Board to direct their comments to the entire Board and not to individual Board members, the Superintendent, or other School District employees or members of the audience.
  - Prohibiting behavior that is intemperate, abusive, defamatory or discourteous or that otherwise interferes with the orderly conduct and timely completion of the Board meeting.
  - Excluding from the meeting an individual who engages in conduct that constitutes a breach of the peace.
- 0154      Rules of Order: Disagreements concerning the rules of order for a meeting will be resolved according to *Roberts Rules of Order*. The Board may, however, suspend the Rules for a particular meeting or vote by action of a two-thirds (2/3) vote of those members present.
- 0155      Suspension or Waiver of the Bylaws: Bylaws may be suspended by general consent or a two-thirds (2/3) vote of the board members present at a properly constituted meeting. The suspension will apply to a particular instance and matter and will not be otherwise generally applicable.

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Amendment of Bylaws: The procedure for amending these Bylaws is identical to those for adopting or modifying Board policies in accordance with the Open Meetings Act.

Amendments will require a motion, public discussion and a majority vote of the Board members elected and serving. All amendments to the Board Bylaws will be presented for a first and second reading.

## BOARD DEVELOPMENT AND COMMITTEES

- 0161 Development Opportunities/School Board Conferences, Conventions, and Workshops: In recognition of the need for continuing in-service education and development for Board members, the Board encourages its members to participate in meetings and activities through school board associations and other educational organizations. Board members are encouraged to study and examine materials received from these organizations related to educational issues and report back to the Board of Education when appropriate.

To help individual members develop an understanding of the educational program, the Superintendent and/or Board President will request members of the staff to appear before the Board from time to time to present and discuss new developments in various areas of instruction, business, and human resources.

The Board recognizes the importance of maintaining memberships in professional organizations.

Board Members who wish to attend conferences, conventions and/or workshops should notify the Board President in advance as early as possible.

Board members shall be reimbursed for actual and necessary expenses incurred in discharging their official duties and in performing functions authorized by the Board in accordance with Bylaw 0147.1 and Regulation 0176.

- 0162 Self Assessment: The Board of Education believes in continuous assessment and improvement. Accordingly, the Board commits itself to annually initiating a Board self- assessment using an assessment tool approved by the Board.

- 0163 Standing and Ad Hoc Committees: Standing and Ad Hoc committees may be created and charged at any time by the president or the superintendent with the approval of the Board.

Standing and Ad Hoc committees of Board members shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board and act in an advisory capacity, but shall not take action on behalf of the Board.

All Standing and Ad Hoc committees shall comply with the open meetings act by providing notices of each meeting, posting the time and date of each meeting, providing for a period of public participation, and recording appropriate minutes of the meeting.

The president is authorized to appoint members of the Board to Standing and Ad Hoc committees where they shall serve until the committee is discharged.

The superintendent shall serve as an ex-officio member of each committee.

Each Board committee shall be convened by a chairperson who shall report for the committee and shall be chosen by the committee from among its members.

ADMINISTRATION  
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This policy section describes the organizational structure of the District and provides job descriptions for executive management positions.

<u>1000</u>	<u>Administration</u>
1110	District Organization
1111	Control Responsibility
1112	Board/Staff Communication
1220	Employment of the Superintendent
1230	Superintendent of Schools
1240	Evaluation of the Superintendent
1244	District Credit Cards
1400	Job Descriptions

## **DISTRICT ORGANIZATION**

The Board of Education recognizes that the grouping of grades and services within the facilities of the district can assist the efficient operation of the district and help achieve a more effective instructional program.

The schools of this district shall be organized as follows:

Elementary school	- grades kindergarten through fifth
school	- grades sixth through eighth
High school	- grades ninth through twelfth

The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan which are in the best interests of the students, make the best use of district resources, and serve the educational goals of the Board.

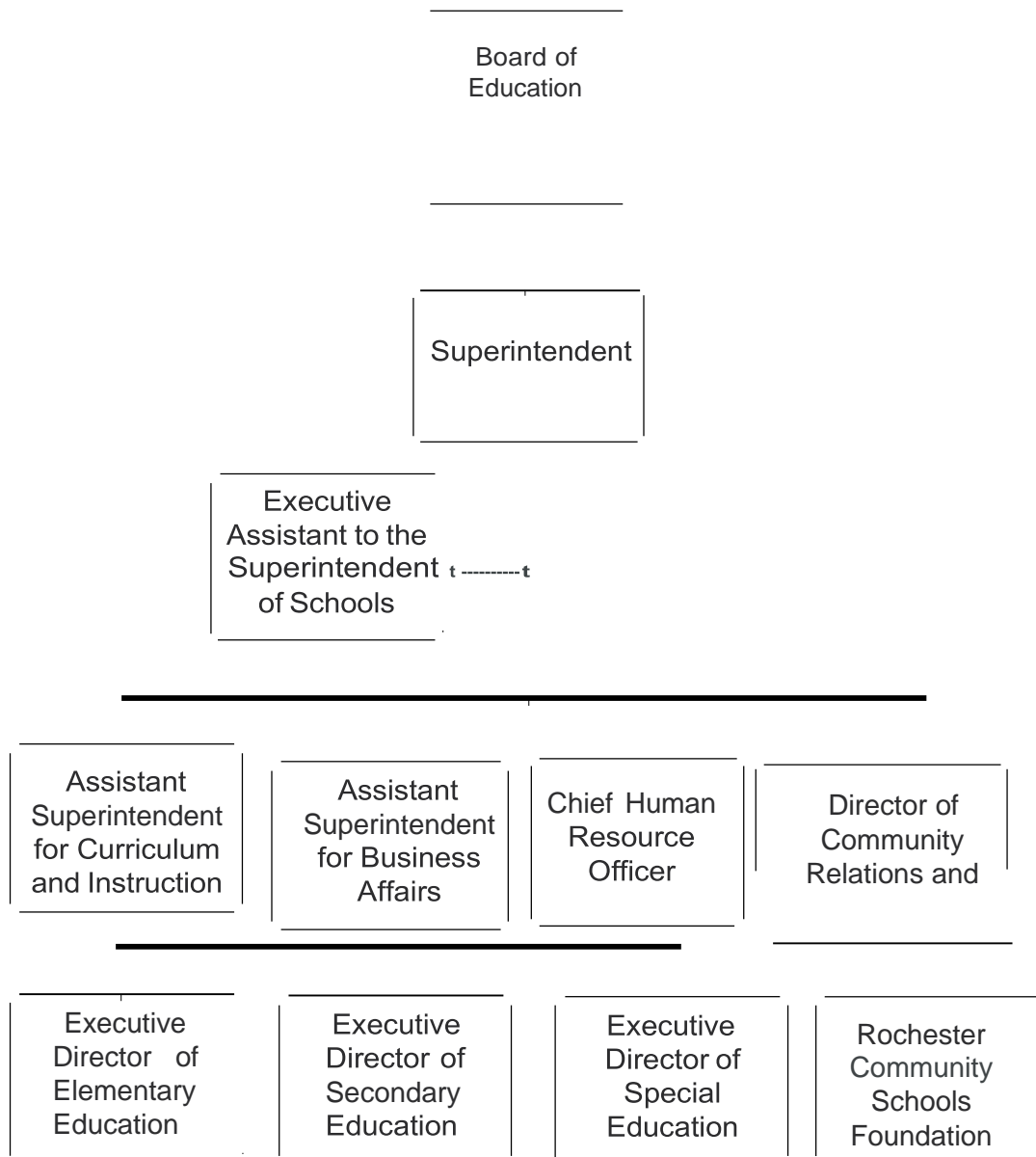
Modifications in the District organizational plan may be made by the Board upon the recommendation of the Superintendent.

The Superintendent is responsible for presenting to the Board recommendations for changes in the organization of grades whenever new research, descriptions of best practices, or other circumstances warrant.

M.C.L.A. 380.1261, 380.1286

Adopted:	October 16, 1972
Revised:	June 4, 1984
Revised:	July 20, 1987
Revised:	May 24, 2004

ORGANIZATIONAL CHART



Revised: **March 29, 2004**  
**July 7, 2010**  
**June 12, 2017**

## EVALUATION OF THE SUPERINTENDENT

Consistent with Board Policy 1240, the objective of the Board's evaluation of the Superintendent should be to promote professional excellence and improve the skills of the Superintendent, improve the quality of education received by the students of the District, and provide a basis for the review of the Superintendent's performance.

Elements of the process for the annual evaluation of the Superintendent include the following:

1. Review of Board Policy 1240: Evaluation of the Superintendent
2. Review of Board Policy 1230: Superintendent of Schools Job Description
3. Documentation by the Board of Education of the Superintendent's performance based upon criteria mutually agreed upon by the Board and the Superintendent.

Calendar of activities for the process is as follows:

1. In October of each year the Board President will provide each member of the Board a copy of the evaluation criteria for the Superintendent's evaluation. In addition, each member will receive a copy of the Superintendent's self-evaluation of performance based upon objectives identified by the Board and the Superintendent at the Board Retreat in January.

Board members will use the criteria in the evaluation document to assess the Superintendent's performance. Board members will document performance above and below the effective range so that they could be discussed with the full Board and the Superintendent at a closed session per the Superintendent's request, in October prior to the final evaluation document being prepared by the Board President and presented to the Superintendent in a public meeting.

Any areas identified in the evaluation by the Board as in need of improvement by the Superintendent will be discussed with the Superintendent and included in the evaluation of the Superintendent in the calendar year.

2. In February of each year the Board of Education will meet with the Superintendent in closed session per the request of the Superintendent to review Board Policies 1240, 1230, and the status of the Superintendent's objectives established by the Board and the Superintendent. Any changes in Board Policies will be considered for the start of the new year. Should the Board or the Superintendent desire to meet and address concerns associated with the performance of the Superintendent at any other times throughout the year, the President of the Board will meet with the Superintendent to establish appropriate dates and times for a meeting. Changes in evaluation objectives required by changing circumstances may be considered at this time.

3. Evaluation Criteria

Policy 1230 contains criteria for the Superintendent of Schools. The criteria consist of six areas as follows:

- A. Planning/Educational Leadership
- B. Budgeting/Finance
- C. Relationship with Board
- D. Personnel Relationships
- E. Community Relationships
- F. Personal Qualities

Each area is further delineated by a subset of descriptors which helps clarify the meaning of areas of responsibility.

In order to facilitate the performance appraisal, the Superintendent will provide a self-assessment for each area. Members of the Board will then have an opportunity to review the information prior to providing their assessment of the Superintendent's performance. Subsequently, Board members are to present their assessment of the Superintendent to the President of the Board who will complete a draft for discussion with the Board and the Superintendent. The time, date and place for the meeting will be arranged by the board President and the Superintendent.

Adopted: May 9, 1994  
Revised: May 24, 2004  
Revised: October 9, 2006  
Revised: February 2, 2009



## CONTROL RESPONSIBILITY

It is the intent of the Board that the affairs of the District be controlled in a manner that ensures efficiency and minimizes administrative conflicts from rising to the Board level.

It is, therefore, the policy of the Board that the organization, operation, and evaluation of the total school program of the District and all matters related to the administration thereof be under the single control of the Superintendent of Schools except where the law designates responsibility to others. The Superintendent is authorized to delegate his/her administrative authority to other employees for the proper and complete performance of their duties, but the final responsibility remains with the Superintendent.

Each employee of the District shall be under the general direction of the Superintendent. In the absence or disability of the Superintendent, he/she shall designate an administrator to act in his/her stead. Instructional staff members shall be immediately responsible to the principal of the building in which they work. Other employees shall be immediately responsible to the administrative personnel under whom they work.

All personnel shall refer matters requiring administrative action to the administrator immediately in charge of the area in which the matter arises. Administrators shall refer such matters to the next higher authority when necessary.

The Superintendent shall maintain a current chart of organization to which immediate reference can be made by the Board or any employee of the Board.

M.C.L.A. 380.132(1), 380.1246

Adopted: December 15, 1969  
Revised: June 4, 1984

BOARD/STAFF COMMUNICATION

It is the desire of the Board of Education to maintain open communication between itself and its staff. Board members seeking clarification regarding the agenda may contact the Superintendent, Board President, and/or members of the Superintendent's Cabinet. Board Members are entitled to receive copies of existing documents in the possession of the school district except as prohibited by law. Requests for existing reports or documents will be made to the Superintendent and/or Board President. In the event Board Members are requesting the creation of new reports or documents, the Board member must inquire at a Board of Education meeting under Additional Business. Board Members will allow the Superintendent sufficient time to direct his/her staff to generate the documents. In the event of a situation requiring immediate attention, requests must be made through the President of the Board or the Superintendent.

Adopted: March 6, 1995  
Revised: May 24, 2004  
Revised: June 26, 2006  
Revised: June 12, 2017

EMPLOYMENT OF THE SUPERINTENDENT

The Board of Education vests the primary responsibility for the administration of this District in the Superintendent of Schools. Appointment of a person to that office is one of the most important functions this Board can perform; whenever that office shall be vacant, the Board shall appoint a Superintendent of Schools and fix the salary and term of office.

The Superintendent so appointed shall devote his/her time, skill, labor, and attention to such employment during the term of his/her contract. He/ She may undertake speaking engagements, writing, lecturing, or other professional duties and obligations within the time available beyond his/her ordinary duties, but is not to accept other employment or consultative status without prior approval of the Board.

The Board shall actively seek the best qualified and most capable candidate for the position of Superintendent. Recruitment procedures shall be prepared in advance of the search.

All interviews of the applicants by the Board or a committee of the Board shall be done in open meetings. At the time of application, the Board President/designee shall see that each applicant has been informed that Michigan Law may not permit the Board to protect his/her application from disclosure, and any interview must be open to the public.

The Board will employ a Superintendent of Schools in conformity with relevant provisions of the Revised School Code and other applicable laws.

Any candidate's misstatement of fact material to qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

Adopted: June 4, 1984  
Revised: January 14, 2013  
Revised: June 12, 2017

## **SUPERINTENDENT OF SCHOOLS**

The Superintendent of Schools shall strive to achieve the highest quality education possible for students by providing educational direction and supervision to the professional staff and supervision to the support staff and by acting as a suitable model for staff and students both in the school and outside the District.

In order to achieve the goals of his/her position, the Superintendent shall carry out the following functions:

**A. Planning/Educational Leadership**

1. Proposes changes to existing policies or introduces new policies and provides vision and leadership for the changing needs of the District's curricular program.
2. Uses and encourages others to develop short and long range plans, as well as engages in solving problems of an immediate nature.
3. Tailors programs and learning approaches to best meet the needs of the diverse student population served by the District.
4. Carefully plans programs recommended for approval to assure high quality service to students.
5. Ensures that students receive a broad and comprehensive learning experience through provision of a diverse array of excellent core academic offerings and quality co-curricular and enrichment programs.
6. Provides evaluative data on the achievement of District goals and objectives to insure an accurate analysis of District progress.
7. Provides information necessary to plan for the future of the District, as well as for the present.
8. Provides sufficient scrutiny of ongoing programs to promote a high level of quality for all programs.
9. Presents and interprets student achievement/assessment data to the Board and community as part of a planned process of curriculum/instruction evaluation and improvement.
10. Reports annually to the Board and public through a brief and factual summary of the significant events of the year.
11. Develops short and long-term plans for the maintenance and upkeep of school facilities and plans for future facility needs.
12. Monitors and coordinates instructional programs between buildings and grade levels to ensure consistent curriculum throughout the District.

B. Budgeting/Finance

1. Takes an active role in the development of salary schedules for all personnel and recommends to the Board.
2. Utilizes the budget as an effective vehicle for planning and decision making based on the District Strategic Plan.
3. Determines that funds are wisely spent and maintains adequate control using appropriate accounting procedures.
4. Invests District funds in a timely manner to achieve the highest rate of return consistent with legal requirements and Board guidelines.
5. Provides the Board with appropriate budget information to assist in determining District financial priorities.
6. Keeps the Board apprised of any significant variation in spending from the adopted budget.
7. Takes appropriate action to provide the community with a realistic appreciation of the financial condition of the District.
8. Evaluates financial needs and makes recommendations for adequate financing.
9. Seeks to promote alternative funding sources for District programs and projects, including grant awards, foundation support, gifts or material and labor from the community and/or business.

C. Relationship with Board

1. Provides careful research and data as well as other background information to permit good planning and decision making.
2. Follows Board policy and directions in administering the day-to-day operations of the District.
3. Keeps the Board informed on issues, needs, and operations of the school system in a timely manner.
4. Offers professional advice to the Board on items requiring Board action.
5. Supports Board policy and action to the public and staff.
6. Remains impartial toward the members of the Board, treating each alike and refraining from criticism thereof.
7. Seeks and maintains a positive working relationship with the Board as a body as well as with individual members.
8. Bases his/her positions on principle and maintains his/her position without regard for popularity until an official position of the Board has been reached.
9. The Superintendent shall notify the Board of any professional service contract of \$10,000 or more procured directly by him/her prior to contract execution.

D. Personnel Relationships

1. Utilizes the abilities and talents of the professional staff in appropriate areas of District operation.
2. Makes recommendations for employment or promotion of personnel insuring that persons recommended for employment meet all qualifications established by law and by the Board for the position for which the recommendation is made.
3. Expects high standards of achievement from the Administration Center Staff.
4. Implements a planned program of individual staff evaluation and improvement.
5. Provides staff development opportunities for employees (professional and support staff) designed to enhance performance.
6. Inspires others to highest professional standards.
7. Maintains liaison between the Board and personnel, working toward a high degree of understanding and respect between the Board and the staff.
8. Encourages participation of appropriate staff members and groups in planning, procedures, and policy interpretation/ implementation.
9. Evaluates performance of staff members, giving commendations for good work, as well as constructive suggestions for improvement.
10. Treats all personnel fairly without favoritism or discrimination while insisting on performance of duties.
11. Delegates authority to staff members appropriate to the position each holds.
12. Develops and executes sound personnel procedures and practices.
13. Develops good staff morale and loyalty to the District.
14. Acts as chief negotiator for the Board of Education under the Michigan Public Employment Relations Acts, or recommends to the Board the delegation of this authority to the appropriate administrative staff member(s); Recommends a team of negotiators for the Board.
15. Takes action to employ or recommend to the Board the employment of legal counsel as required for the best interest of the District under the Michigan Labor Relations Acts.
16. Visits buildings on a regular basis; is visible throughout the District.

E. Community Relationships

1. Gains respect and support of the community on the conduct of the school operation.
2. Solicits and attends to problems and opinions of all groups and individuals.
3. Develops friendly and cooperative relationships with the newsmedia.
4. Maintains communication with the public by being reachable upon request without fear of rejection.
5. Achieves status as a community leader in public education.
6. Involves the community in developing and implementing the Strategic Plans for the District.
7. Encourages community involvement in the schools and provides a mechanism for two-way communication with various groups.
8. Implements new or modifies school programs as adopted by the Board.
9. Participates actively in community life and affairs.
10. Works effectively with public and private agencies.

F. Personal Qualities

1. Performs job responsibilities in an enthusiastic, professional and positive manner and handles conflict constructively and prides himself/herself humbly.
2. Maintains high standards of ethics, honesty, and integrity in all matters.
3. Earns respect and standing among professional colleagues.
4. Devotes time and energy effectively to the job.
5. Demonstrates ability to work well with individuals and groups.
6. Exercises good judgment in arriving at decisions.
7. Maintains poise and emotional stability in the full range of professional activities.
8. Effectively presents oral and written communications.
9. Speaks well in front of large or small groups and expresses ideas in a logical and forthright manner.
10. Thinks well on his/her feet when faced with an unexpected or disturbing turn of events in a group meeting.
11. Maintains professional development by reading, course work, conference attendance, work on professional committees, visits with other Districts and Superintendents.

12. Listens carefully and takes time to fully understand needs and concerns and reacts appropriately.
13. Is genuinely concerned about the growth and well being of students and projects that attitude.

M.C.L.A. 380.1229

Adopted: June 4, 1984  
Revised: May 9, 1994  
Revised: May 24, 2004  
Revised: October 9, 2006  
Revised: January 14, 2013

**Next Review 2017**



EVALUATION OF THE SUPERINTENDENT

The Board of Education will evaluate the performance of the Superintendent 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.

The objectives of the Board's evaluation shall be to promote professional excellence and improve the skills of the Superintendent, improve the quality of education received by the students of this District, and provide a basis for the review of the Superintendent's performance.

The Board will evaluate the Superintendent annually or biennially as allowed by law. Superintendent evaluations will be compliant with Michigan Law in a format determined by the Board of Education.

Adopted: June 4, 1984  
Revised: May 24, 2004  
Revised: October 9, 2006  
Revised: June 12, 2017

### DISTRICT CREDIT CARDS

The Superintendent/designee shall be responsible for the issuance, accounting, monitoring, retrieval, internal controls and generally overseeing the use of district credit cards for Board Members and employees.

#### Issuance

A Board member may be issued a district credit card for actual and necessary expenses incurred as a result of attendance at board-approved workshops, seminars, conferences, or conventions. The use of the credit card must be in compliance with Section 380.1254 of the Revised School Code, as amended. Presently, members of the Board of Education are not issued District credit cards.

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

#### Documentation

When a Board member or employee uses a district credit card, documentation shall be provided the Superintendent/designee detailing the goods or services purchased the cost of such goods or services, the date of purchase, and the purpose for which such goods or services were purchased.

#### Lost Credit Cards

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

#### Return of Credit Cards

A Board member who leaves the Board or a District employee who is no longer employed by the District shall return the credit card upon termination to the Superintendent/designee, prior to leaving office or the district.

#### Payment

The Board shall approve all District credit card invoices prior to payment. Such payments shall be made no later than 60 days after receipt of the initial statement date.

#### Misuse and Unauthorized Use

A Board member who violates a provision of this policy shall have his/her use of that card revoked by the Board. An employee who violates a provision of this policy shall be subject to disciplinary action as determined by the Superintendent.

## ADMINISTRATION

1244

If the Superintendent violates a provision of this policy, he/she shall be subject to disciplinary action as determined by the Board.

Adopted: June 10, 1996  
Revised: August 21, 2000  
Revised: May 24, 2004

### **DISTRICT CREDIT CARDS**

The following regulation governs the use of District credit cards. The Superintendent delegates the responsibility for the administration of credit cards to the Assistant Superintendent for Business Affairs.

1. The Superintendent or designee shall establish a system of internal accounting controls to monitor the use of District credit cards.
2. The total combined authorized credit limit of all District credit cards issued, must not exceed five (5) % of the total budget of the District for the current fiscal year.
3. The Assistant Superintendent for Business Affairs may develop, through operating procedures, categories of the types of purchases made by district employees.

Approved: July 1, 1996  
Revised: May 24, 2004

## **CURRICULUM AND INSTRUCTION 2000**

### **Curriculum Development 2101**

The Superintendent is responsible for the development, implementation and ongoing evaluation of the School District's curriculum. The curriculum will:

- be consistent with the Board's policies on Student Learning and Achievement;
- meet or exceed all requirements of the State of Michigan for instructional programs; and
- be standards based and founded upon legally compliant, research based grade level learning and achievement standards that lead to the awarding of a Michigan Merit diploma.

The School District's curriculum will also include legally compliant, research based learning and achievement standards for students who participate in career and technical education programs, as well as address the needs and provide opportunities for students with disabilities.

The Superintendent will appoint well qualified administrators and teachers to assist the Superintendent in implementing and improving the School District's curriculum, as well as otherwise improving student learning and achievement.

### **Parental and Family Engagement 2102 Revised 7-17-2018**

Parental and family engagement is important to the success of the School District and School District students. The Board and the School District encourage parental and family engagement to the maximum extent it is beneficial to School District students.

The School District receives federal funds through the Every Student Succeeds Act (ESSA) and Title I. The ESSA and Title I impose requirements pertaining to parental and family engagement. The Superintendent will promulgate administrative procedures to implement the ESSA and Title I's parental and family engagement requirements.

### **Instruction 2103**

To the maximum extent feasible, student instruction will be delivered using research based and peer reviewed instructional methodologies. The Superintendent may develop regulations that are consistent with this policy.

### **Textbooks and Other Instructional Materials 2104**

The Superintendent will recommend to the Board, for its approval, textbooks and other instructional materials that are compatible with the School District's curriculum. The Superintendent may utilize well qualified administrators and teachers to assist in the selection of textbooks and instructional materials to be recommended to the Board.

### **Selection of Media Center Materials 2105**

The Board intends that students will be provided access to a wide variety of educational materials, in various media, to support learning. The Superintendent is authorized to make or approve purchases for the media

center and may receive recommendations for such purchases from professional staff members, parents and students.

### **Parental Objections 2106**

The Superintendent will develop regulations that provide an opportunity for the presentation and fair consideration of parental objections to the School District's curriculum, the selection of textbooks and other instructional materials and media center materials.

### **School Year / School Calendar 2107**

The Superintendent will develop and recommend for approval by the Board a school year that is consistent with the Board's policies on Student Learning and Achievement. The school year adopted by the Board will meet all applicable legal requirements and, to the extent feasible, will be coordinated with the school year calendars of the intermediate school district.

### **School Day 2108**

The Superintendent will develop and recommend for approval by the Board a school day that is consistent with the Board's policies on Student Learning and Achievement. The school day will meet all applicable legal requirements.

### **Limited English Proficiency 2109**

The Board is committed to providing equal educational opportunities for all students in the School District, including students with limited English proficiency. The Superintendent will develop and implement programs of instruction that:

- Appropriately identify students with limited English proficiency;
- Provide appropriate instruction to limited English proficient students to assist them in gaining English language proficiency; and
- Annually assess the English proficiency of students and monitor their progress in order to determine the degree to which they may participate in a regular classroom environment.

**EFFECTIVE: MARCH 1, 2017**

## HUMAN RESOURCES 3000 *(Revised 7-17-2018)*

The District's personnel – administrators, teachers and other employees – are responsible for implementing Board policies and the District's curriculum and educational programs. The District will hire, train and retain personnel of the highest quality, character and credentials to implement Board policies and the District's curriculum and programs.

### Organization of Administrative Staff 3100

**3101 The Superintendent of Schools** The Board will employ a Superintendent of Schools in conformity with relevant provisions of the Revised School Code and other applicable laws.

**3102 Other Administrators** The Board may employ other administrators as it deems necessary for the proper operation of the School District. District administrators will report to the District's Superintendent.

### Terms and Conditions of Employment Applicable to All Personnel

#### 3200

**3201 Responsibility to District Students** The primary responsibility of all district personnel is education of students consistent with the District's curriculum and programs, and the safety and welfare of district students. District personnel who do not meet these responsibilities will be held accountable by the Board and the District and subject to discipline or discharge.

**3202 Equal Employment Opportunity** The District is committed to equal employment opportunities in all aspects of employment, including recruitment, selection, training, promotion and retention of staff.

**3203 Illegal Discrimination and Harassment** The Board is committed to maintaining a learning/working environment in which all individuals are treated with dignity and respect, free from illegal discrimination and harassment. There will be no tolerance for discrimination, or harassment in employment on the basis of race, color, national origin, religion, sex (including pregnancy, sexual orientation or gender identity), age, disability, marital status, genetic information, height, weight or any other criteria prohibit by law. See also, Policy 10003.

**3204 Nepotism** Nepotism and the appearance of nepotism are prohibited according to the following standards:

- District personnel will not be involved with or engage in any personnel actions, including recommendations, employment, promotions or evaluations of an applicant or employee to whom they are related.
- District personnel will not directly supervise or be directly supervised by District personnel to whom they are related.
- When District personnel are promoted or transferred to a position that results in a violation of this policy, the conflict will be resolved by transferring one of the related persons to another position for which she or he is qualified, if another position is available and open.

This policy does not, except by its terms, prohibit the District from hiring or retaining persons who are related

to Board members or other District personnel.

For purposes of this policy, “related” refers to the following relationships: father, mother, son, daughter, brother, sister, spouse, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, step-father, step-mother, step-son, step daughter, step-brother and step-sister.

**3205 Criminal Background Checks** District personnel and others who regularly and continuously work for the District will comply with applicable criminal background check laws and regulations at their own expense, unless the District agrees to pay the expense. The District may consider the criminal history of any applicant or employee, to the extent permitted or required by law. The District will not permit persons convicted of listed offenses to be employed by the District or to regularly and continuously work on District premises. The District will not permit convicted felons (who have not been convicted of listed offenses) to be employed by the District or to regularly and continuously work on District premises, except upon case-by-case consideration of: the severity of the felony; when the felony occurred; the sentence imposed; the relationship between the felony and the person’s ability to work for the District; and, any other criteria generally applicable to such decisions. Any decision to permit a convicted felon to be employed by the District or to regularly and continuously work on District premises must be in writing and approved by the Superintendent and the Board.

**3206 Alcohol and Drug Free Workplace** The District will maintain a workplace free of alcohol and illegal drugs, as well as prescription drugs for which an employee does not have a current, valid prescription. An employee or volunteer who is found to have unlawfully manufactured, distributed, dispensed, possessed or used alcohol or any drug in the workplace shall be disciplined, up to and including discharge from employment. Similarly, an employee or volunteer who is found to have been present in the workplace while under the influence of illegal drugs, prescription drugs for which the employee or volunteer does not have a current, valid prescription or alcohol will be subject to discipline, up to and including discharge. All employees must notify the District, in writing, if charged with a violation of a criminal drug statute occurring in the workplace. Notification must be provided no more than three (3) business days after being arraigned for the crime. All employees agree to abide by this policy as a condition of employment. This notification requirement does not eliminate the obligation of District employees or volunteers to report convictions of felonies and/or listed offenses, as otherwise required by law.

Notwithstanding state permissibility, the use and possession of marijuana and marijuana-induced intoxication are prohibited on school grounds.

**3207 Health Insurance Portability and Accountability Act of 1996 (HIPAA)** The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires the School District to provide employees with notice of the uses and disclosures of their protected health information that may be made by the District. The District will comply with the requirements of HIPAA with regard to any employee benefit or group health plan provided by the District that is subject to the requirements of the Act. The Superintendent or his/her designee will develop and implement administrative regulations necessary to ensure continuing School District compliance with the requirements of HIPAA.

**3208 Leaves of Absence** An employee may be granted a leave of absence, with a right to return to employment upon expiration of the leave. A leave of absence is without pay unless otherwise provided by law or contract. The Superintendent will develop and implement legally compliant leave of absence administrative regulations, specifying the various types of leave that are available to District employees and the manner in which application for a leave may be made.

**3209 Family Medical Leave Act** The District will comply with the Family and Medical Leave Act (FMLA), 42 USC 12201 *et seq.*, and corresponding regulations. The District will use the rolling calendar method under the FMLA. The FMLA leave of any employee of the District will be without pay unless otherwise provided by law or contract. If the employee has paid leave time available under an applicable contract, the employee will be required to use that paid time concurrent with any FMLA leave.



**3209.1 Paid Medical Leave** The District will provide paid medical leave (PML) to eligible employees pursuant to Michigan law. PML will be provided at the beginning of each benefit year. The Superintendent will promulgate administrative regulations concerning the use of PML. Payment and use of provided PML will be coordinated with all types of paid leave available to an eligible employee pursuant to collective bargaining agreement, individual contract, or other District policies and administrative regulations. The policy and any implementing administrative regulations will be automatically rescinded, without further action by the Board or the Superintendent, if paid medical leave is mandated by federal law.

**3210 Medical Examinations** The Superintendent, or designee, may require an employee to submit to a medical examination when:

- Required or permitted by federal or state law.
- Required or permitted by the employee's contract of employment and not prohibited by law.
- Information suggests the employee may not have the ability to perform the essential functions of his/her position, with or without accommodation.
- Information suggests the employee may pose a danger to his/her own self or the health or welfare of students or other employees.
- An employee has provided insufficient medical documentation as the basis for a health leave and after providing the employee an opportunity to supplement the documentation, the documentation remains insufficient.

If the Superintendent, or designee, requires an employee to submit to a medical examination, all costs will be borne by the District. The employee will be required to sign a release authorizing the physician to submit a copy of the report of the examination directly to the Superintendent, or designee, reports will not be maintained in the employees personnel file, but in a separate, confidential file.

**3211 Gifts to District Personnel** District employees will not:

- Accept any personal gift, of more than nominal value, of money, services or goods from a student of the School District or the parent or guardian of any student.
- Accept any gifts or favors of more than nominal value, from any person, firm or corporation that is involved, directly or indirectly, or may be interested in becoming involved, in any commercial dealings with the District and which are, or may be reasonably perceived to influence the exercise of his/her discretion.

**3212 Whistleblowers Protection** District employees are expected to honestly and forthrightly report suspected unlawful activity in the District without fear of retaliation. The Superintendent will develop administrative regulations to inform employees of the protections and obligations that exist under the Michigan Whistleblowers' Protection Act, MCL 15.361 *et seq*, and related laws. The administrative regulations will include a procedure for reporting alleged violations.

**3213 Outside Activities** District employees may not engage in activities that interfere with their duties and responsibilities or adversely affect the District or their abilities to perform their jobs.

Teachers may not receive pay for tutoring students who are currently assigned to them or may be assigned to them, except with the written permission of the student's building principal. Private tutoring may not be provided on District premises during the regular school day or using District equipment or supplies.

No employee shall attempt to sell or influence a student to buy any product, article, instrument, service, or such item, which would directly or indirectly benefit that employee.

**3214 Ownership of Works** District administrators and teachers are encouraged to prepare scholarly articles and otherwise produce materials which might be considered for publication or distribution. Any works which reference the District or District students require the prior written approval of the Superintendent.

District personnel who create or publish works in which a copyright or patent interest may exist are subject to the following:

- Works developed within the scope of an employee's District duties and responsibilities, or during the employee's regular or customary work hours, are the absolute and exclusive property of the School District.
- Works developed by an employee outside of the scope of his/her employment duties, without using District resources and outside the employee's regular and customary hours of work belong to the employee.

**3215 Social Security Numbers** Unless required or permitted by law, the District will not intentionally display, use or publish more than four sequential digits of any persons social security number. The Superintendent, or designee, may promulgate administrative regulations consistent with this policy.

**3216 Resignations** The Superintendent, or designee, is authorized to accept resignations on behalf of the Board. A resignation must be in writing and is effective upon acceptance by the Superintendent or his/her designee.

**3217 Administrative Regulations Affecting All District Personnel** The Board authorizes the Superintendent to promulgate and revise such administrative regulations as may be reasonable and necessary to promote the effective recruiting, evaluation, retention and supervision of District personnel; provided, such administrative regulations are consistent with Board policy and applicable law.

**3219 Code of Ethics** The District expects all individuals working with or for its students to comply with all applicable professional codes of ethics, including the Michigan Code of Educational Ethics, as approved by the Michigan Department of Education.

## **Terms and Conditions of Employment Applicable to Administration or Teachers 3300**

**3301 Evaluation of Superintendent** The Board will evaluate the Superintendent in the time and manner required by law.

**3302 Evaluation of Other Administrators** The Superintendent, or designee, will evaluate other administrators biennially, annually, or more often as required or permitted by law. The Superintendent, or designee, will promulgate administrative regulations establishing the manner in which other administrators will be evaluated.

**3303 Evaluation of Teachers** The principal of each building, or designee, will evaluate teachers biennially, annually, or more often as required or permitted by law. The Superintendent, or designee, will promulgate administrative regulations establishing the manner in which teachers will be evaluated. The evaluation system, at a minimum, will be rigorous, transparent and fair. The evaluation system will be designed to improve teachers' performance and encourage professional growth. The purposes of the evaluation system will include: informing compensation decisions; informing retention and promotion decisions; and, informing layoff and separation decisions.

**3304 Teacher Placement** The Superintendent, or designee, will place teachers in his/her discretion to

promote student achievement consistent with the District's curriculum and educational programs. No individual employment contract or collective bargaining agreement that is inconsistent with this policy is enforceable. Placement, as used in this policy, means placement in any curricular or extra-curricular assignment.

**3305 Performance Based Compensation** The Superintendent, or designee, will develop for Board review and approval a system of performance based compensation as required by Section 1250 of the Revised School Code.

**3306 Discipline and Discharge** This discipline and discharge policy includes, but is not limited to, District employees whose employment is regulated by the Teachers' Tenure Act (TTA), MCL 38.71 *et seq.*, except that this policy does not apply to a decision to discharge or not to renew the employment of a probationary teacher. A probationary teacher is considered an at-will employee and his/her employment may be terminated at any time and for any reason that is not in violation of state or federal law. As required by Michigan law, this policy supersedes any provision of any collective bargaining agreement covering a District employee whose employment is regulated by the TTA. However, this policy does not supersede enforceable provisions of other collective bargaining agreements or individual employment contracts.

The District will maintain a work environment that allows District personnel to successfully educate District students. In return, District personnel are required to meet the highest standards of personal integrity, professionalism and performance. District employees whose conduct or performance is inconsistent with successfully educating District students or whose performance falls short of District expectations are subject to corrective or disciplinary action.

Discipline, for purposes of this policy, includes verbal and written warnings, verbal and written reprimands, suspensions, and dismissals or discharges. Discipline does not include verbal or written directives, placement upon a voluntary or involuntary leave of absence or periodic performance evaluations. Such actions are not subject to this policy.

Disciplinary actions are taken at the discretion of the District and may be imposed for any reason that is not arbitrary or capricious. District disciplinary actions are final and not subject to any grievance or arbitration procedure, except as otherwise expressly provided by law or the provisions of any individual employment contract or collective bargaining agreement that does not cover teachers whose employment is regulated by the TTA.

**3307 Layoff and Recall** It is the policy of the Board of Education when making a staffing or program reduction or any other personnel determination resulting in the elimination of a position, to make such a decision based on retaining effective teachers.

All criteria used when making decisions related to personnel reduction of teachers shall be construed and applied in a manner consistent with Section 1248 of the Michigan Revised School Code, as it may be amended from time to time.

Personnel decisions involving teachers within the scope of this policy will not use length of service or tenure status as the primary or determining factors, and these factors will apply only in the circumstances provided under the law, within this policy and its implementing regulations.

The development and content of policies and regulations relating to decisions concerning the layoff and recall of teacher shall not be subject to any terms and conditions within a collective bargaining agreement between the district and employees who are covered by this policy.

**3308 Teachers Receiving a Less Than Effective Performance Rating** Teachers will receive a rating pursuant to the School District's evaluation policy and guidelines. Any teacher receiving a less than effective rating on a year-end evaluation will be placed on an individualized development plan (IDP). That teacher will be evaluated mid-year during the next school year, in addition to receiving a year-end

evaluation. If the teacher continues to be found ineffective after a second year, the School District will act to discharge the teacher, either through termination (if probationary) or the filing of tenure charges (if tenured), unless special circumstances are found to exist.

## **Omnibus Transportation Employees 3400**

The District will comply with the Omnibus Transportation Employee Testing Act of 1991. The Superintendent or designee will promulgate regulations to conduct alcohol and drug testing of all employees working in safety sensitive transportation positions, within the meaning of the Act.

**EFFECTIVE: MARCH 1, 2017**

## STUDENTS - 5000

### Admission and Enrollment - 5100

**5101 Resident Students** Michigan law establishes which students have the right to attend school in the School District. The Superintendent will develop and implement regulations for the enrollment of resident students and their assignment to School District schools, facilities and programs. The Superintendent may also develop and implement regulations for intra-district open enrollment.

**5102 Nonresident Students** Nonresident students may be permitted to enroll in the School District, as described below.

**Schools of Choice.** The Board, by resolution, may choose to permit the enrollment of nonresident students through a schools of choice program. If a program is adopted, the Superintendent will develop and implement regulations for the enrollment of nonresident schools of choice students. Students duly enrolled through a schools of choice program will, thereafter, be considered School District students for all curricular and extracurricular purposes.

**Tuition Students.** The Board, by resolution, may choose to permit the enrollment of nonresident students through a tuition program. If a tuition program is adopted, the Superintendent will develop and implement regulations for the enrollment of nonresident tuition students. Students duly enrolled through a tuition program will, thereafter, be considered School District students for all curricular and extracurricular purposes.

**Foreign Exchange Students.** The Superintendent may develop and implement regulations for the enrollment of foreign exchange students.

**Homeless Students.** The School District will comply with the McKinney-Vento Act concerning the enrollment of homeless students. The Superintendent will appoint a central office administrator to serve as the District's liaison with homeless students and their parents or guardians. The liaison will coordinate and collaborate with state and local officials, as necessary. Students duly enrolled as homeless students will, thereafter, be considered School District students for all curricular and extracurricular purposes.

**Children of Non-resident Employees.** A child of a non-resident employee of Rochester Community Schools may be permitted to enroll in Rochester Community Schools without the payment of tuition pursuant to Michigan law. Such duly enrolled students will, thereafter, be considered School District students for all curricular and extracurricular purposes.

**Shared Time Instruction.** As Permitted by Michigan law, students enrolled in non-public schools located within the geographic boundaries of Rochester Community Schools, as well as eligible students who are being home-schooled, may participate in non-core elective classes offered by Rochester Community Schools.

### Learning and Achievement 5200

The core function of the School District is to educate students to prepare them to become productive and responsible citizens and adults. All other policies and considerations are subordinate to this objective.

**5201 Curriculum** The Superintendent, in consultation with selected School District personnel, is responsible for developing and implementing a legally compliant School District-wide curriculum. The

curriculum is to be designed to further the educational growth of School District students and prepare students for post-secondary education and employment opportunities. All School District personnel are responsible for faithfully and effectively implementing the curriculum in their respective buildings and classrooms.

**5202 Assessments** The Superintendent, in consultation with selected School District personnel, is responsible for developing and implementing legally compliant student assessments. These assessments are to be designed to accurately measure the degree to which students of the School District are progressing in the School District's curriculum, in general, and how each individual student is progressing within the curriculum.

The Superintendent, in consultation with selected School District personnel, is also responsible for developing and implementing an assessment reporting system. The purposes of the reporting system include informing the Board, School, District staff, parents,<sup>1</sup> and the community, at large, about student progress within the School District's curriculum, in general; informing the Board, School District staff, parents and the community at large about student progress relative to their peers in other school districts and communities; and notifying parents and students of the particular student's individual progress in the School District's curriculum. All School District personnel are responsible for faithfully and effectively administering the School District's assessments and following the prescribed system of assessment reporting.

**5203 Progress Reports and Grades** The Superintendent, in consultation with selected School District personnel, is responsible for developing and implementing a system of legally compliant periodic progress reporting and grading that accurately reflects the degree to which students are progressing within the School District's curriculum, in general, and relative to their peers, as well as how each individual student is progressing. All School District personnel are responsible for faithfully and effectively implementing the School District's progress reporting and grading system.

**5204 Placement** To the extent permitted by law, The Superintendent and building administrators, in consultation with parents, are responsible for placing students in schools, grades and courses consistent with the School District's core function of preparing students to become productive and responsible citizens and adults. Where agreement cannot be reached, following consultation, placement decisions may be made notwithstanding parental objection. The Superintendent will promulgate administrative regulations necessary to implement this policy.

**5205 Graduation Requirements** In order to graduate and receive a high school diploma from the School District, a student must successfully complete all coursework required by law, all credits, coursework and assessments required by the School District and all other requirements that may be established and published from time to time by the Board or the Superintendent.

## Education Records 5300

**5301 Education Records Generally** The Superintendent will develop and implement legally compliant regulations covering the creation, maintenance, preservation and confidentiality of student records. The Superintendent will annually notify parents of their rights with respect to student records and related matters, as required by the Family Education Rights and Privacy Act (FERPA) and Pupil Privacy Rights Amendment (PPRA).

**5302 Student Directory Information** The Board designates the following student record information as *directory information*:

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<sup>1</sup>The word "parents," when used in these policies, includes legal guardians and, where required by law, those acting in the place of parents.

- a student's name, address and telephone number;
- a student's photograph;
- a student's birth date;
- a student's participation in School District related programs and extracurricular activities;
- a student's academic awards and honors;
- a student's height and weight, if a member of an athletic team;
- honors and awards received by a student;
- a student's dates of attendance and date of graduation;
- a student's grade; and
- previous schools attended by the student prior to enrollment in Rochester Community Schools.

Such information may be released by the School District, upon request, unless a parent or adult student has made timely objection, in writing, in accordance with FERPA.

**5303 Student Surveys** Parents may inspect all materials used for any student survey, analysis or evaluation conducted by the School District in connection with a program that is funded by the United States Department of Education. The School District will not, without the consent of the parents of a student, require the student to participate in such a survey, analysis or evaluation that reveals or is intended to reveal information concerning the student's or the student's parents':

- political or religious affiliations, beliefs or practices;
- mental or psychological problems;
- sexual behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom the student or the student's parents have close family relationships;
- legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers;
- income, other than when required by law to determine eligibility for programs or financial assistance.

## Extracurricular Activities 5400

The Board strongly encourages the participation of School District students in extracurricular activities. Such activities are intended to supplement the School District's curriculum and provide opportunities for student enrichment. While important, it must be emphasized that participation in extracurricular activities is a privilege; not a right.

**5401 Athletics** The Superintendent, in consultation with the Board and selected School District personnel, will develop and administer a robust program of interscholastic athletics. The athletic program must, at all times, adhere to the principle that participants are students first and athletes second.

**5402 School District Clubs and Other Activities** The Superintendent, in consultation with the Board and selected School District personnel, will develop and administer a program of curricular and extracurricular student clubs and other activities.

**5403 Student Initiated Clubs** School District secondary students may initiate clubs and other activities to be held on School District premises, subject to such rules and regulations as may be established by the Board, the Superintendent or District personnel consistent with the federal Equal Access Act. The School

District will not discriminate among such student-initiated clubs and activities based on the religious, political or philosophical content of their meetings, provided the following conditions are met:

- Club meetings and events may not take place during instructional time.
- Club meetings and events must, in fact, be student initiated and student participation must be voluntary.
- Club meetings and events will not be sponsored by the School District and are not to be sponsored by School District employees or agents.
- School District employees and agents may be present in only a supervisory capacity. They may not otherwise participate in club meetings and events.
- Persons not affiliated with the School District may not direct, conduct, control or regularly attend club meetings and events.
- Club meetings and events must not materially or substantially interfere with the orderly conduct of School District educational programs or activities.

## Communication 5500

**5501 Closed Forum** The School District is a closed forum, dedicated to the education of School District students based on the School District's curriculum. Where deemed necessary, the School District reserves the right to prohibit communication, by students or others, consistent with applicable legal requirements.

**5502 Student Publications** The School District supports and encourages student publications that are part of the School District's curriculum, including school newspapers, yearbooks and similar publications.

**5503 Distribution and Posting of Materials** The posting and distribution of materials on School District premises is prohibited, unless the materials are generated by the School District itself or provide factual information about School District academic or extracurricular activities. All postings and materials to be distributed require the prior written approval of the building administrator, or his/her designee.

The Superintendent, in consultation with building administrators, may develop and implement regulations for the posting and distribution of other information. In all cases, the School District prohibits the posting or distribution of literature that:

- Is libelous, defamatory, obscene, lewd, vulgar, or profane;
- Violates federal, state or local laws;
- Advocates the use or availability of any substance or material that may reasonably be believed to constitute a direct and substantial danger to the health or welfare of students, such as tobacco, alcohol or illegal drugs;
- Incites violence;
- Interferes with or advocates interference with the rights of any individual or the orderly operation of the schools and their programs;
- Is primarily of a commercial nature, including but not limited to material that primarily seeks to advertise products or services; or
- The primary purpose of which is fundraising, except as approved in advance by the Superintendent, or designee.

## Behavior 5600 – Revised 7.17.2018

**5601 Introduction** The Board of Education is committed to providing a school environment in which students may receive and staff may deliver educational services without disruption or interference. Expectations for students are based on principles of civility, mutual respect, and otherwise doing what is



necessary to be a functioning member of a school community. These expectations apply to conduct on School District premises, while en route to and from school, while in attendance at school functions, as well as when off-campus, to the extent the off-campus behavior is likely to or does substantially disrupt District academic or extracurricular activities or programs.

**5602 Attendance** Regular school attendance is expected of all students. The Superintendent will develop and implement regulations to promote regular school attendance.

**5603 Student Code of Conduct** The Superintendent, in consultation with the Board and other School District personnel, will develop and implement a legally compliant Student Code of Conduct. The Student Code of Conduct will apply to student behavior on school premises, while en route to and from school, at School District related events, as well as to off-campus behavior, to the extent the off-campus behavior is likely to or does substantially disrupt District academic or extracurricular activities or programs, or the extent the District is legally required to consider the off-campus behavior, such as criminal sexual conduct and cyberbullying.

As permitted by the Revised School Code, the Board delegates to the Superintendent and building principals the authority to impose student discipline as follows:

- Principals are delegated the authority to suspend a student from school for misconduct for a period not to exceed ten (10) school days. The Student Code of Conduct to be developed by the Superintendent is to include the due process protections that will apply in connection with such suspensions. The Superintendent is delegated the authority to hear and decide appeals from student discipline imposed by building principals.
- The Superintendent will appoint a District Hearing Officer who is delegated the authority to suspend or expel a student from school for violations of the Student Code of Conduct or law after following the due process procedures in the Student Code of Conduct.
- Appeals. The District Hearing Officer's decision will be final on all long term suspensions. If the District Hearing Officer's decision is expulsion, the student and/or his/her parents may appeal the decision to the Expulsion Appeal Panel. To request an appeal, the student or parent(s), within five (5) days of receipt of the written decision of the District Hearing Officer, must file a written petition to the Superintendent including the reasons the decision should be reviewed. The Expulsion Appeal Panel will consist of three Board of Education Members and one Building Administrator from a high school, middle school and elementary school in which the student is not enrolled, along with the Superintendent or designee. The hearing before the Expulsion Appeal Panel will take place according to the procedure set forth in the Student Code of Conduct. The decision of the Expulsion Appeal Panel will be final.

The Superintendent may also develop and implement an Athletic and Extracurricular Code of Conduct. The Code will be developed on the foundational basis that participation in athletics and extracurricular activities is a privilege; not a right.

The Superintendent will post the School District's Student Code of Conduct and Athletic and Extracurricular Code of Conduct on the School District's web site and take other reasonable measures to assure that students and parents are aware of their existence.

**5604 Other Student Behavior** Michigan law requires that the Board adopt policies concerning bullying, "verbal assault" and locker searches. The Board adopts the following policies, which the Superintendent is to incorporate into the Student Code of Conduct.

**5605 Bullying** The Board recognizes that bullying and cyberbullying significantly interfere with the learning process. Through this Policy, the Board prohibits bullying "at school," as defined below, as well

as off-campus conduct that could likely lead to a material or substantial disruption of the school learning environment for one or more students.

This Policy is intended to protect all students from bullying, regardless of the subject matter or motivation for the behavior. The Board, through this Policy, also prohibits retaliation or false accusations against a target of bullying, a witness or another person with reliable information about an act of bullying.

### **Definitions.**

**"Bullying,"** for purposes of this Policy, means any written, verbal or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more District students, either directly or indirectly, by doing any of the following: (i) substantially interfering with educational opportunities, benefits or programs; (ii) adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress; (iii) having an actual and substantial detrimental effect on a student's physical or mental health; or, (iv) causing substantial disruption in, or substantial interference with, the orderly operation of the school. Bullying may include, but is not limited to, the following:

- *Physical* - hitting, kicking, spitting, pushing, pulling; taking and/or damaging a person's belongings; extorting money; blocking or impeding student movement; unwelcome physical contact; punching, shoving, poking, choking, pulling hair, beating, biting, throwing objects, etc.
- *Verbal* - taunting, malicious teasing, insulting, hurtful name-calling, making threats, gossiping, etc.
- *Psychological* - spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion or intimidation.

**"At school,"** for purposes of this Policy, means anywhere on school premises, on a school bus or other school-related vehicle and at a school-sponsored activity or event, whether or not the activity or event is held on school premises. "At school" includes the off-premises use of a telecommunications access device or telecommunications service provider if the device or service provider is owned by or under the control of the District.

**"Cyberbullying"** is defined as the use of information and communication technologies such as the Internet, telephone, cell phone, pager or other electronic devices to engage in "bullying."

**Accountability.** Each student in the School District is accountable for his/her own behavior, based on age-appropriate expectations. The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. Respect for all students is part of a safe and healthy learning environment. Each student is expected to demonstrate respect through their interactions with the give-and-take of friendships, group cooperation, social interaction, compromise and acceptance of differences among other students and staff.

**Retaliation.** Retaliation against a target of bullying, a witness, another person with reliable information about an act of bullying or any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of the Board policy and independent of whether a complaint is found to have been substantiated. Suspected reprisal or retaliation should be reported in the same manner as bullying.

Making intentionally false reports about bullying 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.

The Superintendent is directed to implement this Policy and is authorized and directed to promulgate such administrative regulations as may be deemed necessary.

**5606 Verbal Assault** A verbal assault is a communication or series of communications that does or is intended to put a reasonable person in fear of harm to him/herself or his/her property. The Superintendent will address verbal assault within the Student Code of Conduct.

**5607 Locker Searches** Lockers provided to students are the property of the School District and students and others have no expectation of privacy with respect to the lockers or their contents. School District principals and their designees may search student lockers at any time for any reason and may request the assistance of local law enforcement personnel. When conducting locker searches, School District personnel will respect the privacy rights of students regarding items found that are not illegal or possession of which is not in violation of School District policy.

**5608 Personal Electronic Devices** The School District reserves the right to prohibit the possession or use of personal electronic devices on School District property or at School District-related functions. For purposes of this Policy, "personal electronic device" means a privately owned device that is used for audio, video or text communications.

Students are permitted to use personal electronic devices only as follows:

- Before and after the regular school day.
- During the student's scheduled lunch time and passing time.
- As directed or permitted by a teacher or other professional staff member for educational purposes.

Students may possess personal electronic devices on their person but the devices must be powered off and kept out of sight in backpacks/purses or lockers except during the times, above.

The Superintendent may develop regulations to further control student possession and use of personal electronic devices.

**5609 Corporal Punishment** Corporal punishment, as defined by Michigan law, is prohibited. The Superintendent will promulgate and implement regulations for the development of alternatives to corporal punishment, which may include the District's Student Code of Conduct and positive behavior supports.

## Health and Safety 5700

**5701 Programs and Activities** School District personnel will take reasonable precautions to preserve the health, safety and welfare of students participating in School District related programs and activities.

**5702 Health Concerns Raised by Parents or Guardians** Parents and guardians are responsible for informing the School District of health and safety concerns particular to their children and cooperating with the School District to address those concerns. The Superintendent will develop and implement regulations for addressing the health and safety concerns of students with disabilities within the meaning of Section 504 of the Rehabilitation Act of 1973.

**5703 Immunization** Except as otherwise specifically provided by law, the Board requires that all students be properly immunized, not later than the first day of school.

**5704 Medication** The Superintendent will develop regulations concerning student medications. The regulations will address the possession, storage and accessing of student medications, as well as the administration of prescription medications to students while at school.

**5705 Performance Enhancing Substances** Students are prohibited from using or being in the possession of any performance-enhancing substances, including, but not limited to, those that may be listed by the National Collegiate Athletic Association, the Michigan High School Athletic Association or the Michigan Department of Community Health.

**5706 Seclusion and Restraint** The Board fully embraces the Michigan State Board of Education policy on Positive Behavior Support and the prohibition against seclusion and restraint as disciplinary measures. The Superintendent will assure that all staff receive training on the use of Positive Behavior Support and the limited circumstances in which seclusion or restraint are permitted.

**5707 Wellness** The Board of Education recognizes that student wellness is integral to learning, growth and development. The School District will promote proper nutrition and nutrition education, as well as regular physical activity, as steps toward student wellness. The Superintendent or his/her designee will develop administrative regulations to implement this policy.

**5708 Epinephrine Auto-Injector (Epi-pens)** The District will acquire, purchase and maintain at least two functioning epinephrine auto-injectors (epi-pens) for and at each school building it operates. Properly trained district personnel or authorized contractors will administer an epi-pen injection to any individual on school grounds that is believed to be having an anaphylactic reaction or any student who has a prescription on file at the school. The District will notify the parent(s) or legal guardian of any student to whom the District administers an epi-pen injection on school grounds or at a school-related activity.

The purpose of the policy is to comply with 2013 PA 187 (PA 187). This policy is not intended, and should not be construed, to create or grant any rights or remedies to any person. The Superintendent will promulgate administrative regulations for implementing this policy consistent with the requirements of PA 187, which regulations will incorporate, by reference, the Michigan Department of Education's Medication Administration Guidelines.

**5709 Cardiac Emergency Response Plan** The Superintendent, or his/her designee, will promulgate a Cardiac Emergency Response Plan, as required by 2014 PA 12.

**5710 Physical Examinations and Screenings** Annual notice will be given to parents of any health or physical examinations or screenings. Parents will be given the opportunity to opt-out their students from all physical examinations and screenings.

**EFFECTIVE: MARCH 1, 2017**

## 6000

## BUSINESS

### 6001

### General

The Board of Education holds a position of public trust and is responsible to account for and direct the management and expenditure of all monies received by the School District. In furtherance of this responsibility, the Board directs the Superintendent to establish financial procedures to ensure the proper and effective accounting of all School District monies, that monies are administered in accordance with generally accepted accounting principles and that all legal requirements concerning School District monies are satisfied in letter and spirit. Under the supervision of the Superintendent, financial reports and statements will be prepared and submitted to the Board on a regular basis, or more frequently if requested by the Board.

### 6002

### Budget Planning and Adoption

The Board is required to adopt a budget prior to July 1 of each year, to be in place for the ensuing school year. The budget is a formalized statement of anticipated revenues and expenditures of the District and includes all district fund categories that are used to carry-out the District's educational goals and objectives. The budget will be prepared and published in conformity with current regulations and will maintain an end-year general fund balance that should not fall below 10% of the expenditure budget in that fund.

The Superintendent is responsible for preparing the budget and its timely presentation to the Board. Following adoption by the Board, the Superintendent will regularly inform the Board of actual or anticipated variances that may occur during budget implementation and recommend any action that may be required to be taken by the Board.

### 6003

### Purchasing

The Board authorizes the Superintendent to purchase and/or supervise the purchase of all materials, equipment, supplies and services necessary for the operation of the School District. It is the intent of the Board that the School District purchase competitively, without prejudice or favoritism, and seek maximum value for all expenditures. Competitive pricing is to be pursued by following legally required processes, as well as through such methods as cooperative purchasing, formal or informal bidding, requests for quotations from multiple vendors and negotiation.

**Federal Procurement Standards** The Board seeks to ensure the District complies with all procurement policies in accordance with the Education Department General Administrative Regulations (EDGAR). The Superintendent will delegate responsibility for the development of procedures that comply with this policy to the Assistant Superintendent for Business Affairs.

**Automated Clearing House (ACH) Arrangements and Electronic Transaction of Funds** The Superintendent may transact School District business electronically.

**Federal Grants and Awards** The Superintendent will promulgate legally compliant administrative regulations concerning expenditures of funds received through federal grants and awards.

### 6004

### Surplus Property

**Land or Buildings** The Superintendent may identify School District land or buildings no longer required

for School District purposes and recommend to the Board the procedures to be followed for the sale or disposition of such property. Board approval is required for both the process to be followed and the ultimate sale or other disposition.

**Equipment and Supplies** The Superintendent may periodically review School District equipment and supplies and identify any that are thought to be obsolete and not able to be salvaged, as well as those that cannot be utilized effectively or economically by the School District. The Superintendent is authorized to dispose of any such equipment and supplies in a commercially reasonable manner.

## **6005 Investments**

The Board requires prudent management of the public monies to which it has been entrusted. Oversight and management of School District monies rests with the Superintendent. The Superintendent will, together with other School District administrators under his/her direction, develop and implement procedures to be followed in connection with School District investments. Such procedures will comply with the Governmental Accounting Standards Board (GASB) and the Michigan Revised School Code.

[Link to Investment Policy](#)

## **6006 Risk Management**

The Board seeks to minimize risk in all School District operations. This requires planning that takes into account the safety of students, employees and the public, the protection of School District property and avoidance of financial loss or liability.

The Superintendent is responsible for establishing a risk management program. The program will include means for identifying, eliminating, reducing, or transferring risk, and may provide for the purchase of insurance, if necessary.

## **6007 Audits**

The Board will retain a firm or person to conduct an annual audit of the School District's financial statements to determine, through an independent review, whether the financial statements fairly present the financial position of the School District, whether the School District has followed generally accepted accounting principles and whether proper internal controls exist. The auditor's report will be presented at a public meeting of the Board.

## **6008 Meal Charge**

The School District has established this meal charge policy for children who are eligible for reduced-price or full-price meal benefits, but have insufficient funds to pay for school meals. This policy also addresses bad debt incurred due to the School District's inability to collect unpaid meal charges from its parents and students.

The Superintendent will develop and implement administrative regulations regarding meal charge procedures to provide consistent direction concerning students who are eligible for reduced-price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service. These regulations, and this policy, will be provided to all households in writing at the start of each school year, to households transferring to the School District during the school year, and to all School District staff and independent contractors and companies responsible for implementation.

## **6009 Summer Property Tax Levy**

The Board, by passing a resolution in order to activate this policy, shall impose a summer property tax levy. Each summer property tax levy shall be for 50% for debt retirement and 50% for operating and non-homestead of the district's annual school property taxes, unless otherwise dictated by law.

## **6010 Fixed Assets**

The Board shall maintain a fixed asset procedure sufficient to track applicable purchases and donations of items meeting the following criteria:

- The cost of each item shall exceed \$5,000;
- The item shall have an estimated useful life which exceeds one year;
- Items costing less than \$5,000 each may also be included within this policy if such item is deemed to be theft prone or otherwise warrants tracking.

Fixed assets shall be classified into the following major categories:

- Land;
- Buildings and improvements;
- Site improvements;
- Construction in Progress;
- Furniture and Equipment; and
- Busses and other vehicles.

The Superintendent shall develop such procedures and practices sufficient to meet this Policy.

## **6011 Online Fundraising**

No employee shall create, post, or sponsor any online fundraiser seeking to secure or generate funds from the public for school purposes, purchases for school, or utilizing the District's name, logo, or likeness, without prior written consent from the Superintendent. If permission to create, post, or sponsor an online fundraiser is provided by the Superintendent, any property secured or purchased through such fundraising activities shall become the property of the District and not the employee. This policy applies, but is not limited to, online fundraising services such as DonorsChoose.org, Kickstarter.com, GoFundMe.com, CrowdRise.com, and similar sites.

## **6012 School District Purchasing Cards**

The Board views the use of purchasing cards as a convenient and efficient means of transacting School District related business. The Board approves the issuance and use of School District purchasing cards on the terms and conditions set forth below.

School District purchasing cards may be issued to the Superintendent of Schools and other School District employees designated by the Superintendent. The Superintendent is responsible for the issuance, accounting, monitoring and retrieval of School District purchasing cards and for overseeing compliance with

this Policy. The Superintendent shall assure that:

- A School District purchasing card may be used only by a person to whom the card has been issued by the Superintendent.
- A purchasing card may be used only for the purchase of goods or services for the official business of the School District.
- No purchases for personal purposes or cash advances are permitted.
- An employee of the School District who has been issued a purchasing card shall submit to the Superintendent original invoices and a contemporaneous report detailing the:
  - goods or services purchased;
  - date of the purchase;
  - cost of the purchase;
  - School District related reason for the purchase.

The person to whom a purchasing card has been issued is responsible for its protection and custody and shall immediately notify the Business Office if the credit card is lost or stolen.

A person to whom a credit card has been issued must return the purchasing card upon the termination of employment or service in office for the School District.

Internal accounting controls will be developed to monitor credit card use, approval of credit card invoices and assurance that payment will be timely made. In no event will payment be made later than 60 days from the initial date of the statement on which the purchase is reflected.

Any unauthorized use of a School District credit card will result in appropriate disciplinary measures being taken.

## **6013 Fiscal Planning**

The Board of Education shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the District and to plan for the financial needs of the education program. The Board will strive toward maintaining both short and long range perspectives of District financial requirements. Accordingly, the Board directs the Superintendent/designee to include cost estimates in all ongoing financial requirements, to prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment, to forecast an estimated expenditure budget for three to five years in the future, to maintain a plan of anticipated local, State, and Federal revenues, and to report to the Board any serious financial implications that emerge from the District's ongoing fiscal planning. In addition, the Board directs the Superintendent/designee to maintain annually, a detailed two-year forecast of estimated expenditures and revenues.

## **6014 Conflict of Interest**

Except as may be otherwise permitted by law, the Board of Education shall not knowingly enter into a contract with any supplier of goods or services to this District under which any Board member, officer, employee, or agent of this School District is a party, directly or indirectly, Board members, officers, employees and agents shall not directly or indirectly solicit a contract between this district and (A) themselves; (B) any firm of which they are a partner, member or employee (C) any private corporation in



which they are a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of \$25,000 if the stock is listed on a stock exchange or of which they are a director, officer or employee; or (D) any trust of which they are a beneficiary or trustee. Board members and school personnel shall not accept any gifts, favors or other items of value in excess of \$100 per vendor per calendar year from vendors or bidding vendors of this district which might, in any way, influence their recommendations or decisions on the eventual purchase of equipment, supplies, or services. Board members and school personnel shall not show favoritism in the vendor selection process. Each vendor shall be selected in accordance with policies of the Board and in compliance with all applicable provisions of the Revised School Code and other state and federal laws.

## **6015 Recognition, Food and Entertainment**

Rochester Community Schools greatly values students, staff, parents, and community members. The District encourages recognition of students, staff, and volunteer achievements. The District believes that recognition of achievements, food, and entertainment contribute to a pleasant work place for staff and provides an encouraging school learning environment for students. Rochester Community Schools is a public institution funded with taxpayer dollars. The District's public funds are for the purpose of free and appropriate public education for students and cannot be used for private purposes, private gain, or gifts. The District encourages mutually beneficial collaboration with individuals and other organizations to provide private funds or grants for the purposes of recognition, food, and entertainment. The use of any private funds or grant funds for these purposes must follow the provider agreement/contract. Staff or volunteer recognition and all entertainment expenditures can only be provided through private funding or grant funding. Regulations will provide guidelines concerning the use of public funds for recognition, food, and entertainment.

## **6016 Trust and Agency Funds/Student Activity Funds**

The Board of Education directs the establishment of a Trust and Agency Fund for the financial administration of scholarships, other trusts and student activity funds. The principal of the school shall be responsible for the proper administration of the student activity funds and the Assistant Superintendent for Business Affairs will be responsible for the Trust funds in accordance with the federal, state, and local statutes, and district approved accounting procedures. All funds collected and contributions received by the student groups or the District shall be deposited in the District's Trust and Agency bank account. Funds collected by student groups shall be disbursed only for purposes authorized by that student group with the concurrence of the organization's sponsor and building principal. All funds raised by student organizations must be expended for the benefit of the students or charity as designated by the students. Class funds (Class of 1997, etc.) will be completely expended within 90 days of graduation. Any undesignated balances after that point will be transferred to the account of the next graduating class. Unclaimed funds remaining on account from a disbanded or inactive organization for a period of 24 months will become the property of the district and will be used to offset expenses associated with servicing student activity funds. Interest income generated by the district associated with the management of student funds will be used to offset the expenses (clerical, computer, bank charges and fees, forms, supplies, etc.) associated with maintaining and safeguarding the fund.

## **6017 Site Acquisition**

The Board of Education is expressly empowered to acquire real property for the school district. The Superintendent of the school district shall be responsible for site acquisition negotiations and for the execution of any and all documents necessary and incidental to the acquisition of any real property on behalf of the school district. The Board of Education may meet in closed session to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained, but any official action must be taken at an open meeting of the Board of Education. Official Board action is required to execute a contract for the purchase or lease of real property, and a record of that action must be a part

of the minutes of the Board. The process used in acquiring real property must be in accordance with state law. Any deviation from the requirements of state law may render the transaction void. It is the intent of the Board to purchase property at the least possible cost to the taxpayer.

**Approved by Board of Education 08-20-18**

## **7000**

## **FACILITIES AND OPERATIONS**

### **7001**

#### **Goal**

The Board intends that the educational program be fully supported by suitable facilities. The District will endeavor to utilize energy-efficient resources whenever possible and practical, as well as conduct operations in an environmentally-conscious and responsible manner.

### **7002**

#### **Safety and Security**

School District facilities and grounds will be kept safe, clean and attractive. The Superintendent will develop and implement a maintenance program for the safe and efficient operation of the School District. The program will provide for the regular inspection and periodic maintenance of all School District facilities and be compliant with all applicable safety, health and environmental requirements.

The School District will undertake reasonable cooperative efforts with law enforcement agencies. The Superintendent and building administrators have the responsibility and authority to determine when the presence or assistance of law enforcement officers is necessary on School District premises and School related functions.

### **7003**

#### **Firearms and Other Weapons**

To the full extent permitted by law, the District prohibits firearms and other weapons on District premises and at District-related functions. District employees and students who violate this policy are subject to discipline, including permanent expulsion or discharge. Others who violate this policy are subject to being banned from District premises and District-related functions. The District reserves the rights to report to police authorities any person who violates this policy.

### **7004**

#### **School Crisis, Response, and Closure**

The Board strives to provide a safe learning environment for students, staff and other members of the school community. The Superintendent will develop a school crisis response plan to be implemented in the event of an emergency.

The Superintendent is authorized to close schools in the case of inclement weather or other emergencies when it is unsafe for students to travel to or attend school.

### **7005**

#### **Hazardous Chemicals and Substances**

The Superintendent will develop a plan that includes preventive and remedial measures to be taken in the event that there is exposure, or threatened exposure, to a toxic hazard. The Superintendent will also develop and implement an Asbestos-Management Program for the School District that is compliant with the Asbestos Hazard Emergency Response Act (AHERA).

### **7006**

#### **Tobacco-Free Environment**

The use of all tobacco products on School District property is prohibited. For purposes of this policy, School District property includes all school buildings, areas adjacent to school buildings, athletic fields, pupil transportation vehicles and parking lots. This prohibition applies to students, employees and visitors to the

school or school campus and applies whether or not school is in session. The term "tobacco" includes any kind of lighted pipe, cigar, cigarettes, or any other lighted smoking materials, as well as chewing products and snuff.

## **7007 Electronic Cigarettes, Vaporizers, Etc.**

The use of electronic cigarettes, vaporizers, etc. on School District property is prohibited.

The following definitions apply to this policy. "Electronic Cigarettes" and "Vaporizers" means any device that simulates smoking any type of product, regardless whether they are manufactured, distributed, marketed or sold as e-cigarettes, or under any product name or descriptor. "School District Property" means: all school buildings, areas adjacent to school buildings, athletic fields, pupil transportation vehicles and parking lots.

## **7008 Integrated Pest Management**

The Superintendent will develop an integrated pest management plan or administrative regulations that include strategies to reduce the use of pesticides that pose health risks to students, staff members and other persons in the school community.

## **7009 Transportation**

**Student Transportation** The District will provide transportation to eligible School District students and others consistent with applicable laws. The use of School District transportation resources for field trips, co-curricular activities and other authorized educational, cultural and recreational activities may be permitted when it does not conflict with the primary purpose for transportation and complies with District policies.

Students who reside in the District and meet the following requirements are eligible for transportation to and from school:

- A. Grades K through 5                      1 mile
- B. Grades 6 through 12                    1.5 miles
- C. The Student's IEP or Section 504 Plan requires transportation by the School District

**Business Transportation** The Superintendent is authorized to determine the extent to which District owned vehicles may be used for official school business. Drivers of school owned vehicles shall be properly licensed.

The Superintendent is authorized to reimburse School District employees for School District-related travel outside the boundaries of the School District at a rate not to exceed the rate established by the Internal Revenue Service.

**Private Transportation** In cases where an enrolled student wishes to transport him/herself by private vehicle, the parent(s) or guardian(s) of the student may request permission for their child to self-transport him/herself to and from a District site or program, subject to rules and regulations established by the Superintendent.

## **7010 Use of School District Facilities**

The Superintendent is authorized to permit individuals, groups and organizations to use School District facilities when the use does not conflict with the use of School District facilities for School District purposes. The Superintendent will develop administrative regulations concerning the use of School District facilities.

## **7011 Naming School District Building and Facilities**

In order to assure uniformity and dignity in the naming of school facilities in the Rochester Community School District, the Board of Education specifies the following guidelines:

1. Elementary schools shall be named after places or things and as memorials to people significant to this school district.
2. Middle schools shall be named after national figures of prominence.
3. Senior high schools shall be named after a street or location preceded by the word "Rochester."
4. Facilities, other than schools, shall be named for the major functions performed at this location followed by the word "Center." All major building projects which are named for individuals or historic locations will be identified by a suitable plaque in commemoration of that individual or historic location.

## **7012 Recognitions, Remembrances, and Plaques**

The Board may honor a person of national, state or local importance by placing a suitable plaque or memorial on a School District building or facility. The Board may elect to provide remembrances and/or recognitions of District employees or those serving the District from time to time. The Board authorizes the expenditure of reasonable costs for recognitions addressing an individual's service/employment to the District. Other than the foregoing, no public funds shall be expended for remembrances or recognitions approved by the Board.

## **7012 Surveillance of and in School District Buildings and Facilities**

In order to commemorate the persons who worked for the approval and construction of a new school building, each major building will contain a plaque identifying the project, year completed, and the names of the Board members, Superintendent, construction manager and architectural firm. The names which appear on a plaque shall be those persons who were serving at the time the contract for the building construction was signed.

The Superintendent may authorize legally compliant surveillance of and in School District buildings and facilities.

**Approved by Board of Education 08-20-18**

## 9000

## Community Relations

### 9001

#### Goal

The community should be regularly informed about the objectives, achievements and condition of the School District. The Board recognizes the importance of community input and encourages active involvement in School District planning and operations.

**Public Information** The School District annually releases information in accordance with state and federal reporting requirements. The Superintendent will utilize various media sources to provide for meaningful sharing of information between the School District and the community.

In accordance with the Michigan Freedom of Information Act (FOIA), MCL 15.231 *et seq.*, the School District will make public records available for inspection or duplication. The Superintendent is the School District's FOIA Coordinator and will develop administrative regulations necessary to implement the requirements of the Act. The regulations will include a schedule of costs to be charged, as allowable under the Act. The Superintendent may designate another individual to perform on his or her behalf in receiving, processing, granting and denying requests for public records.

### 9002

#### Community Use of School District Facilities

The Board encourages the use of School District facilities to promote educational, recreational, cultural and civic activities of the community. The Board does not intend, through this Community Use policy, to create a public forum or limited public forum for expressive activity. The Superintendent will develop administrative regulations, as necessary, to implement this policy.

### 9003

#### Gifts, Bequests and Donations

The Superintendent may accept gifts, bequests and donations in the name of the School District. Gifts, bequests and donations must:

- Be free of any restriction that is contrary to law or inconsistent with Board policy.
- Be, in the opinion of the Superintendent, fitting and appropriate for School District use.
- Not require excessive installation, alteration or maintenance costs, or otherwise require a large commitment of School District resources.

### 9004

#### Distribution of Information / Materials

The Board seeks to minimize intrusions on the time of students and employees caused by the distribution of information from sources outside of the School District. Materials which have not been purchased from, produced or sponsored by the School District may not be sold or distributed on School District property without the prior written approval of the Superintendent.

### 9005

#### Public Complaints

The Board welcomes constructive criticism. The Superintendent will develop and implement administrative regulations providing for the investigation and resolution of complaints at their closest point of origin. A complaint concerning the Superintendent may be filed directly with the Board.

**9006****Solicitation**

As a general rule, the District will not allow charitable and nonprofit organizations and/or individuals access to the District communication system, access to school property and/or access to school staff and students during hours of school operations for the purpose of solicitations and fundraising.

Solicitations by students within the schools or on school grounds for any cause is prohibited except as they relate to school-sponsored activities.

**9007****School Visitors**

Each visitor shall be required to register their presence in the school during school hours.

The Superintendent and building principal each possess the authority to prohibit the entry of any individual into a school of the District or to expel any individual from the school when there is reason to believe the presence of such individual would be detrimental to the good order of the school.

The Board prohibits the possession and consumption of alcoholic beverages or illegal substances at any function sponsored by the District, and, further, prohibits wagering on school premises.

No individual will be permitted to volunteer if he/she has been convicted of a misdemeanor described in, or a felony that is a "listed offense" as defined in, MCL 380.1535a or MCL 380.1539b. If an individual has been convicted of a felony that is not a listed offense, as defined in MCL 380.1535a or MCL 380.1539b, the individual may only be permitted to volunteer if the Board and the Superintendent both approve the volunteer assignment in writing. This policy does not grant any individual who passes an ICHAT background check with the right to be approved as a volunteer.

**9008****Advertising**

The Board of Education recognizes the value of advertising, corporate sponsorship, licensing and other commercial endeavors. As such, the Board authorizes the Superintendent/designee to pursue such endeavors as potential revenue sources.

All materials or activities proposed by outside sources for advertising, corporate sponsorship, or licensing will be subject to approval by the Superintendent/designee.

**Approved by Board of Education 08-20-18**

## **GENERAL POLICIES 10000**

### **Acceptable Use 10001**

School District students and staff members may be permitted access to the School District's computer network for educational, instructional and administrative purposes. The Superintendent or his/her designee will develop and implement guidelines and user agreements that are consistent with the purposes and mission of the School District. The guidelines and user agreements will include all requirements of the Children's Internet Protection Act (CIPA).

### **Americans with Disabilities Act (ADA) /**

#### **Section 504 of the Rehabilitation Act of 1973 (Section 504) 10002**

In accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act (ADA), the School District will ensure that 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. The School District does not discriminate in admission or access to, participation in or treatment of, students with disabilities in its programs and activities. Similarly, the School District does not discriminate against any job applicant or employee with a disability in any term or condition of employment or in the recruitment process.

The Superintendent will appoint a Compliance Officer or Officers to assure that there is adherence to this policy. The Superintendent will also develop a complaint procedure for the processing and early disposition of alleged violations of the policy.

### **Discrimination and Harassment 10003**

The Board of Education is committed to maintaining a learning/working environment in which all individuals are treated with dignity and respect, free from illegal discrimination and harassment. There will be no tolerance for discrimination or harassment on the basis of race, color, national origin, religion, sex (including pregnancy, sexual orientation or gender identity), age, disability, marital status, genetic information, height, weight or any other criteria prohibited by law. The Superintendent will designate compliance officers and develop and implement administrative regulations for the reporting, investigation and resolution of complaints of discrimination or harassment. The Superintendent designates David Murphy as Title IX Coordinator.

### **Communicable Diseases 10005**

The School District follows universal precautions where there has been an exposure to blood or other potentially infectious materials. Universal precautions require that staff and students treat all human blood and certain human body fluids as though they were infectious.

The Superintendent, or his/her designee, will develop and implement an exposure control plan. This plan is to include in-service training for staff and provide opportunities for immunization at School District expense.

The School District will work cooperatively with the Oakland County Health Department to enforce and adhere to the Michigan Public Health Code (Act 368 of 1978 as amended) with regard to the prevention, control and containment of communicable diseases. The Superintendent will appoint a committee comprised of School District employees and one or more representatives from the County Health



Department to develop and recommend legally compliant regulations. The regulations will specifically address matters of confidentiality under State and Federal law.

## Copyrighted Works 10006

The School District will fully respect the personal property rights of others, whether tangible or intangible, in accordance with the Copyright Act of 1976, as amended. The Superintendent will develop and implement regulations to implement this policy. The regulations will specifically inform students, staff and other members of the school community about the applicability of copyright protections and what may be permitted under the "fair use doctrine."

## Web Accessibility 10007 – Revised 7.17.2018

General. The District is committed to ensuring accessibility of its website for students, parents, and members of the public. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents of those guidelines. The District will continue to test future releases/updates of its web site and remains committed to maintaining its compliance and serving the widest possible audience. To this end, the District will perform periodic accessibility audits of its web site.

Report of Accessibility Issues. If any individual has difficulty accessing the information on any page of the District's web site, they are encouraged to contact the District's Web Accessibility Coordinator and advise accordingly. Upon notification, the District will provide the requested information in an alternate format and, as soon as reasonably practical, make the necessary improvements to make the information accessible online.

Discrimination Complaint. Consistent with established District procedures, students, parents, and members of the public may present a formal complaint regarding a violation of the Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 related to the accessibility of the District's web presence. Such complaints should be made to the District's 504/ADA Compliance Officer. If any such complaint is made to the District's Web Accessibility Coordinator, such complaint shall promptly be forwarded to the 504/ADA Compliance Officer for processing and response.

The following persons have been designated to handle inquiries regarding the District's web site accessibility and non-discrimination policies.

### Section 504/ADA Compliance Officer:

Instructional Equity and CTE Program Specialist  
501 W. University Drive  
Rochester, Michigan 48307  
(248)726-3179

### Web Accessibility Coordinator:

Director of Community Relations and the RCS Foundation  
501 W. University Drive  
Rochester, Michigan 48307  
(248)726-3127

**Effective: March 1, 2017**