



ROCHESTER
COMMUNITY SCHOOLS

· PRIDE IN EXCELLENCE

ADMINISTRATIVE REGULATIONS

MILLER 
JOHNSON
School Policy Services

Miller Johnson School Policy Services

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The 2000 series of Board Policies requires or permits the Superintendent¹ to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on August 25, 2024 and posted them on the School District website. All School District personnel and students are required to follow these administrative regulations.

The Superintendent designates the School District's Deputy Superintendent to review the 2000 series of Board Policies and these regulations at least annually. The Deputy Superintendent is also expected to recommend to the Superintendent legally compliant revisions and additions to the 2000 series of Board Policies and these administrative regulations.

2001-AR

Admission and Enrollment

Resident Students

Age of Enrollment. Michigan's [Revised School Code](#) specifies the dates by which a child must reach school age in order to be eligible to enroll in kindergarten or first grade.

Early Enrollment. A parent² may apply for early enrollment to the Superintendent.

Documentation. A parent who seeks to enroll a child in the School District will prove the child's age, typically with a certified copy of a birth certificate. If the parent cannot produce a certified copy of a birth certificate, the parent must explain the reason to the enrollment official and prove the child's age to the reasonable satisfaction of the enrollment official. The parent must also sign an affidavit stating the reason the birth certificate cannot be produced. A parent enrolling a student who has attended school in another school or school district must provide the enrollment official with a release for the student's education record on a form created by the School District or otherwise acceptable to the enrollment official. A parent enrolling a student will provide a current Immunization Record; Michigan law requires all children to have all required immunizations or a valid waiver on file prior to the start of school. A parent enrolling a student in their first year of school will provide a current record of Dental screening; Michigan law requires Dental screening for all students entering their first year of school. A parent enrolling a student in Kindergarten will provide a current record of Vision and Hearing screening; Michigan law requires Vision and Hearing screening for all incoming Kindergarten students. A parent enrolling a student will provide a copy of the parent's picture ID.

Residency. Residency is defined in Michigan's [Revised School Code](#). Proof of residency will be established as follows:

For Homeowners: A current property tax statement, deed, or land contract and a current utility bill establishing the parent lives within the School District's geographic boundaries; or, a property transfer affidavit and utility confirmation establishing the parent will live within the School District's geographic boundaries within 30 days of the beginning of the student attendance year in question; or,

For Renters: A fully executed lease and current utility bill confirming the parent lives within the School District's geographic boundaries.

¹ "Superintendent," as used in these regulations, includes the Superintendent's designee, unless otherwise indicated.

² The term "parent," as used in these regulations, includes a guardian or an adult student.

Families residing with a resident who owns/leases their home in the District.

A signed, notarized and stamped Shared Household Affidavit where the homeowner provides a picture ID to the notary for verification, a current property tax statement, deed or land contract and a current utility bill establishing the homeowner lives within the School District's geographic boundaries; or

A signed, notarized and stamped Shared Household Affidavit where the lease holder provides a picture ID to the notary for verification, a fully executed lease and current utility bill confirming the lease holder lives within the School District's geographic boundaries (which lease includes names of all children enrolled or enrolling in the District).

Nonresident Students

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

Schools of Choice (Intra-District). In general, students shall attend the school serving the attendance area in which they live. In some circumstances, parents/legal guardians may request their student attend a school outside their attendance area under the following guidelines.

I. Guidelines

- A. For students entering grades K-5, open enrollment requests will be granted to siblings currently in attendance at a school under open enrollment. Students entering grades K-5 who do not have siblings currently under open enrollment will be considered using the following criteria:
- Available physical space at schools and/or grade levels within schools. Some schools may be closed to open enrollment for the subsequent school year.
 - Contractual planning ratios and legal contractual limits
 - Space for anticipated growth/projections and special programs assigned to the building
- B. For students entering grades 6 through 12, open enrollment will only be granted to those who will have a sibling concurrently enrolled at the building requested.

II. Annual Application

All students will be assigned space in their neighborhood school. They will retain that space until and unless they have made application and have been assigned space in a school in another attendance area under open enrollment.

Commitment by the student/parent/guardian to their open enrollment school begins with the submission of application and acceptance to the open enrolled school. The following will apply:

- Placement at the open enrollment school shall be for the entire school year.
- The student may remain at the open enrollment school, without annual application, unless the parent/guardian notifies the office of student enrollment.
- Students will be limited to one choice when applying for an open enrollment placement.
- Students open enrolled prior to the 2017-18 school year who are changing levels (elementary to middle; middle to high) will automatically be enrolled to the school according

to the open enrollment path unless the parent/guardian notifies the office of student enrollment.

- Beginning with new open enrollment requests for the 2017-18 school year, students will be assigned to the school in their home attendance area when changing levels (elementary to middle; middle to high).

III. Priority for Placement

If the number of students applying to attend a school should exceed the established capacity level, priority for available space in the receiving school will be given to siblings of students enrolled in the requested school. Otherwise, the students wishing to exercise the open enrollment option will be determined on a lottery basis.

IV. Athletic Restrictions

All students in grades 10-12 who move to an open enrollment school shall be ineligible for interscholastic athletic competition the first semester they enter the open enrollment school. No waiver of ineligibility shall be requested as provided for in the Michigan High School Athletic Association, Inc., Regulation 1, Section 9 (A-9).

However, a student who has returned to his/her home school at the request of the school district would immediately be eligible in the home school.

V. Application Process

Each year, a timeline will be established within which a request for an open enrollment placement can be made. The timelines will have the format of:

- A. Application period (three-week period).
- B. Applications will be accepted within the specified timeline for all elementary schools that are projected to have space for the following school year. Schools that are projected to be at capacity will be closed for open enrollment. A list of schools available for open enrollment will be published at the beginning of the application period.
- C. After the application deadline, notification will be sent to the student/parent/guardian as to whether the open enrollment request was granted. If the student/parent/guardian accepts the open enrollment placement, he or she will need to return the completed commitment letter within two weeks. Failure to return the commitment letter will void the open enrollment request.

VI. Moving within District Boundaries

Students who relocate within the boundaries of the school district have two options:

- 1) Remain at their original school. If the student elects to remain at the school within the boundaries of the former residence, the student may continue at that school until the end of the school year or until a level change with completion of an Open Enrollment Commitment Form (elementary to middle; middle to high). In accordance with this administrative regulation, transportation will not be provided.
- 2) Transfer to a school serving the new residence.

The Student Enrollment Office must be notified by April 1 of the student's intent for the following school year. For address changes after April 1, the student is required to make an immediate decision regarding placement.

VII. Transportation

Parents/guardians are responsible for providing transportation of students exercising open enrollment.

VIII. School Notification

Shortly after commitment letters are returned by the parents, building principals will be notified by the Student Enrollment Office as to the number of open enrollment students, the grade level they are placed in, and the names of students.

IX. Parent/Student Responsibilities

Open enrollment students are expected to be at school on a daily basis on time and are expected to leave the school grounds promptly at the end of the school day. Failure to comply will result in termination of the student's open enrollment placement.

Tuition Students. The School District does not accept tuition students at this time.

Children of School Non-Resident Employees. Pursuant to Policy 2001, the School District accepts for enrollment the children of non-resident School District employees, subject to the conditions adopted by the Board. For purposes of application, an "employee" is defined as an individual who is assigned to a part or full time position directly by the School District, working a period of 10-12 months over the course of the school year (e.g. seasonal employees do not qualify).

Foreign Exchange Students

Generally. The School District will accept international/foreign exchange students, subject to the Superintendent's reasonable discretion. A student wishing to enroll in the School District as an international exchange student must meet the following requirements: the completion of an application to the School District's Office of Student Enrollment between March 1 and June 30 of the preceding school year; the provision of evidence of approval by the United States Department of State, including an F-1 or J-1 student visa; affiliation with a program on the Council on Standards for International Education and Travel (CSIET) Advisory List on International Education Travel and Exchange Programs; the provision of the name, address, and telephone number of the program's local representative and most recent brochure; the provision of the names, addresses, and telephone numbers of at least two suitable host families, unless the School District is aware of suitable host families; proof they will be at least 16 years old by the date of first attendance in the School District; provision of suitable proof of health and accident insurance; proof of the ability to communicate and learn in English, as evidenced by a secondary level English proficiency test on which they earned a high intermediate or advanced level score. Additional required documentation include student immunization records, copy of passport, transcripts, family proof of financial ability.

Acceptance and Placement. High School Principals, no later than June 15 of each school year, will forward to the Superintendent no more than four recommendations for international exchange students who meet the criteria set forth in the preceding paragraph. The Superintendent will review the recommendations and, if they are satisfied, approve the recommendations for placement for the upcoming school year according to applicable Board policies and administrative regulations. Approved international exchange students attending the School District are subject to the same policies and administrative regulations as other students and will not receive diplomas from the School District except according to applicable administrative regulations.

Homeless Students The Superintendent appoints an Administrator in the Enrollment Department to serve as the School District's Homeless Liaison in accordance with the [McKinney-Vento Act](#). The Liaison's duties include, but are not limited to:

1. Establishing practices designed to facilitate the school enrollment of homeless students;
2. Assisting with the enrollment of homeless students and providing assistance with obtaining academic and medical records;
3. Informing parents or unaccompanied homeless students of the educational and related opportunities available to them;
4. Assisting with school placement decisions based on the best interest of the student and desires of the parent or unaccompanied student;
5. Ensuring that referrals are made for health care, dental, mental health, and other appropriate services;
6. Monitoring each enrollment to assure that homeless students are not isolated or stigmatized because of their homeless status;
7. Handling enrollment disputes and ensuring that disputes over the placement of homeless students are resolved in a timely manner;
8. Arranging transportation and informing the parent or unaccompanied homeless students of the transportation services the School District must make available; and,
9. Disseminating public notice of the educational rights of homeless students in places within the community where they are likely to be seen by homeless students, their families and advocates for the homeless.

The Liaison will inform all School District personnel and persons or agencies known to work with homeless families of their identity and contact information.

Shared Time Instructions Shared time instruction will be provided according to Michigan law and the Michigan Department of Education's Pupil Accounting Manual.

2002-AR Learning and Achievement

Assessments

Generally. The Superintendent will inform the Board and District administrators and teachers of the national, Statewide, and Districtwide assessments the District will administer. District personnel are expected to administer assessments consistent with protocols and students are expected to participate in assessments. Assessments and alternative assessments will be administered to disabled students consistent with their IEPs or Section 504 Plans.

Discretionary Assessments and Assessments Required by Law. These regulations do not prohibit School District personnel from administering or considering other assessments, including other assessments permitted or required by law.

Achievement Reporting

Generally. Periodic proficiency reporting is intended to encourage student achievement and citizenship and accurately and consistently report student achievement in the School District's curriculum. Teachers are expected to follow Board policies and administrative procedures concerning student achievement. Building administrators are expected to orient new teachers to the Board's policies and administrative procedures concerning student progress and, upon request, assist teacher compliance.

Establishing Expectations. Building administrators and teachers are expected to establish academic and behavioral expectations for students and parents at the beginning of the school year or course. Middle school and high school teachers are strongly encouraged to communicate academic and behavioral expectations to students in writing, including a syllabus.

Reports, Grades, and Academic Recognition. The School District's Assistant Superintendent of Early Childhood and Elementary Education and the Assistant Superintendent of Secondary and Adult Education are responsible for creating and, from time-to-time, updating or revising forms for periodic progress monitoring and standards for elementary, middle school, and high school students. Teachers are responsible for completing all necessary forms for periodic progress monitoring and standards in an objective, consistent, and timely manner. Teachers are also responsible for notifying students and parents when a student's work is likely to result in a failing grade. Academic reports and grades should be based on students' academic work rather than behavior. Behavior should be reflected in citizenship reports or marks. A teacher may not award a failing grade to a secondary student unless they have provided such notice in a timely fashion. Building administrators are expected to facilitate these teacher responsibilities consistent with Board policies and these administrative regulations. Any and all expectations pertaining to progress monitoring and/or standards/grades articulated in the Student Handbook are hereby incorporated into these administrative regulations by reference.

Attendance. The School District expects students will be in class every school day for the entire school day or class period. Teachers are required to take daily attendance for every class they teach. The District will report student attendance on every grade report.

Students will be marked as tardy if they are not in their classrooms ready to learn at the beginning of the school day or class period. Tardiness may result in student discipline as set forth in the School District's Student Code of Conduct.

Accommodations and Modifications. Accommodations permit a student to access School District facilities and services, including educational services such as the District's curriculum. Modifications change the District's curriculum at a student's grade level. Teachers may not consider accommodations when giving academic progress reports or awarding grades. Teachers may note modifications on individual academic progress reports and grade reports. The School District does not note modifications on student transcripts.

Grade Appeals. Teachers are responsible for awarding grades consistent with Board policies and administrative regulations. A student or a parent who wishes to appeal a grade awarded by a teacher may do so by notifying the building administrator in writing no later than 15 calendar days after the grade is issued. The building administrator will promptly schedule a meeting with the parent and/or student and teacher to discuss the appeal. If the teacher does not concur with the appeal, the building administrator will issue a final decision resolving the grade appeal.

Academic Recognition. Building principals will take all reasonable opportunities to encourage scholarship by recognizing students who excel in their studies. Building principals at the middle school and high school levels will set and communicate honor roll standards and publish honor rolls within the school and to the media. The High School Principal will grant honors to seniors graduating with a Michigan Merit Diploma based on grade point averages and Advanced Placement (AP) courses.

Placement

Generally. The Superintendent designates to building administrators the responsibility for placing students in schools, grades, and courses. Building administrators should exercise good judgment with respect to placement decisions and consider the following factors, among others:

1. The student's academic achievement and ability as reflected in scores on standardized tests;
2. The student's academic performance in School District classes or while enrolled in another school district;
3. The student's chronological age;
4. The student's social maturity; and
5. In accordance with Board policy.

In the event of disagreement, the student and their parents should be consulted before a final placement decision.

Promotion and Retention Subject to the previous administrative regulation, students typically advance to the next grade after the end of the school year. The building administrator will use the following process if a student's teacher or parent recommends retention:

1. Teachers should identify students who are not meeting grade level objectives in one or more subjects and notify the building administrator and the students' parents by the end of the first semester of each school year. When such notification occurs:
 - (a) The teacher, building administrator, and parents should meet to review the student's academic record, current test scores, work samples, and anticipated progress; and,
 - (b) Follow-up meetings may be scheduled between the teacher, building administrator, and parents.
2. The building administrator is responsible for making a final decision on retention, after consulting the teacher and the parents, and considering the following factors, among others:
 - (a) The student's academic achievement in all subject areas, especially attainment of grade level objectives, as determined by the School District's curriculum, assessments, progress reports, tests, assignments, and work samples;
 - (b) The student's chronological age;
 - (c) The student's attendance; and,
 - (d) The student's social and emotional maturity.

Graduation Requirements

Generally. All School District students who meet the School District's graduation requirements will be issued a diploma. Participation in School District graduation ceremonies is a privilege rather than a right.

Building principals may recommend eligible students for graduation and a diploma when the student has met the requirements established by these regulations. A student is eligible for recommendation for graduation when they: have completed four years of high school, unless a request for early graduation has

been granted; have earned 22 total high school credits, including all required by the Michigan Merit Curriculum (MMC) courses and credits (which may include middle school courses aligned with MMC, but not for purposes of calculating GPA); and, have completed all scheduled assessments. The MMC eligibility requirement may be fulfilled through a Personal Curriculum (PC) created according to Michigan law and approved by the Superintendent. The Superintendent will not approve PC deviations from School District graduation eligibility requirements based on a student's personal preference for one or more subjects over others.

Early Graduation. A student who is otherwise eligible for graduation and a diploma may make a request for early graduation to their counselor and building principal. The building principal may recommend a student's early graduation upon the student's counselor's certification the student has or will meet all School District graduation requirements. Parental permission is required for students who are not 18 when the application is filed. If the Superintendent grants an application for early graduation, the student will receive a letter of confirmation but will not be awarded their diploma until the next graduation ceremony.

Full-Time Status A student is considered to be full-time if they are enrolled as follows, subject to building administrator approval:

- For high school students: six courses, totaling at least six credits.
- For middle school students: six courses, totaling at least six credits.
- For elementary school students: a full-day course load with regular attendance.
- For the Alternative Education Center (ACE): seven courses, totaling seven credits.

Board-Approved Courses The School District will adopt a list of Board-approved courses offered for credit or grade promotion. The list will include traditional course offerings and courses offered through other means, such as experiential learning courses, online courses, courses offered in share time programs, etc. In addition, the list will include the extended learning opportunities associated with each course and a description of such opportunities.

The School District will maintain a document describing the content of each approved course as well as documentation related to course approval, including the list of Board-approved courses.

Credit

Generally. A student earns credit toward a Michigan Merit Diploma when he/she successfully completes the subject area content expectations or guidelines developed by the Michigan Department of Education (MDE) that apply to the credit. The Superintendent and building principals are responsible for informing teachers of MDE expectations and guidelines. Teachers are responsible for informing students of content expectations and guidelines. Teachers are also responsible for determining whether a student has successfully completed content expectations or guidelines. The teacher's determination will be based, at least in part, on one or more assessments developed or selected by MDE or the District. In the absence of MDE content expectations or guidelines, the Superintendent or designee will develop content expectations or guidelines for classes offered by the District.

Testing Out. A student may earn credit toward a Michigan Merit Diploma (MMD) by testing out of a class. The District will permit a student to earn credit by testing out of a class if the student demonstrates reasonable mastery of the class's MDE content expectations or guidelines by earning a qualifying score, as determined by MDE, on one or more assessments developed or selected by MDE. In the absence of a relevant MDE assessment, a student may test out of a class by earning a qualifying score, as determined by the District, on an assessment or assessments developed or selected by the District. Separately, the District will grant credit to any high school student who can exhibit reasonable level mastery of a high school class. The student may demonstrate reasonable level mastery by attaining a grade not less than a C+ on

the final examination for the class or, if there is no final examination, by exhibiting mastery through one or more assessments developed or selected by MDE or the District. A student who earns credit pursuant to the preceding sentence will receive a “pass” grade that will not be included in the calculation of his/her grade point average for any purpose. Additionally, the student may not, thereafter, enroll in or receive credit for a course lower in the course sequence concerning the same subject area.

Graduation and Diploma Requirements

Michigan Merit Diploma (MMD). The School District will grant a MMD to a student who has satisfied the requirements of the Michigan Merit Curriculum (MMC). The Superintendent may establish graduation requirements in addition to those set forth in the MMC.

District Specific Graduation Requirements. The School District will not grant a MMD to any student who has not taken all legally required and District-wide assessments.

Personal Curriculum. A Personal Curriculum (PC) may modify MMC requirements in order to: add credit requirements; complete an MDE-approved formal career and technical education program; modify content standards for mathematics; modify, when necessary, credit requirements for a student with an IEP; or, modify credit requirements for a student who transfers from out-of-state or from a nonpublic school and is unable to meet MMC requirements for that reason. A PC must be prepared in compliance with all applicable legal requirements and may not be implemented without the Superintendent’s or designee’s approval, which will be based on his/her assessment of the Student’s best interests. The Superintendent or designee will post on the School District’s web site and provide annual notice to parents explaining the availability of PCs and that students may be eligible for a PC.

Certificate of Completion. The School District will award a certificate of completion or other diploma to a student who does not qualify for a MMD, upon the recommendation of the Superintendent.

2003-AR Education Records

Creation and Retention The School District maintains records according to the Michigan Department of Education’s Record Retention Manual.

Cumulative File (CA-60) Building administrators will create and maintain a cumulative file (CA-60) for each student who attends school in the School District. The cumulative file may be created and maintained digitally. The building administrator will determine the contents of the CA-60 including, at a minimum:

1. The student’s classes and credits;
2. The student’s attendance record;
3. The student’s assessment results;
4. The student’s standardized test results, with the exception of standardized tests taken to determine whether the student is eligible for special education and related services;
5. The student’s immunization status;
6. An eligible student’s most recent IEP or Section 504 Plan; and
7. A summary of the student’s disciplinary record.

Special Services File The School District’s Executive Director of Special Education will publish legally compliant guidelines requiring School District personnel to create and maintain special education files for

students who are eligible for special education and related services or accommodations under the [Individuals with Disabilities in Education Act](#) and [Michigan special education law, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990](#). The special education file may be created and maintained digitally. The guidelines are available at this link: <https://www.michigan.gov/dtmb/services/recordsmanagement>.

Directory Information and Access to Student Education Records

Family Educational Rights and Privacy Act (FERPA). This administrative regulation has been developed to comply with FERPA and does not, itself, confer enforceable rights to any person.

Access to Education Records.

Parental Access. The natural parents of minor and dependent students may inspect their children's education record, unless that right has been terminated by a court order.

Adult Students. Adult students may inspect their education record.

Board Members and School District Personnel. Board members and School District personnel may access a student's education record if they have a "legitimate educational interest" in doing so, within the meaning of FERPA.

Other Persons. Other persons may inspect student education records to the extent permitted by FERPA.

Time and Place of Inspection. Generally, a person authorized to access a student's education record, other than School District personnel, must make an appointment to review education records at the student's school with the building administrator, or designee, who will remain present during the inspection. An authorized person will be permitted to copy selected education records upon request and fees may be charged as permitted by law.

Access Log. The building administrator will include an access log in each student's CA-60 and Special Services file that will identify each person who accessed the education record, the date and time the education record was accessed, and the reason the education record was accessed.

Directory Information. Board Policy 2003 defines directory information that may be disclosed by School District Board members and personnel. Annually parents and adult students will be notified and given the opportunity to "opt-out" of the disclosure of directory information and the steps that must be taken to exercise that right.

Amendment of Education Records Parents and adult students may request the amendment of education records that are inaccurate, misleading, or in violation of the student's rights of privacy or other rights. The following procedure will be used in cases when parents or adult students request the amendment of education records:

1. The parent will request the amendment in writing, including: identifying the education record(s) in question and, the reason(s) the education record should be amended;
2. The building administrator, after conferring with their direct supervisor, may agree to amend the education record and do so;
3. The building administrator, after conferring with their direct supervisor, may decline to amend the education record and, if so, notify the parent or adult student of the reason(s) and the parent's right to a hearing.

4. If a hearing is requested, the building administrator will immediately notify their direct supervisor and the Superintendent, who will arrange for a hearing consistent with FERPA requirements.

Other Agencies or Institutions As permitted by FERPA, the School District may forward education records, including disciplinary records, without student or parental consent, to other agencies or institutions in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer and upon receipt of a request for a student's school or education records.

2004-AR Extracurricular Activities

School District Clubs and Other Activities On or before September 30 of each school year, each building administrator will forward to the Superintendent a complete list of the School District clubs and other activities offered in the building. Building administrators may not add new District clubs or activities that cost the District money without the approval of the Superintendent. The building administrator will also promptly notify the Superintendent of any changes during the school year.

Fundraising

Overview. Fundraising generally falls into two categories: fundraising by individual schools or student activity groups and fundraising by parent organizations (PTA, Booster Club, etc.). This administrative procedure governs fundraising by individual schools or student activity groups. Questions concerning fundraising by parent organizations should be directed to the School District's Business Office.

This administrative regulation does not apply to "fiduciary activities" as the phrase is defined under GASB 84.

General Guidelines. Requests to conduct fundraising must be submitted to the building administrator for approval. The building administrator must notify the Superintendent of approved fundraisers. The distribution and posting of fundraiser flyers must also be approved by the building administrator. If the fundraiser involves food items, items that do not meet USDA Smart Snack standards may not be sold to students or consumed by students on campus during school hours, except as otherwise provided by state law/regulation. Fundraising activities utilizing third party platforms or vendors must be approved by the Superintendent.

Contracts. Administrators – with the exception of the Superintendent, Assistant Superintendent of Business and Operations, and the Director of Financial Services – may not enter into contracts, including contracts related to fundraisers, without the prior approval of the Superintendent.

Accounting Procedures and Cash Management. Funds collected from fundraisers must be secured by the staff member in charge of the fundraiser at the end of every day and turned over to the building administrator at the end of the day or as soon thereafter as possible. The building administrator will verify the amount collected every day, notify the staff member in charge and the Superintendent of the amount collected every day, and deposit the amount collected every day in a bank account or a safe at the end of the day or as soon thereafter as possible.

Purchases may not be made from cash received through a fundraiser. Instead, purchases must be made using a School District purchase order, check, or credit card. If this is not possible, the School District will reimburse for purchases approved by the building administrator and the Superintendent.

The building administrator is responsible for maintaining all fundraising and related records for five years after the fundraiser is completed and such records are subject to internal audit and external audit by the District's independent auditing firm.

2005-AR

Communication

Memorials Generally, tributes, ceremonies, and memorials (collectively, memorials) recognizing an adult or student are generally not held or permitted on School District premises. A person who wishes to organize a memorial on School District premises must seek the permission of the building administrator, who will consult with the Superintendent before granting permission.

A student who dies during the school year will be acknowledged in their school yearbook that year in a manner within the discretion of the building administrator, unless the yearbook has already gone to print. The student's parents, caregiver, or friends may seek the permission of the building administrator to acknowledge the student in subsequent years.

A student who dies during the school year may also be acknowledged in the next edition of any official school newsletter or student publication. Any article concerning the student must be written with the assistance of the school's trauma team, if any, and approved by the building administrator and the student's parents or caregiver. Such articles should be similar in content and length. The building administrator may also permit the dedication of a single program, playbill, book, or specific event related to the student's interests or activities no later than one calendar year of the student's death.

2006-AR

Behavior

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

Student Bullying

Implementation.

Responsible School Official. The Principal of each school building is primarily responsible for implementing this administrative regulation and its corresponding policy for the school to which they are assigned.

Publication. The Superintendent will revise the School District's Student Code of Conduct, consistent with this administrative regulation, specifically, to prohibit bullying and cyberbullying, as defined below. The Superintendent is directed to post this administrative regulation and its implementing policy on the School District's website.

Reporting. The Superintendent shall report to the Board of Education, on an annual basis, all verified incidents of bullying, and the resulting consequences that were imposed.

Definitions. The following definitions apply for purposes of this administrative regulation and its corresponding policy:

"Bullying" means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one or more School 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.

"At school" means in a classroom, anywhere else on school premises, on a school bus or other school-related vehicle, and at a school-sponsored activity or event, whether or not it 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 School District.

"Cyberbullying" means any electronic communication that is intended or that a reasonable person would know is likely to harm one or more students either directly or indirectly by doing any of the following:

- (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.

Accountability. Each student in the School District is accountable for their own behavior, based on age-appropriate expectations. 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 Board policy 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.

Complaint Procedure. In order to implement the bullying policy, the School District has developed the following complaint procedure:

A student who believes that they have been the victim of bullying or cyberbullying must immediately report the incident(s) to the building principal. A student's parent must also report any such incident(s) on behalf of the student. Upon receipt of a report (complaint), the principal or their designee (the investigator) will conduct a prompt investigation. At the request or with the permission of the complainant, the investigator may first attempt to resolve the matter informally, such as through restorative practices. Informal steps will not, however, cause a substantial delay in the investigation. The complainant may, at any time, request that the matter move to a formal investigation. Where the bullying activity is alleged to have been based, in whole or in part, on the protected classifications of race, color, sex, national origin, or disability, the building principal will notify the School District's designated Compliance Officer or Coordinator pursuant to Board of Education Policy 8002.

Step 1: Formal Investigation. The investigator will interview the complainant and document the interview. Generally, the complainant will be asked to reduce the complaint to writing, to provide the names and contact information, if known, of any persons who witnessed and may be able to substantiate the allegations of the complaint, and to produce any documents or other things supporting the complaint. The complainant will be directed not to discuss the complaint with other students while the investigation is pending.

The investigator will interview the accused and document the interview. Generally, the accused will be asked to reduce their response to writing and to produce any documents or other things supporting their response. The investigator should not disclose the identity of the complainant unless this is necessary to enable the accused student to respond to the allegations. The accused will be directed not to contact the complainant, if the complainant's identity is known or suspected, or retaliate or threaten to retaliate in any way against the complainant or any potential witnesses

In the event of a significant discrepancy between the complainant and the accused, the investigator will interview other persons reasonably necessary to resolve the discrepancy.

Step 2: Decision.

Complaint Found Valid. If the investigator concludes that the complaint is valid (i.e., bullying or cyberbullying in violation of School District policy has occurred), the following actions will be taken:

- The parent of both the complainant and the accused will be notified of the results of the investigation;
- The results of the investigation will be reported to the Superintendent;
- The Superintendent will consider whether restorative practices may be appropriate and, if so, invite the complainant and the accused to participate in a restorative practices team meeting;
- The Superintendent will consider whether disciplinary action may be appropriate and, if so, initiate disciplinary action in accordance with the Student Code of Conduct; and
- The Superintendent will determine whether relief to the complainant is feasible and available.

Complaint Found Not Valid. If the investigator concludes that the complaint is not valid (i.e., no bullying or cyberbullying in violation of School District policy has occurred or can be substantiated), the following actions will be taken:

- The parent of both the complainant and the accused will be notified of the results of the investigation;
- The complainant and the accused will be reminded the School District prohibits retaliation or threats of retaliatory action;
- The results of the investigation will be reported to the Superintendent; and
- Any references to the complaint will be removed from the education records of the accused. The investigator will retain the investigative file for at least three years.

Positive Behavior Supports and Alternatives to Corporal Punishment Each building administrator will notify the Superintendent, or designee, of the positive behavior supports or positive behavior support plan available or implement in their building. Positive behavior supports and support plans are one of the School District's alternatives to corporal punishment. The School District's Student Code of Conduct is another alternative to corporal punishment.

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

Snap Suspensions If a student engages in conduct which unquestionably interferes with the education of him/herself or other students, or a teacher has good reason to believe a student has engaged in conduct which poses a clear and present danger to him/herself or other students, the teacher may suspend the student from a class, subject, or activity, subject to state law or applicable collective bargaining agreement.

Student Attendance (revised 7.17.2018)

Regular school attendance is imperative for the educational achievement of students. Students are expected to be in attendance each day school is in session except for personal illness, religious observance, or emergencies in the family. Parental notification regarding absences and tardies is an essential element of this regulation. Student attendance records are available through the District parent portal.

Parents and school personnel must work together to offer appropriate intervention to students with attendance problems. Reasonable effort will be made to notify parents of absences and tardies so they may initiate corrective measures. Teacher classroom attendance records must be maintained according to established school district guidelines and State of Michigan child accounting procedures.

It is the parents' responsibility to notify the school in accordance with school attendance procedures if the student is absent for the above stated reasons. Excessive absences without a reasonable excuse will constitute truancy.

ELEMENTARY SCHOOLS

When a student is absent for one of the reasons mentioned above, the student will be given assignments to be made up. These assignments will receive full credit if completed within a reasonable length of time. When an absence is due to other reasons, such as family vacation which does not coincide with the scheduled school calendar, the student will be informed of assignments and will be responsible for attaining mastery of the standards that were covered. Any test missed due to absences will have to be taken within a reasonable time limit (one day for each day absent).

Absences should be reported to the school office twice daily by classroom teachers (morning and afternoon). Teachers should report unusual patterns of absence or tardiness to the principal. In case of unusual attendance patterns, the principal will initiate a conference with the parent/guardians. A plan for regular school attendance will be established and monitored by school personnel. Continued absences/tardies may result in truancy referral.

Student's absences will be categorized as follows:

Excused Absence

A student's absence from school for personal illness, medical appointments, other prearranged absences, religious observances, or emergencies in the family may be considered an excused absence.

Exempted Absence

School Approved Activity: Any school activity which has been pre-arranged and approved by the building principal/designee is considered a "Student Activity Absence" and is exempt.

Unexcused Absence

Any absence not covered under the excused or exempted absence guidelines will be considered unexcused.

MIDDLE SCHOOLS

A master absence list will be compiled daily and used to check student attendance each class period. Names of students absent from class not appearing on the master absence list shall be sent to the office.

Parents whose children are absent frequently will be contacted. Excessive absences will result in a letter sent from the principal/designee to the parents and/or legal guardians expressing concern for poor attendance. If excessive absences continue, the school principal/ designee will request a joint conference with the student and parent.

Students' absences will be categorized as follows:

Excused Absence

A student's absence from school for personal illness, medical appointments, other prearranged absences, religious observances, or emergencies in the family may be considered an excused absence.

Exempted Absence

School Approved Activity: Any school activity which has been pre-arranged and approved by the building principal/designee is considered a "Student Activity Absence" and is exempt.

Unexcused Absence

Any absence not covered under the excused or exempted absence guidelines will be considered unexcused.

HIGH SCHOOLS

Students' absences will be categorized as follows:

Excused Absence

An absence is excused if a parent or legal guardian calls the twenty-four (24) hour attendance number no later than 12:00 noon the school day following the absence for personal illness, medical appointments, other prearranged absences, religious observances, or emergencies in the family. Any student who leaves the school building for any reason without properly signing in/out will not receive an excused absence.

Exempted Absence

In order for an absence to be exempted by an administrator, it must meet one of the following criteria:

- A. School Approved Activity: Any school activity which has been pre-arranged and approved by the building principal/designee is considered a "Student Activity Absence" and is exempt.

Unexcused Absences

Any absence not covered under the excused or exempted guidelines will be considered unexcused. If a student leaves the building for any reason without properly signing in/out, it is considered an unexcused absence. School work cannot be completed for credit for unexcused absences.

Tardies

A student will be considered tardy if he/she is not physically present in the room at the beginning of class. Under the law, chronic tardiness is considered truancy. Excessive tardiness will be considered a Code of Conduct Violation.

2007-AR

Health and Safety

Medication

Administration of Medication by School District Personnel. School District personnel will not administer medication to students except according to this regulation.

The parent must submit a request to administer prescription or non-prescription medication to the building administrator on a form signed by both the parent and the student's physician. The request must include at least the following information: the name of the student, the name of medication, the dosage, the time and frequency of administration during the school day, and, other special instructions, if any. Upon approval by the building administrator, School District personnel will administer medication to students subject to the following conditions:

1. Medication must be submitted in its original container, whenever possible. If medication is not in its original container, the parent must label the container with the following information: the name of the student, the name of medication, the dosage, the time and frequency of administration during the school day, and other special instructions, if any.
2. Medication must be brought to and returned from the school by the parent for all students, unless a physician has authorized self-carry for the student;
3. The parent must ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
4. The parent must ensure that the school is informed in writing of any changes in medication instructions; and,
5. In the event a student refuses medication, the parent will be notified immediately.

Storage and Monitoring. The building administrator is responsible for properly storing and monitoring medications administered by School District personnel. Medications will be secured by lock and access to medication storage keys will be limited to the building principal and designated school staff. Following administration, the medication container will be properly sealed and returned to storage.

Administration of Medication by Students. Students are prohibited from sharing or administering medication with or to each other, except in cases of a life-threatening emergency. The building administrator may grant a student permission (which must be in writing) to self-administer medication if the student's parent has provided written permission. For prescription medications, the parent must also provide the building administrator with written approval of the student's physician. A student who has been approved for self-medication may have in their possession only the quantity of medication needed for that school day, unless otherwise approved, in writing, by the building administrator.

Seclusion and Restraint Michigan law prohibits seclusion and restraint, except emergency seclusion and emergency physical restraint. The Superintendent designates the School District's Executive Director of Special Education to train staff consistent with Michigan law.

Wellness The Superintendent will establish the School District's Wellness Committee. The Wellness Committee will participate in the development, implementation and periodic review and update of the School District's Wellness Policy, which includes this administrative regulation. At least every three years, the

School District's nurse will post an invitation to the school community (including parents, students, school food authority representatives, PE teachers, school health professionals, school board members, school administrators and the general public), offering the opportunity to participate in the Wellness Committee. The Superintendent delegates to the School District's Deputy Superintendent the duty of appointing and coordinating the duties of the Wellness Committee, maintaining a regular meeting schedule, and ensuring that the Wellness Policy has been implemented within the School District. The School District's Wellness Policy will be posted on its website.

The School District's Deputy Superintendent and Wellness Committee will comply with all applicable legal requirements including, but not limited to: proposing and, upon the Superintendent's approval, implementing School District nutrition and physical activity standards; integrating the School District's nutrition and physical activity standards into the School District's curriculum consistent with the Michigan Physical Education Grade Level Content Expectations and the Michigan Merit Curriculum Guidelines for Physical Education; assuring that School District staff professional development addresses nutrition and physical activity issues; assuring that food and nutrition services staff receive annual training in accordance with USDA Professional Standards; and assuring that School District students receive nutrition education and engage in vigorous physical activity. The School District will promote nutrition standards by ensuring all foods and beverages sold, marketed, made available or provided to students at any time at school meet the USDA Smart Snacks standards and National School Lunch and/or Breakfast standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8, as applicable. Free water will be available in the cafeteria during mealtimes. The School District will also ensure that students' eligibility for and/or participation in free or reduced priced meals will be kept confidential by not identifying students or otherwise singling them out.

The Wellness Committee will also develop and deliver a regular report to the Superintendent, including: monthly School District menus and meal counts; a la carte, vending, and competitive foods sold on School District premises; and, physical activity and program opportunities for School District students. At least once every three years, the School District's Deputy Superintendent will report to the School District's Superintendent: the extent to which the Wellness Policy compares to model school wellness policies; the extent to which the School District's schools are in compliance with the Wellness Policy; and, the School District's progress in attaining the goals established by the Wellness Committee. The Wellness Committee will update the Wellness Policy, as necessary, based on the results of the report. The School District will make the report and any updates to the Wellness Policy available to the public.

Epinephrine Auto-Injectors (EAI) and Opioid Antagonists

Student Possession and Use. Students may possess and, if necessary, use EAI's (commonly referred to as "epi-pens") on School District premises and at school-related activities, programs and events if the following three conditions are met:

1. The student has permission to use the epi-pen from their licensed health care provider and, if the student is a minor, from their parent(s);
2. The building administrator has received a copy of the necessary written permissions; and,
3. The school has on file a written emergency care plan (or IEP or 504 Plan that includes a written emergency care plan, however designated) prepared or approved by a licensed physician in collaboration with the student and the student's parent(s) that is updated as necessary to account for any change in the student's circumstances.

The building administrator will notify each teacher of each student in their classroom who is permitted to possess and use an epi-pen pursuant to this regulation.

Under no circumstances should School District students administer opioid antagonists to themselves or others.

District Acquisition and Maintenance. The School District will acquire and deliver at least two otherwise unassigned functioning epi-pens to each school building and at least one otherwise unassigned functioning package of an opioid antagonist. The building administrator is responsible for maintaining the epi-pens and opioid antagonists at their building, making them readily accessible to designated staff members, and notifying the Superintendent if the building administrator believes the necessary number of epi-pens or opioid antagonists is not available or functional.

Training and Designation. The School District is responsible for training (and maintaining a record of such training) a sufficient number of staff members in each school to properly administer epi-pens, as follows: at least one staff member if the instructional and administrative staff is less than 10; and, at least two staff members if the instructional and administrative staff is more than 10. For opioid antagonists, the School District is responsible for training at least two staff members in each building which stores an opioid antagonist. All training will be supervised, evaluated, and approved by a licensed registered professional nurse. The building administrator is responsible for designating the necessary number of staff members to administer epi-pen injections and opioid antagonists on school grounds. The building administrator is also responsible for informing other school personnel which staff members have been designated to administer epi-pen injections and opioid antagonists on school grounds and for notifying the Superintendent if there are an insufficient number of trained or designated staff members in the building.

Administration of Epi-Pen Injectors and Opioid Antagonists. Designated staff members who have been trained in accordance with these procedures are required to administer an epi-pen injection to any person on school grounds who is believed to be suffering an anaphylactic reaction or an opioid antagonist to any person on school grounds who is believed to be suffering from an opioid related overdose.

An anaphylactic reaction is a severe, potentially life-threatening allergic reaction that may occur within seconds or minutes of exposure to an allergen. Common allergens that cause anaphylactic reactions in school include, but are not limited to, peanuts and tree nuts and venom from bee stings. All administrators and teachers are required to notify a designated staff member in the event they believe an individual on school grounds is suffering an anaphylactic reaction.

An opioid-related overdose is a condition which includes, but is not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death that results from the consumption or use of an opioid or another substance with which an opioid was combined or that an individual who has received training approved by a licensed registered nurse in the administration of an opioid antagonist would believe to be an opioid-related overdose that requires medical assistance.

Reporting. The building administrator is required to notify the parent of any student who receives an epi-pen injection or opioid antagonist at school and call 911 for any student believed to be experiencing an anaphylactic reaction or an opioid related overdose. When notifying the parents about a student's opioid related overdose, the building administrator is required to encourage the parent to seek treatment for the student from a substance use disorder services program licensed under part 62 of the Public Health Code, 1978 PA 386. Notification is to be made to the Superintendent and the School District's nurse at the same time. The Superintendent designates School District's nurse to annually report to the Michigan Department of Education the number of epi-pen injections and opioid antagonists provided to students at school each year; the number of epi-pen injections and opioid antagonists to such students who were not previously known to have allergies; and, the number of students who were administered epi-pens from the School District's stock of epi-pens and opioid antagonists.

Cardiac Emergency Response Plan

The School District's Cardiac Emergency Response Plan can be found [here](#).

Surveillance The Superintendent authorizes surveillance to improve the safety and security of School District staff, students, premises, and equipment. Surveillance may include: observation by School District staff; observation by law enforcement personnel; video surveillance devices; and, other monitoring School

District equipment, including computers, and networks. School District surveillance will be within all applicable legal requirements.

Sports Concussions The School District's Deputy Superintendent is responsible for making available to physical education teachers and the coaches of extracurricular athletic activities educational materials that address the signs, symptoms, and consequences of concussions. Students may not be permitted to participate in a physical education class or extracurricular athletic activity until the receipt of such education materials has been acknowledged by the student and their parents. The building principal will maintain the signed receipt in the student's CA-60.

Do-Not Resuscitate (DNR) Orders and POST Forms An individual who either determines a declarant is wearing a DNR identification bracelet or has actual notice of a declarant's DNR order is prohibited from attempting to resuscitate the declarant before a health professional, as defined under [section 11](#) of the [Michigan Do-Not-Resuscitate Procedure Act, MCL 333.1051, et seq.](#) (Act), arrives at the declarant's location. This paragraph applies to declarants who are minor children enrolled and located at school.

Revocation. A declarant may revoke a DNR order executed by the declarant or a person acting on the declarant's behalf at any time and in any manner the declarant is able to communicate. If the declarant's revocation is not in writing, any person who observes the declarant's revocation will: sign a written statement describing the circumstances of the revocation; deliver a copy to the declarant's attending physician, or their delegate, as the terms are defined under [section 2](#) of the Act and [MCL 333.16215](#), respectively; and to the administrator, or their designee, of the declarant's school. A revocation of a DNR order is binding upon another person at the time that person receives actual notice of the revocation.

A parent may revoke an order on behalf of a declarant at any time by issuing the revocation in writing and providing actual notice of revocation by delivering the document to, among others, the administrator, or their designee, of the declarant's school.

Probate Court Petition. In the event a person interested in the welfare of a declarant or ward believes a DNR order has been executed contrary to the wishes of the declarant or the best interests of the ward, the person may petition the probate court to have the order and the conditions of its execution reviewed.

Storage of DNR Orders. An administrator, or their designee, who receives a copy of a DNR order or a POST form, or a revocation of either, for an enrolled student will do all of the following:

- Immediately place the DNR order or revocation in a file created specifically for such documents and the POST form or revocation in a file created specifically for such documents, in the manner and location determined by the administrator.
- If the administrator, or their designee, receives a DNR order or POST form during the immediately preceding school year, the administrator, or their designee, must contact the student's parent at the beginning of the school year to determine if the DNR order or POST form is still in effect and, if applicable, request an updated POST form.
- Provide actual notice, of a DNR order or POST form, or the revocation of a DNR order, as defined under [section 10](#) of the Act, or POST form to each teacher or other school employee who provides instructional or non-instructional services directly to the student.

Training. Upon a school's receipt of a DNR order, the Board will ensure timely and appropriate training regarding compliance with the order to teachers or other School District employees who provide services to the student, according to each employee's level of responsibility.

This administrative regulation is promulgated pursuant to the [Act](#) and sections [1180](#) and [1181](#) of the Revised School Code.

Definitions for this Administrative Regulation.

“Actual notice” for a DNR order includes the physical presentation of the order, a revocation of an order, or another written document authorized under the Act for a declarant. *“Actual notice”* for a POST form is defined under the [Public Health Code, MCL 333.1101, et seq.](#) and includes all of the following:

- The physical presentation of a form or revoked form.
- The electronic transmission of a form or revoked form, if the recipient sends electronic confirmation indicating it was received to the patient, patient representative, or attending health professional.
- Knowledge of an individual's intent to revoke the POST form by a health professional who is treating the patient, by an attending health professional, or by emergency medical services personnel.

“Declarant” means an individual who has executed a DNR order for him-/herself or on whose behalf a DNR order has been executed. *“Declarant”* includes a *“ward,”* which means an individual for whom a guardian has been appointed.

“Parent” means the natural or adoptive parent of a minor child who possesses legal decision-making authority for important decisions affecting the welfare of the child and, for purposes of this administrative regulation, includes *“guardian”* as the term is defined under the [Estates and Protected Individuals Code, MCL 700.1101, et seq.](#)

“Physician orders for scope of treatment form” or *“POST form”* is the standardized POST form defined under [section 5674](#) of the Public Health Code.

“Resuscitate” means to perform cardiopulmonary resuscitation or a component thereof, including, but not limited to: cardiac compression; endotracheal intubation or other advanced airway management; artificial ventilation; defibrillation; the administration of a cardiac resuscitation medication, and/or related procedures. *“Resuscitate”* does not include the Heimlich maneuver or a similar procedure used to expel throat obstructions.

“School” means a public or nonpublic school as those terms are defined under [MCL 380.5](#).

The 3000 series of Board Policies permits or requires the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on August 25, 2024 and posted them on the School District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the School District's Assistant Superintendent of Early Childhood and Elementary and the Assistant Superintendent of Secondary and Adult Education to review the 3000 series of Board Policies and these regulations at least annually. The Assistant Superintendent of Early Childhood and Elementary and the Assistant Superintendent of Secondary and Adult Education are also expected to recommend to the Superintendent legally compliant revisions and additions to the 3000 series of Board Policies and these administrative regulations.

3001-AR

Curriculum Development

The curriculum identifies the School District's prescribed programs and courses. Ongoing review with input from School District personnel, other professional educators, and parents is necessary to assure the curriculum remains relevant and up to date. The School District's Assistant Superintendent of Early Childhood and Elementary and the Assistant Superintendent of Secondary and Adult Education will be responsible for overseeing the ongoing review of the curriculum. The Assistant Superintendent of Early Childhood and Elementary and the Assistant Superintendent of Secondary and Adult Education will form a curriculum committee and serve as its chairperson. Any revisions to the curriculum that are recommended by the committee will be reported to the Superintendent for review. The Superintendent will report all revisions to the Board for review, consideration, and possible adoption.

3002-AR

Parent and Family Engagement

Generally The Board of Education has adopted Policy 3002, Parent and Family Engagement, to express its strong support for the involvement of parents and families in their children's education. The Policy was adopted, in part, to meet the requirements of [Title I of the Elementary and Secondary Education Act of 1965](#). The purpose of this administrative regulation is to assure that Policy 3002 is fully implemented and all legal requirements are met.

For purposes of this administrative regulation, the School District will follow the statutory definition of parent and family engagement:

Parent and family engagement means the participation of parents and families in regular, two-way, and meaningful communication involving students' academic learning and other school activities, including ensuring – (A) that parents/families play an integral role in assisting their child's learning; (B) that parents/families are encouraged to be actively involved in their child's education at school; (C) that parents/families are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; and, (D) the carrying out of other activities such as those described in 20 USC 6318 on parent and family engagement.

To implement parent and family engagement, the School District's Executive Director of Grants and Instructional Practices will develop a joint Districtwide Parent and Family Engagement Plan in the following manner: the School District will hold meetings with parents and families, at least semi-annually, to jointly develop, review, and modify the Parent and Family Engagement Plan; send periodic communications addressed to parents and families through the School District's website and other media; and, circulate a draft Parent and Family Engagement Policy to parents and families before it is adopted.

The School District's Executive Director of Grants and Instructional Practices will also undertake school review and improvement in the following manner: a consolidated local improvement plan meeting will be held annually, during the month of October (the purpose of the meeting will be to determine the assistance that will be offered to individual schools to develop parent and family engagement activities to improve their children's academic achievement); parents and families will be provided with interpreters or translators during the meeting, as necessary, to permit meaningful participation; and, parents and families will be encouraged to provide comments about School District and individual school practices, as well as educational programs and activities, throughout the year, by contacting the School District's Curriculum Director.

Improving Student Academic Achievement and School Performance The building principal will be the primary contact person to receive parental input and provide building level staff with assistance in implementing suggested improvement activities and processes.

Program Supports The Executive Director of Grants and Instructional Practices will receive parent input with respect to various School District programs and coordinate implementation activities. An essential part of this process will be collecting information from parents in terms of personal experiences with the processes and fully considering suggestions for improvement. Support will be offered to individual schools within the School District to explore and utilize effective communication strategies, particularly for parents from diverse cultural, socio-economic, and language backgrounds.

Supporting and Training – Parents In order to assist parents with meaningful involvement in their children's education, the following activities will be coordinated by the School District's Executive Director of Grants and Instructional Practices: periodic meetings to discuss academic content standards, student assessments and achievement standards, monitoring academic progress and communication with teachers and building level personnel; and, materials and training to assist parents in understanding areas such as literacy and technology. Building principals will also provide parents with grade-level materials and training to help them support their children's learning at home.

Supports and Training – Staff In order to assist School District staff with the meaningful involvement of parents in the educational process, building principals will offer staff supports and training, including suggestions for: reaching out to and communicating with parents; understanding the importance of parental involvement; implementing and coordinating parent programs; and, working with parents as partners.

Coordination of Parental Involvement with Community Programs The School District will make efforts to coordinate parental involvement programs with programs in the local community such as: RAYA, RARA, and the Rotary Club.

Evaluation of Parental Involvement Policy An annual evaluation of the School District's Parental Involvement Policy will be conducted with parental participation. The evaluation process will be coordinated by the Executive Director of Grants and Instructional Practices and will include the identification of any perceived obstacles to parental participation and the effectiveness of the Policy in improving academic quality. Revisions to the Policy will be made, as needed.

Homebound Instruction Homebound services will be coordinated by the Enrollment Supervisor with assistance from the Executive Director of Special Education, for students with an IEP and Elementary/Secondary Assistant Superintendents for general education students. Homebound instruction will be provided as required by law or in such circumstances as the School District and the student, or their parents, if appropriate, consent to homebound instruction. Homebound instruction assignments will periodically be evaluated by Executive Director of Special Education.

3004-AR Selection of Textbooks, Materials, Etc.

Selection of Resources

The School District shall provide print and digital resources to implement the District's educational benchmarks and standards and meet the needs of students and faculty. The primary objective of such resources shall be to support and enrich the educational program for all students. Selected resources will consist of all levels of difficulty and variety of formats, with diversity of appeal, allowing for the presentation of many different perspectives. Resources will be selected to present various sides of issues, giving students an opportunity to develop analytical skills and creating an environment that nurtures intellectual freedom. The collection will also include varied literature to develop and strengthen a love of reading and allow students to step inside the boundaries of another's experiences. Such resources provide an opportunity for students to become aware of and reflect on experiences and identities which are both similar and dissimilar to their own, and serve to heighten empathy for others. The selection of resources will align with the Rochester Community Schools Strategic Plan.

Responsibility for Selection The Board of Education is responsible for the selection of library resources. The Board delegates its authority to the school administration, who in turn, delegates this task to the Information Literacy Specialists. Using their selection skills, knowledge of the curriculum, and experience with the collection, and working cooperatively with both administrators and teachers, the Information Literacy Specialists will carry out the selection, acquisition, and collection development of library resources.

Guidelines for Selection The following criteria are applied to all resources and are based on professional standards for public, school, and academic library selection procedures as endorsed by the American Library Association:

- Relevance to a curricular area(s).
- Recommendation in reviews or named in professional book lists.
 - Professional review journals consulted include titles such as School Library Journal, Booklist, Kirkus Reviews, Library Media Connection, Publishers Weekly, Teacher Librarian, Bulletin of the Center for Children's Books, Voice of Youth Advocates.
 - Book lists used are those curated by educational professional organizations such as American Library Association and affiliates, National Council of Teachers of English, National Council of Teachers of Mathematics, National Council for the Social Studies, National Science Teachers Association.
- Appropriateness of the subject area for the grade levels, age ranges, ability levels, and social, emotional, and intellectual development of students within the school.
- Readability and appeal to students.
- Literary, artistic, and aesthetic quality of the writing and illustrations.
- Reflection of the global community with its problems, attitudes and ideals in order to increase awareness and expand knowledge.
- Representation of authors and illustrators of various cultures, races, ethnicities, religions, sexual orientations, and other identities. Such materials will consist of voices that reflect multiple perspectives and lived experiences of the authors and illustrators.
- Timeliness or permanence of the topic or content.
- Consideration of budgetary guidelines.

Requests from faculty and students are considered. Gifts and donations to the school library are accepted with the understanding that the decision for use and disposition of the resources and/or funds will be determined using the same selection criteria as purchased resources.

3005-AR Selection of Media Center Materials

Media Center materials will support and be consistent with the general educational goals of the School District; meet high standards of quality in factual content, artistic and literary value, and presentation; be appropriate for the age, emotional development, ability level, and social development of students for whom materials are selected; have aesthetic, literary, scientific, or social value; be current and up-to-date; and, be selected to reflect our diverse society. The selection of materials on controversial issues will be directed towards maintaining a diverse collection representing various points of view.

The selection of materials will include supporting student learning, span a range of reading levels, cover a diversity of appeal and of viewpoints, and include a wide range of genres, including recognized literature classics.

3006-AR Parental Objections/Requests for Review

A citizen who has a concern regarding educational materials used by the School District is encouraged to begin a conversation at the school level with the school Information Literacy Specialist or the Principal. The purpose of any conversation shall be to listen to the concern and attempt to resolve the issue. If the concern/complaint is not able to be resolved informally, the school's librarian or principal will inform the citizen to complete a Request for Review of Educational Materials, obtainable from the school. The form must be completed in its entirety. The Educational Materials Review Committee will review the complaint and submit their written findings and recommendation to the Assistant Superintendent. The written response will include, but not necessarily be limited to, an analysis of the manner in which the textbook or other education materials in question do or do not meet the standards set forth in the District's policies and administrative regulations.

The Superintendent will review the written response and issue a final decision affirming, modifying, or reversing the written response. The Superintendent will share the written complaint, the written response, and the final decision with the Board of Education.

A textbook or other educational materials subject to such complaint will remain in use pending the Superintendent's final decision.

3007-AR Field Trips

School District Sponsored Field Trips

The School District may, from time to time, sponsor field trips as one method of implementing the School District's curriculum. Proposed field trips must be approved by the building principal and the Assistant Superintendent for Curriculum and Instruction. Guidelines, forms and timelines must be adhered to for all field trips, extended field trips, and extended international field trips.

The School District may, or may not, ask parents or other responsible adults to serve as field trip chaperones. The School District may require adult chaperones to complete background checks as deemed appropriate by the School District. Adult chaperones may not engage in illegal activities or drink alcoholic beverages on School District sponsored field trips.

Students who participate in School District sponsored field trips are subject to the same rules as when they are in school, including the District's Student Code of Conduct.

Travel with School District Students

School District personnel are discouraged from travelling with School District student except on School District sponsored field trips. School District personnel who choose to travel with students on trips that are not sponsored by the School District may not, in any manner, suggest such travel is required, encouraged or sponsored by the School District.

Public Performances and Exhibitions

The School District may, from time to time, schedule public performances and exhibitions as one method of implementing the School District's curriculum. Proposed public performances and exhibitions, including any charges for admission, must be approved by the building principal and the District administrator responsible for creating courses to implement the District's curriculum at the level in question (elementary or secondary). The School District will not approve public performances or exhibitions that, in the School District's pedagogical judgment, are not appropriate for students involved or potential student audiences.

3008-AR

English Learners

The School District will accurately and timely identify English Learners proficient (EL) students when they enroll in the School District by conducting a home language survey and, if indicated by the survey, testing the student's English language proficiency in speaking, listening, reading and writing. The School District will provide identified EL students with appropriate language assistance services to become proficient in English and to participate equally in the School District's curriculum within a reasonable period of time. EL students may not be segregated on the basis of national origin or EL status, although certain programs may require EL students to receive separate instruction for part of the day. Regardless, the School District's EL program will be carried out in the least segregated manner consistent with achievement of its goals. EL students will have an equal opportunity to participate in all School District academic and extracurricular programs.

The School District will monitor the progress of EL students by administering an English language proficiency assessment on an annual basis. An EL student will not be exited from the EL program until he or she demonstrates English language proficiency on the assessment. The School District will continue to monitor exited EL students for four years to ensure they are meaningfully participating in the School District's educational programs.

The School District will ensure the parents of EL students receive meaningful communication in a language they understand through translated materials or an interpreter, if necessary. Parents may opt-out their children from the School District's EL program. Written documentation of the parents' opt-out decision will be maintained by the School District. If an opted-out student continues to struggle, the School District will monitor his/her progress and offer to resume EL services.

The 4000 series of Board Policies permits or requires the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on August 25, 2024 and posted them on the School District's website. All School District personnel and students are required to follow these administrative regulations.

The Superintendent designates the School District's Assistant Superintendent of Human Resources to review the 4000 series of Board Policies and these regulations at least annually. The Assistant Superintendent of Human Resources is also expected to recommend to the Superintendent legally compliant revisions and additions to the 4000 series of Board Policies and these administrative regulations.

4001-AR Administrative Staff and Organization

The Superintendent, in consultation with the Board of Education, will determine the overall structure and staffing level of the School District's administration and other professional and non-professional staff.

4002-AR Employment Considerations

Recruiting Job postings will be published online with an application and application procedure approved by the School District's Assistant Superintendent of Human Resources. Job postings will provide, at a minimum, a job description, necessary qualifications and the time period, and methodology for submitting an application. Job postings will be available on the School District website. If an enforceable provision of a collective bargaining agreement or employment contract requires notice of posting, the job must be posted accordingly. The Superintendent may choose an outside agency or other method to recruit employees.

Applications Applications should be submitted consistent with job postings. The failure to do so may result in the applicant not being considered for employment.

Physicals and Drug Tests An applicant who has been offered employment may be required to take a pre-employment physical and drug test.

Hiring and Recommendations for Hiring The Board of Education hires the Superintendent. The Board of Education hires other professional and non-professional staff at the recommendation of the Superintendent. If necessary, in the Superintendent's discretion, an individual may begin employment pending approval by the Board of Education.

Criminal Background Checks The School District will have the Michigan State Police (MSP) obtain criminal history record information (CHRI) from both the state and the Federal Bureau of Investigation (FBI) for all individuals listed in Board Policy 4002 (Criminal Background Checks) and [MCL 380.1230\(1\)-\(2\) of the Revised School Code](#). Employees who fail to comply with this regulation and related policy will be subject to discipline, upon review and approval by the Superintendent. The School District agrees to enter into any agreements as required by the MSP necessary to access CHRI information and maintain the School District's legal obligation to perform such checks.

Local Agency Security Officer (LASO). The School District will appoint Lisa Pamplin as its LASO. The LASO will be designated on the appropriate form as provided by MSP and the School District will submit an updated form for each newly-appointed LASO. The LASO will be responsible for ensuring compliance with these regulations and relevant laws. The LASO will also be responsible for ensuring personnel security screening procedures are being followed, appropriate security measures are in place for the protection of CHRI, MSP is informed of any security breaches, and only approved School District personnel have access to and are using the CHRI in a manner compliant with the law.

Access to CHRI.

Background Checks. The School District will conduct a state and national fingerprint-based criminal history record check within 30 days of hiring or assignment of personnel that require access to CHRI, or are involved in the configuration or maintenance of computer systems and networks with access to CHRI. Additional background checks should be performed once every five years. A felony conviction of any kind will disqualify a person from access to CHRI. If results other than a felony conviction are returned, the LASO will review the results and determine whether appointment is nevertheless appropriate. If approved personnel are subsequently arrested or convicted, the LASO or, in the event the LASO is arrested or convicted after appointment, the Superintendent, shall suspend approval until they review the arrest and/or conviction and determines whether continued approval is appropriate.

The School District will provide consent forms, such as the Livescan form (RI-030) found on the MSP website, to all personnel requested to undergo fingerprint-based criminal background checks. School District personnel should be provided the opportunity to contest or appeal their CHRI results.

This procedure should also be used for information technology contractors and vendors with the exception that approval should not be granted to contractors and vendors with outstanding arrest warrants. Non-information technology contractors or vendors will not have access to CHRI.

Incidental Personnel. Any persons, such as custodial staff, visitors, or remote IT personnel, who may, by function of their job or volunteer duties, be around CHRI information or computer systems used to access CHRI information will be physically or virtually escorted by approved personnel.

List of Approved Personnel. The LASO will maintain a list of all personnel approved to access CHRI. The list will also include the reason each person was approved. The LASO will provide the list to the MSP upon request. In the event of termination, re-assignment, or transfer of approved personnel to a position that does not require access to CHRI, the LASO will take whatever measures are necessary to block such personnel from continued access.

Access to Digital CHRI. If the School District maintains CHRI digitally, the LASO will provide a unique password to each approved personnel with access to computer or networks from which CHRI is obtained. This provision does not apply to districts that maintain physical or e-mail-only copies of CHRI. Pursuant to AG 8321, the password must be at least eight characters long, not be a proper name or word found in the dictionary, not be the same as the username/user identification, must expire and be changed every 90 days, and must not be the same as any 10 prior passwords for each user.

Reassignment/Transfer. The LASO will review the reassignment or transfer of all School District personnel with access to CHRI to determine whether access remains appropriate and, if access is no longer appropriate, will suspend access within 24 hours of the employee's reassignment or transfer. The person responsible for approving the reassignment or transfer will provide notice to the LASO that an employee has been reassigned or transferred as soon as possible. In addition, the School District will follow the bulleted steps identified under "Termination," below.

Termination. Within 24 hours of receiving notice that a School District staff member with access to CHRI has terminated their employment with the School District, the LASO will remove the employee's access to CHRI. The LASO will notify all current and new personnel that they should be informed of a staff member's termination via email as soon as possible. In addition:

- The IT Department will disable the employee's digital accounts and accesses.
- The LASO will collect all physical keys and/or key cards from the employee.

The LASO will inactivate the employee on the Criminal History Record Internet Subscription Service system. If the employee is the LASO, a new LASO will be appointed immediately following the steps set forth by the Michigan State Police.

Security Awareness Training. In accordance with the MSP template located on its website, the School District will provide all approved personnel with basic security awareness training within six months of approval and every year thereafter. The LASO will maintain records of all personnel who have completed training.

Dissemination of CHRI. In the event the School District disseminates CHRI to another authorized agency, as defined in the Revised School Code, the School District will maintain a record of such disseminations. The record must include the date of release, the records released, the method of sharing, the School District personnel who disseminated the CHRI, whether authorization for dissemination was obtained, and the agency and agency personnel to whom the CHRI was disseminated. If CHRI is received from another school district or outside agency, the School District will perform an additional background check using MSP's Internet Criminal History Access Tool (ICHAT) to ensure the information received is accurate.

Media Containing CHRI. Only School District personnel who have undergone CHRI training will have access to digital and physical media containing CHRI. The School District will either: ensure all media is stored in a physically secure location which can only be accessed by approved persons; or encrypt all CHRI data consistent with the most recent FBI CJIS Security Policy and store the data on a server only accessible to approved School District personnel. Cloud storage is not permitted.

The School District will note via posters, signs, or other indicators, the perimeter of the physically secured location in which CHRI data is maintained and ensure it remains separate from non-secure locations. In addition, the School District will control all items entering and exiting the physically secure location to ensure CHRI is not removed.

Transportation of Media. CHRI media will not be transported without approval by the LASO. The LASO will not grant approval unless transportation is reasonably justified. Physical media must be transported in sealed, locked, or secured containers and/or envelopes and, to the extent possible, digital media must be encrypted and/or password-protected prior to and during transportation.

Destruction of Media. Upon approval in writing by the LASO and the Superintendent, CHRI media no longer needed by the School District will be destroyed as follows: digital media will be deleted by either overwriting the media at least three times or by degaussing (demagnetizing), prior to disposal or reuse of the media. Physical media must be cross-cut shred or incinerated by approved personnel only. The LASO will maintain records of all CHRI media approved for destruction for five years and written documentation of the steps taken to destroy any media for 10 years. Such records must include the date the media was destroyed and the signatures of the approved personnel performing and/or witnessing the media's destruction.

Incident Handling Capabilities. The following table describes the various means by which the School District is required to handle storage and breaches of CHRI information.

	Physical/Hard Copy CHRI	Digital CHRI
Preparation	The container in which the CHRI is stored will be locked at all times in the HR Department office. The office will be locked when staff is not present.	Firewalls, virus protection, and malware/spyware will be maintained. Computer monitors will be positioned so only the person accessing the CHRI can view it.
Detection	Physical intrusions into the building will be monitored by means of a building alarm and by ensuring the building is locked at night.	Electronic intrusions will be monitored by virus and malware/spyware protections.

Analysis	The LASO will work with local law enforcement officers to determine how the subject incident occurred and the data affected.	The IT Department will determine what systems were compromised and what data was affected.
Containment	The LASO will lock uncompromised CHRI information in a secure container or transport CHRI to a secure location.	The IT Department will stop the spread of any intrusion to prevent further damage.
Eradication	The LASO will work with local law enforcement officers to remove any threats that compromise CHRI data.	The IT Department will remove the intrusion before restoring the system. All steps necessary to prevent recurrence of the intrusion will be taken before restoring the system.
Recovery	The local law enforcement agency will handle and oversee recovery of stolen CHRI data. The LASO may contact MSP for assistance in re-fingerprinting, if necessary.	The IT Department will restore the agency information system and data to a safe environment.

Incident Response. For information security incidents, defined as major incidents that significantly endanger the security or integrity of CHRI, the LASO will draft a written incident report and provides copies to the Superintendent and the head of the IT Department. The LASO will also gather evidence of the breach, including: how the breach was initiated, any information that was disseminated, and steps the School District will take to prevent recurrence of the breach.

The School District will report incidents to the local police department and the District’s legal counsel. Reported incidents will be tracked and documented on an ongoing basis. When an incident involves the breach of CHRI, the School District will report the security breach to the MSP ISO by use of the “Information Security Officer (ISO) Computer Security Incident Response Capability Reporting” form (CJIS-016). A copy of any completed forms will be retained and kept by the LASO.

Audit Records of Events. The School District shall generate audit records for the events listed below, either via an automated process or, if an automated process is not used, a manual process. The event records must contain: the date and time of each event, the type of event, the user who initiated and/or ended the event, whether the event involved use or access of software and/or hardware, and whether the event was successful or unsuccessful. For automated processes, the School District will set up and maintain an alert system which informs the School District each time an audit attempt fails. The events to be recorded are all successful and unsuccessful:

- Log-on attempts.
- Attempts to access, create, write, delete, or change permission on a user account, file, directory, or other system resource.
- Attempts to change account passwords.
- Actions by privilege accounts.
- Attempts for users to access, modify, and destroy the audit log file.

The School District will appoint a person to review the audit records at least once per week for unusual or inappropriate activity, to investigate suspicious activity, to report findings to the appropriate person, and to take necessary corrective action.

Purposes of Conditions of Employment School District employees are public servants who are expected to put the interests of the students and community they serve above their own personal or professional interests. At the same time, the School District's administration must, consistent with Board of Education policies, resolutions, resources, and directives, create a positive and supportive work environment for School District personnel who are meeting or exceeding expectations.

Transportation Employees School District employees who operate commercial motor vehicles or who are required to hold a commercial driver's license (CDL) as part of their District employment (Driver(s)) must be medically certified as physically qualified to do so and are subject to the School District's alcohol and controlled substances testing program³. Prospective employees for Driver positions must agree to pre-employment testing and pre-employment query via the Motor Carrier Safety Administration (FMCSA) National Drug and Alcohol Clearinghouse (Clearinghouse). For purposes of this part, "alcohol" and "controlled substances" are defined by 49 C.F.R. § 382.107. Unless excepted by law, no Driver may operate a school vehicle if their blood alcohol concentration is 0.04 or higher or if they are under the influence of a controlled substance. Drivers are subject to the other use restrictions set forth in 49 C.F.R. Part 382. The School District will select the vendor to provide drug and alcohol testing under this section. Self-administered tests do not meet the requirements of this procedure. Drivers should direct questions regarding this administrative regulation to Assistant Superintendent for Business Operations.

Drivers who refuse to participate in the testing program will be dismissed or have their job offer revoked.

Pre-Employment Testing and Query. Prior to beginning work for the School District, Drivers must submit a verified, negative alcohol and controlled substance test results, which must have been taken within thirty days prior to hire or assignment. This requirement applies both to prospective new employees and current employees reassigned to Driver positions. Employment or promotion offers for Driver positions are conditioned on negative alcohol and controlled substances test results.

The School District may, at its discretion, choose not to require pre-employment controlled substances testing if the applicant has undergone drug testing for another employer or prospective employer within thirty days of hire or assignment. Any decision not to require testing will be made in strict compliance with FMCSA regulations.

Within fourteen days after the first time a Driver performs work required a CDL ("Drive," "Drives," or "Driving"), the School District must obtain and review any FMCSA-mandated positive alcohol tests with results of 0.04 or higher, controlled substance test, and/or refusal to test from any employer for which the Driver performed safety-sensitive functions in the previous two years. The School District will conduct a full pre-employment query via the Clearinghouse for all prospective Drivers. As a condition of employment, prospective Drivers must provide the School District with a release for such information and submit electronic consent through the Clearinghouse granting the School District access to their records.

Annual Query⁴. The School District must annually conduct a limited or full search of the Clearinghouse for all employee school bus drivers each Driver as required by law. If, as part of its annual search, the District locates Driver records of which it was not aware, it must address the failure to report as appropriate with the relevant Driver.

Random Testing. Throughout each twelve-month period, the School District will conduct random alcohol testing of at least 10% of the average number of Driver positions. The School District will conduct random controlled substances testing at an annual rate equal to at least 50% of the number of Driver positions. These required random testing rates are set by the FMCSA and are subject to change.

³ MCL §§ 257.1849, 257.1853 (citing 49 C.F.R. Parts 40 and 382).

⁴ 49 C.F.R. § 482.701(b)

Drivers will be randomly selected for testing by a scientifically valid method so that each Driver will have an equal chance of being tested each time selections are made. Random tests will not be announced in advance and will be spaced throughout the calendar year.

Upon notification of being selected for random testing, Drivers must proceed immediately to the testing site. The School District will arrange for substitute employee Drivers so selected Drivers may attend the testing.

Drivers will only be randomly tested for the presence of alcohol immediately prior to Driving, when they are Driving or preparing to Drive, or immediately after Driving for the School District.

If a Driver who is selected for alcohol and/or controlled substances testing is absent from work on the day or time of the scheduled test, the School District may select another Driver for testing. If the Driver is absent when the testing selections are announced, but is expected to be available for testing during the current designated testing period, the School District may keep the original selection confidential until the Driver returns to duty.

Reasonable Suspicion Testing. Drivers must submit to alcohol or controlled substances testing where a School District supervisor [recommend including specific title] has reasonable suspicion that the Driver has violated alcohol or controlled substances prohibitions. Any employee may report suspicion of a violation; however only a School District supervisor or administrator who has received mandated training⁵. may make the reasonable suspicion determination. The person making the reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the Driver. Reasonable suspicion for controlled substances use may also be based on indications of chronic and withdrawal effects of the controlled substances.

Within twenty-four hours of the observations or before the results of an alcohol or controlled substance reasonable suspicion test are released, whichever is earlier, the School District will record in writing the observations leading to the reasonable suspicion test, which record must be signed by the supervisor or School District administrator who made the observations.

The School District will remove the Driver from driving functions at least until the verified test results are reported or as specified below. All tests should be administered as soon as practicable in the particular circumstances.

Reasonable Suspicion Alcohol Testing⁶. Reasonable suspicion alcohol testing observations must be made during, just before, or just after the period of the work day in which the Driver is subject to alcohol prohibitions. Simply possessing alcohol is not enough to required reasonable suspicion testing. The test must be administered as soon as practicable following the observation, but no later than within eight hours of the observation. If a reasonable suspicion alcohol test cannot be administered within two hours following the observation, the District must create and maintain a record explaining why.

If reasonable suspicion exists, the Driver shall not drive for the School District until an alcohol test is administered and the Driver's blood alcohol concentration measures less than 0.02, or at least twenty-four hours have elapsed following the reasonable suspicion determination.

A Driver with a blood alcohol level equal to or greater than 0.02, but less than 0.04, may not return to duty until the start of the Driver's next regularly scheduled duty period, but not less than twenty-four hours from administration of the test. ⁷

⁵ 49 C.F.R. § 382.603 (at least sixty minutes of training on alcohol misuse and at least an additional sixty minutes of training on controlled substances use).

⁶ 49 C.F.R. § 382.307.

⁷ 49 C.F.R. § 382.505(a).

Post-Accident Testing⁸. Unless excepted by law, where a commercial motor vehicle being operated for the School District is involved in an accident, the School District shall, as soon as practicable under the circumstances, test the following Drivers for alcohol and controlled substances; any Driver who was driving, if the accident involved the loss of human life; any Driver who receives a citation for a moving traffic violation arising from the accident.

Immediately following an accident, the Driver must inform their supervisor or a School District administrator of the accident. The Driver must remain available for testing, except that Drivers may leave the scene of an accident to seek necessary medical attention for injured persons, to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

The School District must order the Driver to complete post-accident alcohol and controlled substances testing as soon as reasonably possible under the circumstances. If an alcohol test is not administered within eight hours following the accident, or a controlled substances test is not administered within thirty-two hours following an accident, the School District will not continue to request or administer the test. In either instance, the School District will prepare and maintain a record of any reasons why a test is not administered within two hours of the accident.

Breath or blood test results for alcohol use, or urine test results for controlled substances use that are administered by federal, state, and/or local officials having independent authority to conduct the test, meet the requirements of this procedure if the results are released to the School District.

Return to Duty Testing⁹. Any Driver who has tested positive for alcohol or controlled substances, or has otherwise violated this Regulation, will be subject to testing before they may return to Driving for the School District. The Driver may be subject to additional testing after returning to duty.

Before returning to duty, any Driver who has violated the alcohol use prohibition must have a verified test indicating a blood alcohol concentration of less than 0.02. A Driver who has violated the controlled substances prohibition must have a verified negative return to duty test result before returning to duty.

In order to return to Driving at the School District, and prior to taking any required return-to-duty alcohol or controlled substance test, the Driver must be evaluated by a substance abuse professional ("SAP") and successfully participate in any prescribed assistance program. Before the Driver may return to work, the School District must receive a written statement from the SAP that the employee has been evaluated and has complied with any prescribed rehabilitation. Notwithstanding this provision, and subject to any applicable Collective Bargaining Agreement, the School District is not required to return the Driver to work after they meet these requirements.

Follow-Up Testing¹⁰. Following a determination by a SAP that Driver needs assistance resolving problems associated with alcohol misuse and/or controlled substances use, the School District will conduct unannounced follow-up alcohol and/or controlled substances testing of that Driver as directed by the SAP. The District shall conduct at least six unannounced tests during the first twelve months following the Driver's return to Driving. The District will conduct follow-up alcohol testing of Drivers only immediately prior to Driving, when they are Driving or preparing to Drive, or immediately after Driving for the School District. The District's random testing program and/or any cancelled tests may not be used to meet this requirement.

Refusal to Test¹¹. As set forth by federal regulations and subject to any limitations therein, a Driver has refused to take a controlled substance or alcohol test if they: fail or decline to take an employer required test; fail to appear for any test within a reasonable time (as determined by the School District); fail to remain at the testing site until the testing process is complete (except for pre-employment testing); fail to provide a

⁸ 49 C.F.R. § 303(d).

⁹ 49 C.F.R. § 382.309 (citing 49 C.F.R. Part 40, Subpart O).

¹⁰ 49 C.F.R. § 382.311 (citing 49 C.F.R. Part 40, Subpart O).

¹¹ 49 C.F.R. §§ 40.191, 40.261.

specimen; fail to permit observation or monitoring of providing the specimen or fail to follow an observer's instructions; fail to provide a sufficient amount of specimen when directed; fail to undergo a medical examination or evaluation as part of insufficient specimen procedures; fail to cooperate with any part of the testing process; admit to the collector that they used an adulterated or substituted specimen. For alcohol tests, refusal to test also includes refusal to complete Step 2 on the alcohol test form (ATF).

Reporting Requirements. The School District will report necessary Driver information to the Clearinghouse consistent with applicable laws.

Recordkeeping¹². If the School District maintains a valid Clearinghouse registration, it is not required to maintain physical records of queries conducted and information received from the Clearinghouse. The School District shall maintain all other records relating to its alcohol misuse and controlled substance use prevention programs as required by state and federal law.

Staffing, Layoff, and Recall of Teachers This administrative guideline applies to those individuals whose employment is regulated by the [Teachers' Tenure Act, MCL 38.71 et seq.](#) As used herein, the term "effectiveness" is based on the effectiveness label given a teacher in their most recent year end evaluation pursuant to the School District's evaluation system. Teachers shall be considered "qualified" for positions for which they possess the appropriate adequate certification. (i.e. Reading Recovery for Learning Consultant position, etc.). Adequately certified shall be defined as holding the required certificates, endorsements, licenses, and/or approvals required by law to serve in the position assigned. Further, it is the teacher's responsibility to file such certificates, endorsements, licenses, with the Board. The certification status of a teacher on file with the district shall be considered conclusive for all purposes under this Agreement.

HIPAA The School District is committed to compliance with the health information privacy and security requirements of the [Health Insurance Portability and Accountability Act of 1996](#) (HIPAA). The School District currently offers its employees HIPAA-compliance health plans. These are considered "health plans" within the meaning of HIPAA and the School District is the "Plan Sponsor." In order to assure compliance with HIPAA, the following Administrative Safeguards have been established.

Administrative Safeguards. The following safeguards will be implemented to ensure the confidentiality of protected health information, whether created, received, maintained, or transmitted by the Plan. This includes information in electronic form, whether it is being stored or transmitted.

Authorization. The Superintendent appoints Assistant Superintendent of Human Resources to serve as the School District's HIPAA Privacy and Security Officer. Only School District employees designated by the Privacy and Security Officer as requiring access to protected health information for Plan administration purposes will be given access to protected health information. These employees may view protected health information necessary to perform their duties without express authorization from the Plan member.

Training. School District employees authorized to have access to protected health information will receive training on an annual basis. Each such employee will be provided with a copy of the privacy policy and required to affirm, annually, in writing, that they have received the policy.

Security Incidents. Suspected or known security incidents will be identified, responded to, and documented in writing. The harmful effects of such security incidents, known to the Plan, will be mitigated to the extent practicable.

Physical Safeguards. Plan members' protected health information will be stored in a locked file cabinet used solely for this purpose. Paper documents containing protected health information will be shredded before being discarded. Electronic files containing protected health information, if any, will be password

¹² 49 C.F.R. §§ 382.401, 382.701(e).

protected. A facsimile machine used to transmit and receive protected health information will be in a secure location.

Technical Safeguards. To the extent protected health information is maintained electronically, access to electronic information systems or software programs will be provided to only those persons who have been granted access rights to protected health information. Procedures for controlling and tracking the handling of hardware and software, data backup, storage, and disposal will be implemented. This includes the receipt, handling, and disposal of protected health information. Employees will be required to close files when leaving their work stations to protect confidentiality.

The HIPAA Privacy and Security Officer will develop a contingency plan to maintain the continuity of operations in an emergency or disaster and to enable recovery of data following disaster. An annual internal audit of data security will be conducted, including the evaluation of security measures to protect data and review of personnel compliance with the Policy and procedures.

Remote Work

Consistent with Policy 4003, employees may submit a written remote work request to the Assistant Superintendent of Human Resources.

Remote work requests that are granted may be withdrawn at the School District's sole discretion. If a remote work request is approved, employees must comply with all School District and building policies, procedures, and safety standards to the same extent as if they were working in person.

Leaves of Absences – Generally

Employees may be granted a leave of absence pursuant to Board Policy 3208. If an employee is subject to a collective bargaining agreement, that agreement determines the ability to take a leave and the procedure for doing so. Employees not covered by a collective bargaining agreement may request an Unpaid Leave of Absence by submitting a written request to the Department of Human Resources.

Any employee granted a leave of absence by the Board of Education will be considered to have terminated all work activity with the Board of Education until the completion of said leave. Exception may be made by the Superintendent in those cases where the best interest of the Rochester Community Schools might be served.

Benefits While on Leave of Absence or Upon Termination

Employer-provided benefit coverage for employees on an extended leave of absence will cease in accordance with the negotiated Master Agreement for that employee. For employees on a leave of absence covered by the Family and Medical Leave Act of 1993, Health Benefits, including Life and Disability Insurance, will continue as stipulated in negotiated Master Agreements, or for twelve weeks as specified in the Act, whichever is longer.

Upon termination of employment, employer-provided benefit coverage will cease as stipulated in the negotiated Master Agreement for the terminated employee.

Employees on an Unpaid Leave of Absence are not eligible for employer-provided benefit coverage and shall be given the opportunity to continue coverage at their own expense in accordance with the provisions of COBRA.

Family and Medical Leave Act (FMLA)

Eligibility. School District employees may be eligible for up to 12 weeks of unpaid leave under the [Family and Medical Leave Act](#) (FMLA). Employees are eligible if they: have at least 12 months of service with the School District; and, have worked for the School District for at least 1,250 hours within the preceding 12-

month period. The 12-month period will be calculated separately for each employee. It will be determined based on a rolling calendar, looking backward from the commencement of the FMLA leave.

Qualifying Events. FMLA leave may be taken: for the birth of a child and to care for a newborn child; for the placement of a child with the employee for adoption or foster care; to care for a child, spouse, or parent of the employee who has a serious health condition; for the employee's own serious health condition which causes the employee to be unable to perform the essential functions of their job; where the employee experiences a qualifying exigency arising out of the fact that the employee's spouse, parent, or child is a covered military member on active duty or has been called to or on covered active duty status in the National Guard or Reserves; or, to care for an armed forces member or qualified veteran who is a spouse, parent, child, or next of kin of the employee and who is injured while on covered active duty, including an injury that manifests itself after completion of active duty.

Serious Health Condition. A "serious health condition" for purposes of this administrative regulation is an illness, injury, impairment, or physical or mental condition that involves: an overnight stay in a hospital, hospice, or residential medical care facility; a period of incapacity for more than three consecutive days, combined with continuing treatment or supervision by a health care provider; a period of incapacity due to pregnancy or for prenatal care; a period of incapacity due to a chronic serious health condition; a period of incapacity that is permanent or long term; or, a period of absence during which the employee will receive multiple treatments from a health care provider for restorative surgery or for a condition that would likely result in a period of incapacity of more than three full calendar days in the absence of medical treatment (e.g. chemotherapy, physical therapy or radiation).

Applying for a Leave under the FMLA. An employee who plans to take FMLA leave must provide the School District with written notice at least 30 days in advance. If the FMLA leave is not foreseeable, and 30 days' notice cannot be given, the employee must submit the request for leave as soon as possible (within two working days of learning of the need for leave, absent extenuating circumstances). Where an employee fails, or is unable to provide thirty 30 days' notice of a foreseeable leave, the School District may delay the commencement of the leave for up to 30 days after the employee provides the required notice.

The School District will provide employees requesting FMLA leave with written notice specifying the expectations and obligations of the employee while on leave and explaining the consequences of failure to meet those obligations.

Intermittent Leave. FMLA leave taken to care for a family member with a serious health condition or due to the employee's own serious health condition may be taken intermittently or on a reduced schedule, when medically necessary.

FMLA leave requested for the birth of a child, to care for a newborn child or for the placement of a child with the employee for purposes of adoption or foster care may not be taken intermittently or on a reduced leave schedule unless the employee and School District agree.

Instructional employees who request intermittent leave or a reduced schedule FMLA leave that constitutes more than 20% of the working days in the period during which the leave would extend may be required to choose either to: take FMLA leave for all or part of the FMLA leave period; or, transfer temporarily to an alternative position with equivalent pay and benefits that better accommodates the School District's needs during the leave.

Instructional employees who request FMLA leave that will end near the conclusion of an academic term may be required to continue the leave until the end of the term.

Group health plan benefits will be maintained for the employee during the FMLA leave and the School District will contribute the same portion of the premium as it did while the employee was working. If the employee fails to make timely payment of their portion of the premium, the School District reserves the right to cease to maintain the employee's health benefits, provided the School District notifies the employee in

writing at least 15 days before health coverage will lapse. If the employee fails to return from leave, the employee may be required to reimburse the School District for all premiums paid by the School District during the leave.

FMLA leave is generally unpaid. The employee may choose, or the School District may require, that any of the employee's available accrued paid vacation or personal leave be substituted for any part of the twelve (12) week FMLA leave period. An employee may choose, or the School District may require, that an employee's available sick leave be substituted for any part of the FMLA leave if the employee or a family member of the employee has a serious health condition for which sick leave is otherwise available. FMLA leave may run concurrently with workers' compensation or disability insurance coverage for a serious health condition.

The School District may require that any FMLA leave request be supported by certification (and, in appropriate cases, by periodic re-certifications) from a health care provider. The certification should be provided before the leave begins, if foreseeable, and must, in any event, be provided within 15 calendar days of a request made by the School District. The failure to provide a required medical certification in timely fashion may result in denial of the leave until the certification is provided.

An employee is not entitled to the accrual of any seniority or employment benefits that would have otherwise accrued during the period of leave unless specifically provided by the applicable collective bargaining agreement or an individual contract of employment.

The School District is prohibited from terminating or in any other manner discriminating against an employee for exercising rights under the FMLA.

Return from Leave. The School District may require that an employee returning from FMLA leave due to a serious health condition obtain certification from their health care provider that the employee is able to resume their duties and responsibilities.

Upon returning from FMLA leave, the employee may be returned to the same position they previously held or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. However, an employee on FMLA leave has no greater right to reinstatement or other benefits than if they had been continuously employed during the leave period. An employee on FMLA leave remains subject to legitimate job changes and reductions in force that occur during the leave, and such changes may result in the employee being denied reinstatement. The School District may, after notice, deny reinstatement to the highest paid 10% of all employees ("key employees") where necessary to prevent substantial and grievous economic injury to the School District.

Paid Medical Leave Eligible employees will accrue paid medical leave (PML) according to their contract. Days when school is closed will not be considered closed due to a public health emergency unless specifically designated as such by the School District's Superintendent. PML may not be used except in the manner permitted by Michigan's [Paid Medical Leave Act](#) (PMLA). PML must be used in 1.0-hour increments. Eligible employees who use or wish to use PML will be required to provide documentation acceptable to the School District to determine PML is being used only for reasons permitted by Michigan law.

Aiding or Abetting All state educational agencies, local educational agencies, and all employees, contractors, and agents of state and local educational agencies are prohibited from recommending for employment any person the recommender knows or has probable cause to believe has engaged in sexual misconduct with a student or minor in violation of the law.

4003.1-AR Teacher Placements

Definition. Teacher placement is the determination of the classroom teaching assignment for a teacher.

In order to be eligible for a teaching assignment, the teacher must be qualified for the teaching assignment, based on the criteria set by the Superintendent, and have the appropriate certification. In the absence of a qualified teacher with appropriate certification, the School District may consider the ability to obtain an appropriate permit. The Human Resources Department shall maintain an RCS Teacher Preference Form to gather information from teachers who seek transfer, reduction in FTE, or increase in FTE. To be considered for an alternative placement, teachers should fill out an application for a posted position.

Between qualified candidates, teacher placement will be based on the following criteria, in order:

- The prior year effectiveness of teachers qualified for the assignment,
- Teacher certification, including whether such teacher placement decision will result in a classroom section not having a certified teacher.
- The teacher's disciplinary record;
 - Seniority.

Involuntary Transfers. Teachers will be notified at least five (5) days prior to the effective date of an involuntary transfer. For involuntary transfers made for a subsequent school year for reasons other than reductions stemming from fewer student enrollments or a reduction in allocated funds, the teacher shall be informed of the reasons of such change by May 1.

Full Time/Part Time Requests. A tenured part-time teacher or a teacher in a non-tenured position who requests a full-time position for which he/she is certified will be placed in the full-time position before a new teacher is hired if the vacancy occurs at the start of the school year. If the full-time vacancy occurs during the school year, the administrator may grant the request.

Full time teachers requesting a part-time shall apply in writing to the Department of Human Resources during the appropriate posting period.

District-Wide Assignments. For assignments which are not based on a particular building, the District will assign staff according to FTE needs throughout the District while minimizing the number of buildings assigned to each teacher and to equalize caseloads.

4003.2-AR Teacher Vacancies

Definition. A teacher vacancy does not exist unless all the following criteria are met:

- The position is subject to Section 1249 of the Revised School Code;
- The vacancy is posted by the School District in a manner which invites applicants. Notice of vacancies will be distributed to all REA members.

A teacher vacancy may be created by the following, subject to approval by the Superintendent:

- Transfer of an internal teaching candidate to a vacant position;
- A leave of absence is extended beyond sixty school days;
- An unplanned resignation or departure occurs which will require a substitute for sixty or more school days;

- The addition of a new classroom section.

No vacancy will be created when a position is first unfilled beginning in the second half of the school year, unless approved by the Superintendent.

The Superintendent may close any vacancy in their sole discretion at any time.

Internal Candidates:

- The top qualified internal candidate(s), will be provided an opportunity to interview for any vacancy before external candidates. The criteria for filling positions between internal candidates will be effectiveness, certification/qualifications, disciplinary record, and seniority.

Selection Process to Fill a Vacancy:

- The Superintendent's most highly rated and qualified candidate will be selected for any vacancy.
- In the event that an internal candidate is the most highly rated qualified candidate, before filling the vacancy with the internal candidate, the Superintendent shall consider the likelihood of filling any vacancy created by the selection of the internal candidate and the impact such vacancy will have on the instructional program. If the Superintendent determines the selection of the internal candidate will negatively impact the instructional program, the Superintendent may select the next most highly rated and qualified candidate.
- In the absence of a qualified candidate, the Superintendent may select a candidate who best demonstrates the following:
 - Ability to obtain temporary or alternative credentialing to be qualified for the position
 - Commitment to the profession of teaching
 - Commitment to the school community
 - Commitment to the student body

4003.3-AR Staffing Reductions

Definition. A staffing reduction is the decision to eliminate curricular sections or positions that will result in a reduction in the hours worked (FTE) of one or more teachers.

The Superintendent has the sole authority to determine and conduct a staffing reduction. The Superintendent will conduct any staffing reduction based on the department and location, using following criteria, in order:

- The District shall reduce staff starting with the teacher with the lowest Effectiveness Rating and proceeding toward the teacher with the highest Effectiveness Rating in the department, unless such reduction will result in a classroom section not having a certified teacher.
- Teacher certification. In the absence of a teacher with appropriate certification, the School District may consider the ability to obtain an appropriate permit
- The teacher's disciplinary record;

- Seniority

Layoff. The Superintendent will provide the association notice five (5) days before layoff notices are distributed to teachers. Upon the notification of staff of layoff status, the District will provide support during and immediately following such notification. Such support may include temporary release from classroom teaching and the opportunity to ask questions. Teachers placed on layoff will be required to provide a home email address and cellular phone number for purposes of recall notification. Teachers placed on layoff at the end of the school year will continue to receive benefits through the summer and compensation in accordance to their prior pay election. Teachers placed on layoff mid-year will be provided fringe benefits for one month beyond the effective date of the layoff and will terminate immediately upon acceptance of a position with another employer.

4003.4-AR Program Reductions

Definition. A program reduction is the decision to eliminate curricular courses or courses of study.

The Superintendent has the sole authority to determine and conduct a program reduction.

Program reductions will be carried out in the following manner:

- Upon the decision to implement a program reduction, the Superintendent will review impacted staff and evaluate whether they are qualified, as defined by the Teacher Placement Procedure. Teachers with an effectiveness rating of effective or highly effective will displace others in another School District program with a rating other than effective or highly effective.

4003.5-AR Recall Process

Recall. After a reduction of teachers as outlined in Administrative Regulation 4003.4, if there are positions that are created and/or vacant, laid off teachers who are adequately certified and qualified, and rated effective on their most recent evaluation, will be given the first opportunity to fill the position. Teachers rated effective on their most recent evaluation will not be required to interview for such positions. A teacher refusing an offer of recall to a position for which the teacher is adequately certified and qualified, and which is equivalent to the one from which they were laid off, shall be deemed a voluntary resignation and shall result in forfeiture of the further right of recall.

4004-AR Evaluations, Discipline and Discharge, Resignations

Evaluations

Effective July 1, 2024, the evaluation tools for both administrators and teachers will be reclassified to have three ratings: effective, developing, and needing support. Student growth components for both administrators and teachers will be calculated based on the requirements of the Revised School Code. Any disputes regarding evaluations will be subject to the dispute process in Section 1249 of the Revised School Code.

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

Administrators. The Superintendent will evaluate administrators annually using the Danielson model/framework and other locally-developed evaluation tools, as appropriate. Beginning in the 2024-2025 school year, for the first three years a school administrator is in a new administrative position, the

Superintendent will assign a mentor to the school administrator. The Superintendent will, for each year the administrator is evaluated, conduct a midyear progress report.

Teachers. Building principals will evaluate teachers using the Danielson model/framework. Tenured teachers whose most-recent year-end effectiveness rating was either Highly Effective or Effective will be evaluated triennially. All other teachers will be evaluated annually. Teachers working fewer than 60 days in a school year will not be evaluated. All evaluations require at least two observations and at least one observation will be unscheduled. Scheduled observations will occur at a mutually agreed upon date and time. Teachers may be required to submit one lesson plan per observation.

Tenured teachers with a year-end effectiveness rating of less than effective shall be provided: specific performance goals with a timeline, training provided by the district to support established goals; a mid-year progress report by no later than January 20, and an assigned mentor. Any midyear progress meetings conducted by Administrators will review relevant student achievement data. The evaluation system will rate teachers with ratings as required by Section 1249 of the Revised School Code. Administrators will provide written feedback to teachers as required by law.

Beginning in the 2024-2025 school year, classroom observations must be for a minimum of fifteen minutes, but need not be an entire class period. One observation will be unscheduled. Building principals will meet with teachers following observations and provide written observation feedback within fifteen (15) work days of the observation absent extenuating circumstances. Observation feedback will include reviews of lesson outline review, pupil engagement, and curriculum used. Teachers may only be required to submit one lesson plan per observation. **Employees Whose Evaluations are Not Governed by Section 1249 of the Revised School Code.** The Superintendent will determine the manner in which such employees are evaluated. Employees who are part of a collective bargaining agreement that are not governed by Section 1249 of the Revised School Code will be evaluated subject to the terms of the applicable collective bargaining agreement. Ancillary staff members not covered by the Danielson model/framework will be provided adjusted rubrics and will otherwise be subject to the same procedural requirements as teachers.

Discipline and Discharge

Voluntary Discipline and Discharge. Voluntary discipline and discharge should be documented in an agreement approved by the School District's Assistant Superintendent of Human Resources.

Involuntary Discipline and Discharge.

Due Process. Involuntary Discipline and Discharge should be preceded by such due process as is required by the law and the employee's individual employment contract or collective bargaining agreement.

Authority. The School District's Superintendent and Assistant Superintendent of Human Resources have authority to approve involuntary discipline or discharge. Involuntary discipline and discharge (as well as other actions) that trigger the requirements of the [Teachers' Tenure Act](#) may only be taken in conformity with the Act's requirements.

Retirement and Resignation School District employees may retire or resign at any time in conformity with any applicable individual employment contract or collective bargaining agreement. Retirements and resignations must be submitted to the School District's Superintendent or Assistant Superintendent of Human Resources. The Superintendent has the authority to accept resignations on behalf of the Board of Education.

4005-AR Other Matters of Employment

Whistleblowers' Protection Act A person who reasonably believes a violation of the law, Board policy, or these administrative procedures has or is about to occur should submit their concern, in writing, to the

School District's Assistant Superintendent of Human Resources or, if the School District's Assistant Superintendent of Human Resources is involved in the violation, the Superintendent. If the Superintendent is involved in the violation, such complaint should be submitted to the President of the Board of Education. Such concerns will be investigated and resolved using the process set forth in Administrative Regulation 7005.

Employment Contracts and Collective Bargaining Agreements District administrators and teachers are usually employed by the School District pursuant to individual employment contracts. The Assistant Superintendent of Human Resources is authorized to work with the School District's attorney to create legally compliant individual employment contracts for administrators and teachers that provide the School District with the flexibility to assign and re-assign staff as necessary to promote the School District's teaching and learning objectives. Individual employment agreements are not binding on the School District unless and until they are approved by the Board of Education in open session.

The Assistant Superintendent of Human Resources is directed to review and understand the teaching, staffing, and financial implications of all collective bargaining agreements into which the School District may have entered and, prior to each round of collective bargaining, to propose to the Superintendent necessary and desirable changes to improving teaching and learning in the School District given the School District's financial resources and other limitations. The Assistant Superintendent of Human Resources should also police the implementation of the School District's collective bargaining agreements in a legally compliant manner and in the interest of improving teaching and learning in the School District consistent with the School District's financial resources and other limitations.

Negotiations. The Superintendent will appoint a negotiating team for each round of collective bargaining with each labor organization. The Superintendent will, confidentially in closed session: consult with and inform the Board of Education, of the School District's objective in collective bargaining; how the School District objectives affect teaching and learning in the School District given the School District's financial resources and other limitations; the position of the bargaining unit in collective bargaining; periodically, the progress of negotiations; and, any tentative agreement(s). Tentative agreements and collective bargaining agreements are not binding on the Board unless and until they are approved by the Board of Education in open session.

Interpretation. Individual employment contracts and collective bargaining agreements may not be, or be interpreted, in a manner that is inconsistent with the laws and regulations of the United States or the State of Michigan. Individual employment contracts and collective bargaining agreements may not, and may not be interpreted to, implicitly restrict the legal authority and prerogatives of the Board of Education and the School District, except by clear and unambiguous language approved by the Board of Education in open session.

4006-AR

Appeals

A School District employee may appeal a decision arising under or relating to the 4000 series Board policies and administrative procedures. Such an appeal must be submitted to the School District's Assistant Superintendent of Human Resources, in writing, no later than 10 calendar days after the employee becomes aware of the grounds for appeal. Such appeals will be investigated and resolved using the process set forth in the applicable Collective Bargaining Agreement.

5000-AR

BUSINESS

The 5000 series of Board Policies requires or permits the Superintendent, or their designee, to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on August 25, 2024 and posted them on the School District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the District's Assistant Superintendent of Business Operations to review the 5000 series of Board Policies and these regulations at least annually. The Assistant Superintendent of Business Operations is also expected to recommend to the Superintendent legally compliant revisions and additions to the 5000 series of Board Policies and these administrative regulations.

The [Business Office Procedure Manual](#).

5002-AR

Budget Planning and Adoption

The Superintendent designates the School District's Assistant Superintendent of Business Operations as the administrator with primary responsibility for developing and proposing the District's annual budget and any necessary or prudent budget revisions. The District's Assistant Superintendent of Business Operations will also be the District administrator with primary responsibility for preparing and delivering such reports and data as may be required by the State of Michigan, the Board, or the Superintendent.

The Assistant Superintendent of Business Operations will develop and present the Superintendent with a proposed annual budget on or before June 1 of each school year. The proposed annual budget will meet all applicable legal requirements and, in addition, will be consistent with Board policy and administrative procedures and best practices, including GASB 54 or the latest applicable GASB. The Assistant Superintendent of Business Operations will develop and present to the Superintendent, in a timely fashion, such proposed amendments to the District's annual budget as may be warranted by the District's financial circumstances.

In a timely fashion, the Assistant Superintendent of Business Operations will prepare the reports and data that the District is required to file with the State of Michigan and/or post on its website. These reports will be submitted to the Superintendent for review and approval before they are filed or posted. The Assistant Superintendent of Business Operations will also prepare and deliver such other reports and data as may be requested by the Board or the Superintendent.

5003-AR

Purchasing

The School District must procure supplies, equipment, and services to carry out its educational mission. The Purchasing Supervisor is the School District administrator with primary responsibility for ensuring School District procurement is: consistent with the District's educational mission; as efficient and effective as possible, given the circumstances; and, consistent with all legal requirements and Board policies. The Purchasing Supervisor may recommend to the Assistant Superintendent of Business Operations revisions to these administrative regulations necessary to accomplish these goals. All administrators are required to notify the Superintendent before incurring unbudgeted expenditures and to submit a request for Board approval before incurring unbudgeted expenditures.

Procurement Using Federal Grants and Awards The following procedures must be followed with respect to federal grants and awards.

Cash Management. Cash management procedures are governed by [2 CFR 200.305](#). The regulation permits the School District to make payments to vendors by electronic funds transfer, check, warrant, or

other means that minimize the time that elapses between the transfer of federal funds to the School.

Petty Cash. The Board recognizes the convenience afforded in the day-to-day operation of the District by the establishment of one or more petty cash funds. The Board shall require the use of internal controls that will prevent abuse of the funds.

Each custodian of a petty cash fund shall insure that the funds in his or her care shall be disbursed only for minor expenditures. No petty cash fund may be used to circumvent the purchasing procedures required by law, the policies of this Board, and/or administrative regulations. A request for petty cash funds must be made in writing, signed by the person making the request and include such supporting documentation as may be appropriate. The petty cash box must be secured daily.

The custodian of each petty cash fund shall prepare a schedule of disbursements when the funds available in petty cash have declined to approximately 25% of the full amount authorized and shall show the disbursements by line account numbers. The custodian shall submit the schedule to the controller with a voucher requesting replenishment in like amount.

Building petty cash funds will be closed out for audit at the end of the school year and unused funds will be returned to the depository.

Disbursements to School District Vendors. Advance payments of federal grants and awards to the School District must be deposited and maintained in insured accounts, whenever possible. Advance payments of federal grants and awards to the School District must be deposited in interest bearing accounts, unless: the School District receives less than \$120,000 in federal awards and grants per year; the best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on federal cash balances; the depository requires an average or minimum balance so high it would not be feasible given federal and non-federal case resources; or, a foreign government or banking system prohibits or precludes interest-bearing account. Interest earned amounts up to \$500 per year may be retained by the School District for administrative expense. Interest earned over \$500 must be returned according to the procedures described in the regulation.

Allowability. The allowability of costs posted against federal grants and awards is governed by the program legislation, pertinent federal agency regulations, including those referenced in [2 CFR 200.302\(b\)\(7\)](#), and the terms and conditions of the grant or award. School District personnel are also expected to comply with the December 2013 OMB Supercircular, entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," applicable Michigan law, and applicable School District policies and administrative regulations.

The School District's Director of Financial Services must approve all costs posted against federal grants and awards and, then, only after the School District's grant or award manager has approved a received bill or invoice. Payroll costs will be documented according to the December 2013 OMB Supercircular. When permitted by the grant or award, indirect costs will be charged using the rate approved by Michigan Department of Education.

Conflicts of Interest. Conflicts of interest are governed by [2 CFR 200.318](#). School District Board members, employees, and agents engaged in the selection, award, or administration of contracts paid for, in whole or in part, by federal grants and awards may not have a prohibited conflict of interest. A prohibited conflict of interest exists when a School District Board member, employee, or agent (or any members of their immediate family) has a financial interest in or has or would receive a tangible personal benefit from a firm considered for such a contract. A School District Board member who violates this administrative regulation is subject to discipline by the Board of Education or the Governor. A School District employee or agent who violates this administrative regulation is subject to discipline, up to and including discharge. This administrative regulation does not, and should not be interpreted to, supersede or diminish other laws, Board policies, or administrative procedures concerning prohibited conflicts of interest.

Procurement Procedures. School District procurement procedures are governed by [2 CFR 200.319](#). School District procurement solicitations must: include a clear and accurate description of the technical requirements for the material, product, or service to be procured that does not, in competitive procurements, contain features that unduly restrict competition by prospective vendors; and, identify all requirements prospective vendors must fulfill and all other factors the School District will use in evaluating bids or proposals.

Evaluations of Proposals. Most, but not all, solicitations for supplies, materials and services paid for, in whole or in part, by federal grants and awards involve competitive bidding. [2 CFR 200.320](#), [2 CFR 200.321](#), and/or [2 CFR 200.323\(a\)](#) are applicable to such situations. Among other things, the regulation requires the School District to create a written description of the manner in which the School District will conduct its technical evaluation of proposals by prospective vendors.

Travel. See [2 CFR 200.474](#). The travel costs (i.e., transportation, lodging, subsistence, and related costs) for School District Board members, employees, and agents may not be paid from federal grants and awards unless: they would be reimbursed pursuant to applicable School District policies and procedures; and, the individual's participation is necessary to the federal grant or award.

Construction. As reflected in the Board of Education Policies, the School District will construct new buildings and add to or renovate existing buildings through competitive bidding as required by law. The School District will also purchase materials, equipment, and supplies for School District operations on a competitive basis as required by law.

Procedures.

- Any construction of new buildings or additions or renovations of existing buildings will, to the extent required by law, be based on competitive bidding, typically through an RFP approved by the School District's Purchasing Supervisor, the Assistant Superintendent of Business Operations, the School District's Superintendent and the Board of Education.
- All purchases of materials, equipment and supplies will be made through the issuance of a purchase order signed by the School District's Purchasing Supervisor.
- Prior to issuing a purchase order, competitive pricing is to be pursued, as follows:
 1. *Competitive Bids.* The competitive bidding process will be followed, where required by law.
 2. *Purchases Not Subject to Competitive Bidding.* In all other instances, the School District shall use measures, considered reasonable under the particular circumstances, intended to secure the highest quality product at the lowest possible price.
- Generally, orders or contracts will be awarded to the lowest, responsible, qualified vendor, considering the following factors: price, quality, conformance to specifications, identified needs, service and maintenance, and vendor reliability.

Procurement of Professional Services Professional services, such as architectural, legal, engineering, consulting, and auditing services, frequently requires familiarity with School District personnel, practices, and facilities. The School District recognizes there are advantages in maintaining continuity in the provision of these services and does not require bidding or annual re-bidding, except in cases where the Superintendent or Board of Education considers it in the School District's best interest. Periodically, the School District may competitively bid such services to ensure that service and pricing are aligned with the School District's best interests and industry norms. The criteria for awarding contracts for professional services will be determined by the Board of Education, following recommendations from the Superintendent, on an *ad hoc* basis.

The following positions are authorized to contact legal counsel independently, which will be communicated in writing to legal counsel annually after the organizational meeting each year:

- Superintendent
- Deputy Superintendent
- Assistant Superintendent of Early Childhood and Elementary Education
- Assistant Superintendent of Business Operations
- Assistant Superintendent of Human Resources
- Executive Director of Strategic Communications
- Assistant Superintendent of Secondary and Adult Education
- Executive Director of Special Education

Legal counsel will be directed not to forward inquiries from other staff to the most appropriate authorized administrator, or the Superintendent if the appropriate authorized administrator is unclear.

Bid Protest A vendor who has actually submitted a bid may file a bid protest if that bid is not selected and otherwise conforms with the requirements for a complete bid under the solicitation documents. The bid protest must: contain a complete statement of the basis for the protest and all supporting documentation, including identifying information for the project (e.g., title, bid/RFP date, requisition number); refer to the specific portion(s) of the solicitation or other documents upon which the bid protest is based; and, include the name, address, and telephone number of the person representing the protesting vendor.

A bid protest must be filed in writing with the Superintendent within three (3) business days after the opening of the bid protested. Failure to strictly comply with any requirements for a bid protest will constitute waiver of protest proceedings.

Within five (5) business days after receipt of a bid protest, the Superintendent will review the bid protest. The Superintendent will within a reasonable time thereafter issue a written decision on the bid protest, and the decision will be final. The Superintendent may notify the Board of Education of the bid protest and the Superintendent's decision.

5004-AR Surplus Property

Generally The Superintendent, or designee, will develop a process for the periodic review of all real and personal property owned by the School District to determine whether any property is no longer needed for School District purposes. This may be due, in part, to the fact that the property is outdated or broken and beyond repair.

Disposal of Real Property Real property consists of School District land and buildings and fixtures. The Superintendent, or designee, will periodically review the real property owned by the School District to determine whether any such property is believed to be no longer needed for School District purposes. The Superintendent, or their designee, will, based on this review, recommend to the Board that it consider disposing of any real property that has been identified as no longer needed for School District purposes. The recommendation may include the estimated value of the property and possible means of disposition. In cases when the Board authorizes the sale or other disposition of real property, the Superintendent may, with concurrence of the Board, establish the asking price and other minimum terms. This information may be disseminated to real estate brokers, agents, and other persons who have indicated an interest in

acquiring the property and the property may be listed or advertised for sale.

If the Board resolves to dispose of surplus real property by seeking bids or offers, the Superintendent, or designee, will solicit bids by publishing a notice including the following information and conditions:

- That sealed offers (or bids) are being solicited;
- The date for submission of offers (or bids) with a statement that late offers (bids) will not be considered;
- The type of offers desired – cash, lease, or exchange;
- The amount of an earnest money deposit which must accompany an offer;
- That the property is offered “as is,” unless otherwise authorized by the Board;
- That the person seeking to acquire the property will be given an opportunity, at the prospective purchaser’s sole expense, to inspect and perform testing customarily required in connection with the purchase of similar property during a period of not more than ninety (90) days (unless otherwise authorized by the Board) and that restoration of the premises and indemnity will be required to be provided by the person or entity seeking to acquire the property;
- That title insurance will be provided by the School District;
- That the offer must be irrevocable for ninety (90) days;
- That a contract to dispose of real property owned by the School District shall not be binding upon the School District unless and until approved by the Board of Education through resolution at a public meeting and executed by the person or persons specifically authorized to do so by the Board; and,
- That the School District reserves the right to accept or reject any and all offers, in whole or in part, and reserves the right to negotiate the terms and conditions of any offer deemed to be in the best interest of the School District. Bids or offers solicited in this fashion will be forwarded to the Board with the recommendation of the Superintendent.

Disposal of Personal Property The Superintendent will periodically prepare a list of the personal property of the School District that is found to be no longer needed for School District purposes. The property shall be classified within broad groupings. Disposal of personal property shall be performed in a manner consistent with Policy 5004. The method of sale or disposition shall depend on the nature of the property and other circumstances. All determinations shall be made based upon what is considered to be in the best interest of the School District.

5005-AR Investments

Operating Procedures The Superintendent designates to the School District’s Assistant Superintendent of Business Operations primary responsibility for the investment of School District funds. The Assistant Superintendent of Business Operations will publish operating procedures that will be delivered to the Superintendent and Board of Education for approval. These procedures will include: the specific delegation of authority to persons responsible for investment transactions; and, a system of controls to regulate investment activities, to be reviewed annually by the School District’s independent auditor. The controls will include:

- Control against improper collusion;
- The separation of transaction authority from accounting and record keeping;
- Custodial safekeeping;
- The written confirmation of transactions for investments and wire transfers; and,
- The development of a form wire transfer agreement.

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

Separately, the Superintendent will make an annual report to the Board concerning the District's investments. The Assistant Superintendent of Business Operations will prepare an annual report for the Superintendent concerning the District's investments and deliver it to the Superintendent on June 1 of each school year. The Assistant Superintendent of Business Operations' annual report will include a list of all of the institutions the School District used to make investments during the school year and the types of investments made by each institution. The Assistant Superintendent of Business Operations may not use institutions or make investments prohibited by law and may not authorize investments in derivatives, leveraged investments, or other instruments with significant risk of price volatility. The Assistant Superintendent of Business Operations, when considering a particular investment, should consider the following criteria, in the following priority: preservation of principal; School District cash flow needs; yield; and, coordination with other available financial services and School District needs.

5006-AR Risk Management

The School District promotes safety and accident prevention for its students and employees in consultation with its insurer(s). The following on-going measures are designed to further this undertaking: building principals will regularly report to the Superintendent or their designee all accidents, injuries, and property loss or damage within their school buildings and perceived risks of future harm, with recommendations to minimize such risks; and, the Finance Manager, or their designee will arrange for education of students and in-service for employees on matters of school safety and review all School District insurance policies and recommend to the Superintendent and the Board of Education areas in which modifications in coverage are warranted.

5008-AR Meal Charge / Food Services

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

Requests for Reduced-Price or Full-Price Meal Benefits Parents may request reduced-price or full-price meal benefits by submitting a Free and Reduced Meal Application found at <https://www.rochester.k12.mi.us/pages/350/food-services>, or by contacting the Food Service Department at 248-726-4602.

Meal Account Balance Payment for school meals is expected at the time of purchase. Parents are expected to regularly monitor their child's meal account balance online, at <https://rcsvue.rochester.k12.mi.us/>.

Positive Balances. Any unpaid meal charges or money remaining in a student's meal account balance will be carried over, one time, to the next consecutive school year. The School District will refund balances in excess of \$5.00. The District does not refund balances of \$5.00 or less due to the administrative costs associated with creating a refund.

Insufficient Funds. The School District recognizes that, at times, students may come to school without sufficient funds in their meal account. If so, elementary school students may charge up to \$12.30 or \$4.10 (per day), Middle school students may charge up to \$8.70 or \$4.35 (per day), High school students may charge up to \$4.35 in total. After the maximum number of lunches has been charged, an emergency lunch will be provided. The emergency lunch will consist of a cheese sandwich, fruit, vegetable and milk. No more than 5 emergency lunches will be provided per child per school year. Emergency lunches will be charged to the student's meal account and the student's parents or guardians are responsible for reimbursing the School District for the full amount of any emergency meals. The School District does permit charging for breakfast.

Notification and Collection

Low Account Balances. The School District will notify the student's household, by email or, if the District does not know the parent's email address, by telephone, when a student's meal account balance falls below \$5.00 for three consecutive days. The notification will include the current account balance. The District may choose to use the following sample email and/or robo call:

Hello [parent/guardian]. This is the RCS food service department. I am the [position/title] at [school]. I am calling to let you know that [student] has a low balance of \$[X] in their school meal payment account. To ensure your child has enough money to purchase school meals, please add funds to their account as soon as possible. You may do so by going to [link] and using a debit or credit card. If you have any questions, please call us at [general contact information]. Thank you.

District personnel shall keep records of all such phone calls or emails sent which will include the date and time of the phone call or email, and the telephone number or email address used.

Negative Account Balances. Students eligible for reduced-price or full-price meal who have money to pay for a meal at the time of service shall be provided a reimbursable meal, even if they have incurred a negative account balance. The School District will not use funds students have in-hand to repay a negative balance or other unpaid meal charge debts. Students who qualify for full-price meals will not be denied a reimbursable meal, even if they have incurred a negative meal charge balance from the purchase of additional cafeteria items, such as a la carte items. If students eligible for full-price meals have incurred a negative account balance, they will not be permitted to purchase additional cafeteria items above and beyond the reimbursable meal provided.

The School District expects all delinquent debts will be paid in full on the last day the student will be in attendance for the relevant school year. Before uncollectable/delinquent debt can be reclassified as bad debt, the Food Service Department must make reasonable efforts to collect on the debt and keep detailed records showing the efforts made, as follows:

- Once a student's meal account balance becomes negative for three consecutive days, the Food Service Department will contact the household by email or, if the parent's email address is not known, by telephone to request payment. The Food Service Department will also inform the parent of the School District's reduced-price and full-price meal program. The Food Service Department will inform the parent that the matter will be turned over to the building principal if no payment is received within one week.
- If no payment on a student's negative meal account balance is received within one week, the Food

Service Department will contact the building principal. The principal (or their designee) will contact the student's parents by email or, if the parent's email address is not known, by telephone, to determine an appropriate solution.

- If no payment is received within one week, a letter will be sent to the household notifying the debt will be turned over to a collection agency if no payment is received within 30 days of receipt of the letter or the end of the school year, whichever is first, and the student's meal account will be closed. The District may choose to use the following sample letter, or some variation thereof:

[Date]

[Parents/Guardians' Names and Address]

Dear [Parents/Guardian]:

The goal of [Name of District]'s lunch program is to provide healthy meals to children during the school day. In order to serve healthy, high-quality meals, we must make sure we are financially secure. You play a key role in this effort, and are responsible for purchases made by your child in our school cafeteria.

As of [date], your child has a negative account balance of \$[X]. We strongly encourage you to pay this amount as soon as possible. Your response to this request is important. Paying back this debt will help keep our food service program strong and ensures all children at our school have access to the healthy food they need to focus in the classroom. We understand that mistakes happen. But meal payments are important to our program, and we must collect your cafeteria debt.

Please contact [person] at [contact information] if you have any questions. To review [Name of District]'s Meal Charge/Food Services Policy, please visit [link]. We would be happy to work on a repayment plan with you.

You may pay your child's negative account balance at [link] using a debit or credit card or by sending a check payable to [person/department/district] at [address].

Please note that if your child has incurred a negative account balance, and you do not pay off the balance within [number] days of receipt of this letter, or by the end of the school year, whichever is first, we will have no choice but to send the negative balance to collections and close your child's meal account.

If you think your child may qualify for a free or reduced-price meal, please submit [the appropriate form] found at [link]. Thank you for your quick payment.

Sincerely,

NAME, Director of Dining Services

CC: Assistant Superintendent of Business Operations

District personnel shall keep records of all such letters sent.

Bad Debt The School District defines bad debt as uncollectable/delinquent debt from inactive student meal accounts that has been determined to be uncollectable by December 31st of the year in which the debt was

incurred or, in the event the debt was transferred to the next consecutive school year, December 31st of the next fiscal year. Debt is considered uncollectable/delinquent if: (1) the District has exhausted its collection attempts, as described in the preceding section; and (2) by December 31st of the current or year after the debt was incurred, the student was inactive by June 30th. A student is inactive if they were no longer enrolled in the School District or had graduated by June 30th. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, the debt is classified as bad debt. Bad debt shall be classified as an operating loss.

Once classified as bad debt, non-federal funding sources must reimburse the nonprofit school food service account (NSFSA) for the total amount of the bad debt. The funds may come from any non-federal funding, including: the School District's general fund, state or local funding, or school or community organizations such as the PTA. Bad debt also includes losses (whether actual or estimated) arising from uncollectable accounts, including costs associated with collection efforts or legal costs incurred prior to its classification as bad debt.

Recordkeeping Once uncollectable/delinquent debt charges are converted to bad debt, the School District shall maintain records relating to those charges.

Audits and Reviews. Upon request, the District must make accounts and records regarding its school food service available to the Michigan Department of Education and/or the United States Department of Agriculture, Food and Nutrition Service for audit or review. Such records shall be retained for a period of three years after the date of the final claim for federal reimbursement for the fiscal year in which the charges were incurred. The District may be required to keep such accounts and records for more than three years if the audit or review results in issues that require District correction, up until all such issues are resolved.

Competitive Foods Competitive foods means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966, which are available for sale to students on District campuses during the school day. The District is responsible for maintaining records in compliance with the nutrition standards for all competitive foods, as defined under [7 CFR 210.15\(b\)](#). The District is also responsible for ensuring departments or third-party organizations responsible for food service at its schools maintain records documenting compliance with the nutrition requirements for the foods and beverages sold to students. At a minimum, such records must include receipts, nutrition labels and/or product specifications for the competitive food available for sale.

5013-AR Post-Issuance Tax Compliance

This regulation establishes guidelines and procedures in connection with tax-exempt or tax-advantaged bonds and other debt obligations issued by the School District (generally referred to as "Obligations"). Tax exempt borrowings and other borrowings of the School District, including but not limited to tax-exempt bonds, refunding bonds, tax credit bonds, installment and lease purchase agreements, lines of credit, and state aid notes (SAN) and tax anticipation notes (TAN), and are collectively referred to as "obligations".

The School District intends to ensure that all tax-exempt obligations issued by the District satisfy all requirements of the [Internal Revenue Code of 1986](#), as amended (the "Code") and regulations there under (the "Regulations"). The Internal Revenue Service (IRS) has recommended that issuers of tax-exempt and tax-advantaged obligations have written procedures in place to enable the issuer to effectively monitor the post-issuance compliance requirements outlined in the IRS Code. Accordingly, the School District will maintain a procedure for post-issuance compliance that encompasses the following key elements: due diligence review at regular intervals; identifying the District official or employee responsible for review; training of the responsible District official or employee; retention of adequate records to substantiate compliance (e.g. records relating to expenditure of proceeds); procedures reasonably expected to timely identify noncompliance; and, procedures that the issuer will take steps to timely correct noncompliance

The School District reserves the right to use its discretion as necessary and appropriate to make exceptions

or request additional provisions as circumstances warrant. The School District also reserves the right to amend this policy and all related procedures from time to time as deemed necessary in the District's sole discretion. In addition, this policy is subordinate to the Code and any regulations thereto and is subject to amendment or deletion depending on the content of any new regulations or Code amendments promulgated by the United State Treasury.

5014-AR Recognition, Food, and Entertainment

Travel Reimbursement School District employees will be reimbursed for reasonable expenses incurred for pre-approved School District-related travel, but will not be reimbursed for alcoholic beverages. School District employees will be reimbursed up to the then prevailing IRS rate for out-of-district mileage incurred on pre-approved School District-related travel. The [Conference Registration Form](#) sets forth important reminders about timelines, submission of claims, mileage, meal and hotel reimbursement. Guidelines set forth on the form must be strictly followed.

Recognition, Food, and Entertainment The School District encourages mutually beneficial collaboration with individuals and other organizations to provide private funds or grant funds for the purposes of recognition, food, and entertainment. School District funds are not to be expended for entertainment or staff/volunteer recognition. If expenditures are funded from a grant or other source of private funds for that specific purpose, the provider agreement/contract should be followed.

Recognition. An expenditure of not more than **\$25** per student per recognition may be allowed if it is provided for within the budget of the cost center and approved by the budget administrator. Typical awards may be certificates, patches, pencils, folders, embroidered letters, pins, photos, or other mementos.

Only private funds or grant funds can be used for staff or volunteer recognition expenditures.

Food/Meals Outside the School District. An employee is eligible for travel status and meal reimbursements for out-of-district duties that require an overnight stay or when an offsite location requires the employee to travel 2.5 hours before or 2.5 hours after business hours.

Food/Meals Within the School District.

Food/refreshments/meals may be provided for:

- Employees who are participating in an activity outside the normal work hours, outside their job duties, where they receive no other district compensation (example: professional development outside work hours).
- Employees acting in an emergency situation who are unable to leave their workstation to obtain meals during a normal break period.
- When mandated training is scheduled with refreshments because it cannot be scheduled at any other time or may be less expensive than providing substitute workers (Budget controller over area must confirm there were no other options for scheduling).
- Employees who attend meetings sponsored by outside agencies, when the meal is a part of the program and approved by the budget controller.
- Volunteers who work over four (4) hours and receive no compensation.

Food will not be provided for School District staff while in the school district performing their normal duties.

Entertainment. Only private or grant funds can be used for entertainment expenditures.

The 6000 series of Board Policies requires or permits the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on August 25, 2024 and posted them on the School District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the School District's Assistant Superintendent of Business Operations to review the 6000 series of Board Policies and these regulations at least annually. The Assistant Superintendent of Business Operations is also expected to recommend to the Superintendent legally compliant revisions and additions to the 6000 series of Board Policies and these administrative regulations.

6002-AR**Safety and Security**

Facilities Inspection and Maintenance Program A comprehensive facilities inspection and maintenance program will assure that School District facilities and grounds are kept safe, clean, and attractive. The Director of Capital Projects and Facilities will coordinate an inspection program that includes, at a minimum: mechanical systems (heating, ventilation, and air conditioning); electrical (interior and exterior); roofs; windows and doors (interior and exterior); gates and fences; interior surfaces (floors, ceiling, walls); fire equipment; restrooms (accessibility, functionality, and cleanliness); sewers; playground and other school grounds; and, overall cleanliness. As necessary, the Director of Capital Projects and Facilities will prepare and submit to the Superintendent a report of desirable or necessary repairs and improvements.

School Safety Commission Liaison Pursuant to [Section 1241](#) of the Revised School Code, the Board appoints the Deputy Superintendent as the School District's school safety commission liaison. The liaison will work with the statewide School Safety Commission and the Office of School Safety to identify model practices for determining school safety measures.

Threat Assessment and Suicide Intervention

Policy 6002 provides for the development of a threat assessment and suicide intervention protocol intended to assist school staff in responding the situations that arise in the operation of the school which pose a threat to the health, safety, and welfare of the school community. This administrative regulation is intended to outline that protocol and the expectations of staff.

1. The Superintendent shall establish, for each school, a threat assessment and suicide intervention team, for the assessment of and intervention with individuals whose behavior may pose a threat to themselves or the safety of school staff or students.
2. The Superintendent shall develop or acquire a threat assessment and suicide intervention tool or form to guide threat assessment and suicide intervention which is consistent with the U.S. Secret Service and Department of Homeland Security's "Enhancing School Safety Using a Threat Assessment Model."
3. A threat assessment team may serve one or more schools as determined by the Superintendent.
4. Each team shall include persons with expertise in school administration, counseling, instruction, and law enforcement and, in the case of any school in which a school resource officer is employed, at least one such school resource officer. The team may include persons with other areas of expertise. Members of the threat assessment and suicide intervention team will be provided training in the use of any threat assessment tool.

5. Each team shall:
 - a. Provide guidance and training to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self, including training that a student's communication or behaviors *might suggest* either that an individual may cause physical harm or presents a potential threatening situation and that the threat assessment and suicide intervention team must inquire about the student's access to weapons with the student and when contacting the parent;
 - b. Identify one or two members of the threat assessment and suicide intervention team who can, if necessary, operate or use any video surveillance system, and obtain training for that team member if necessary;
 - c. Identify one or two members of the threat assessment and suicide intervention team who can, if necessary because of the volume of threat assessments, filter reports of concerning conduct with authority to elevate concerns to the full threat assessment and suicide intervention team for review;
 - d. Identify members of the school community to whom threatening behavior should be reported; and
 - e. Recommend school board policies for the assessment of and intervention with individuals whose behavior poses a threat to the safety of school staff or students.
6. The Superintendent may establish a committee charged with oversight of the threat assessment and suicide intervention team(s). An existing committee may be designated to assume the oversight responsibility. Any such committee established for oversight of the threat assessment team(s) shall include individuals with expertise in human resources, education, school administration, mental health, and law enforcement.
7. All school division employees, volunteers, and contractors are required to report any expressed threat(s) or behavior(s) that may represent a threat to the community, school, or self.
8. In cases where determined to be appropriate, teams shall follow established procedures for referrals to community services boards or health care providers for evaluation or treatment.
9. Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur as required by school board policy and Michigan law.
10. Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, the threat assessment team shall immediately report its determination to the Superintendent. The Superintendent shall immediately attempt to notify the student's parent or legal guardian.
11. Nothing in this regulation shall preclude school division personnel from acting immediately to address an imminent threat.
12. Nothing in this policy regulation preclude the threat assessment and suicide intervention team from notifying the Superintendent of any individual (other than a student) who poses a threat of violence or physical harm to self or others.
13. Upon a preliminary determination by the threat assessment and suicide intervention team that an individual poses a threat of violence to self or others, exhibits significantly disruptive behavior, or has a need for assistance, members of the threat assessment and suicide

intervention team may request and obtain criminal history record information (of adults and juveniles) and health records.

14. Unless required by law, no member of a threat assessment and suicide intervention team shall re-disclose any criminal history record information or health information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.
15. The threat assessment and suicide intervention team may not maintain the criminal history record printed from the system access terminal, nor may they make copies of it.
16. Juvenile delinquency or criminal history information may not be placed in a student's central educational/scholastic record unless the school is taking disciplinary action related to the incidents. School staff (including members of the threat assessment team) with a legitimate educational interest may store information about such incidents in records they maintain that are separate from the student's educational/scholastic record.

6004-AR School Crisis, Response, and Closure

The Superintendent will appoint a District Crisis Response Team. The Team will meet during the month of August, each year, to review and consider revisions to the School District's School Crisis Response Plan. The Superintendent authorizes and directs the Principal of each building to appoint a School Crisis Team to respond to coordinate the response to crises that may arise at the building. The principal of each building will notify the Superintendent of the members of the building's crisis team no later than September 15 of each school year. In addition, the Board will develop and adopt an Emergency Operations Plan pursuant to [MCL 380.1308b](#).

6005-AR Hazardous Chemicals and Substances

Hazardous chemicals and other substances are present in school buildings and other School District facilities. In order to maintain a safe environment for students, staff and other members of the school community, the following measures will be taken:

Hazard Communication Program The Director of Capital Projects and Facilities will have primary responsibility for conducting an annual review and making recommendations to the Superintendent for revisions to the School District's Hazard Communication Program. The Program will include, at a minimum: container labeling; safety data sheets; employee information and training; and, the identification of hazardous substances known to be present within the School District.

Procedures for Storage and Disposal of Chemicals The Director of Capital Projects and Facilities will develop procedures for the storage and disposal of chemicals used within the School District.

6007-AR Integrated Pest Management

The School District will provide students, staff and members of the school community with a school environment that is free of pests while reducing the use of harmful pesticides. The Director of Capital Projects and Facilities is designated the Integrated Pest Management manager for the School District. They will: review and recommend to the Superintendent revisions to the School District's Integrated Pest Management Plan; develop and implement specific procedures to identify pest problems, review control options and application strategies and select, in each particular instance, the least toxic control method to manage problems; and, educate and train staff on pest identification and safe application strategies.

As determined by the School District, school buses will be acquired, operated, secured, and maintained by the School District or its contracted provider for the transportation of eligible children between their home and school of attendance and for school-related trips.

School District Discretion The School District will select bus stops at its discretion. Disabled students will be transported in the manner required by law. The District will determine, on a case-by-case basis and in the Superintendent's discretion, the extent to which students and others (such as chaperones) are eligible for transportation to or from field trips and extra-curricular activities. Non-public student transportation will be provided in accordance with the laws.

Use of School Buses for Non-School Functions School buses will not be loaned or rented to commercial, private, or non-profit organizations, or any other organization, with the following exceptions: the local Parks and Recreation department, if approved by the Superintendent; field trips within District boundaries during normal school hours for District private and parochial schools, as long as the field trip does not conflict with the transportation needs of the K-12 program; and, participation in local disaster plans.

Transportation Fees A fee may be collected for transporting students enrolled in the District's K-12 program providing students are being transported to or from a non-mandatory and non-credit event(s) sponsored by the School District and/or other activities permissible under state law. Fees charged shall cover trip expenses.

Transportation Appeal

A request for busing may be submitted to the District using the following process:

Step I

- A. Parent/Guardian files a request with the Transportation Department
 1. Alternate Address Busing Form 076-4, to arrange for transportation to a child care provider, or;
 2. Inquiry Form 076-6 to request transportation, or a change in transportation service.
- B. The request is reviewed by the Transportation Department, based on the following criteria:
 1. Rochester Community Schools Board Policy
 2. Safety
 3. Medical/physical disabilities
 4. Rochester Community Schools Transportation Handbook
 5. Bus Stop Location Criteria checklist
 6. School Bus Transportation General Information as provided by the Michigan Department of Education

Step II

- A. If the request is denied at Step 1, the parent/guardian may then request a hearing with the Transportation Appeal Committee by filing Appeal Form 76-7 with the Transportation Department.
1. Upon Receipt of the appeal form by the Transportation Department, the following occurs:
 - a. The form is date stamped, recorded in the Appeals Log Book, and scheduled for a hearing on a pre-scheduled meeting date.
 - b. The Transportation Appeal Committee will review up to three (3) appeals per meeting. Additional requests, exceeding the limit, will be scheduled for the next Transportation Appeal Committee meeting.
 - c. Meetings will be scheduled weekly, or less frequently, depending on need.
- B. The Transportation Appeal Committee process for review of Step II requests:
1. The Transportation Appeal Committee will review written documentation;
 2. Persons wishing to provide new information to their appeal are requested to follow the procedures outlined below:
 - a. Only two (2) representatives will be allowed to address the committee;
 - b. Each appeal hearing will be scheduled for 30 minutes;
 - c. Clarification questions may be asked by the Committee but no decision will be rendered at the time of the appeal hearing.
 3. The Transportation Appeal Committee's decision will be based on Board policy and practices.
 4. The Transportation Appeal Committee's decision will be communicated to the parent/guardian. The decision of the Transportation Appeal Committee will be considered final.

[Link to Transportation Forms](#)

6011-AR Surveillance of and in School District Buildings and Facilities

The Deputy Superintendent, with the Superintendent's approval, may promote school safety by employing surveillance of and in School District Buildings and Facilities. In the event of routine and on-going recorded electronic surveillance of the general public or students, the Director of Capital Projects and Facilities or the Director of Technology will post conspicuous notice that surveillance may be taking place. Recorded electronic surveillance will not take place inside bathrooms, locker rooms, or other places where recorded electronic surveillance would compromise reasonable standards of modesty.

Recorded electronic surveillance may be or become subject to a [FOIA](#) request, a subpoena or may be or become an education record within the meaning of [FERPA](#). In such cases, person receiving the FOIA request or subpoena or the building principal (in the case of an education record) will notify the Superintendent and the Deputy Superintendent that it is or may be necessary to save the recorded electronic surveillance consistent with law and Board policy and administrative regulations.

6012-AR

Stormwater Discharge

The Superintendent appoints the School District's Director of Capital Projects and Facilities to determine whether the School District is required to obtain an NPDES Municipal Separate Storm Sewer System (MS4) discharge permit and, if so, to obtain a permit and create a Stormwater Management Program Plan (SWMP) or any other mechanism that implements and carries out those inspections, procedures, and best practices necessary to comply with permit requirements.

6013-AR

Patriotic Observances

The School District encourages the display of the national and state flags on School District premises and School District-related events. The display of flags will be according to applicable law. Flags may not be lowered except in a manner consistent with applicable law and the approval of the Superintendent. The School District also encourages the singing of the National Anthem and the recitation of the Pledge of Allegiance on School District premises and before School District related events.

6014-AR

Naming School District Buildings and Facilities

To assure that District buildings are named appropriately, the Rochester Community School District and the Board of Education specify the following guidelines:

1. The Superintendent or his/her designee will initiate the procedure for naming a building when the need becomes apparent.
2. A five to nine member screening committee composed of District employees, parents, citizens and students will be formed by the Superintendent or his/her designee.
3. The Screening Committee will reference Policy 7011 to establish the criteria for selecting a name. Additional criteria may be determined by the committee.
4. Submitted suggestions will be reviewed by the committee who will then make recommendations to the Superintendent.
5. The Superintendent will present recommendations to the Board of Education for discussion and action.

6015-AR

Ceremonies and Observances

1. *DEFINITIONS*

Information about holidays may focus on how and when they are celebrated, their origins, histories and commonly recognized meanings. Holidays may be studied or observed:

Study – To gain understanding about a holiday through academic study, which may include performances, displays, or other activities with the goal of promoting sensitivity to the beliefs and practices of others.

Observe - Acknowledgement of a holiday through displays, decorations, classroom party or other activities in recognition of its significance. It is the responsibility of staff members to:

- Ensure that such activities are strictly voluntary,
- Not place an atmosphere of social compulsion or ostracism of minority groups or individuals,

- Determine that activities not interfere with the regular school program and
- Provide alternative activities for students who choose not to participate.

2. *EXAMPLES OF HOLIDAY TYPES*

Public holidays have been identified at the federal and state level and are those days when regular business is not transacted:

New Year's Day
 Martin Luther King, Jr. Day
 President's Day
 Memorial Day
 Independence Day
 Labor Day
 Columbus Day
 Veterans' Day
 Thanksgiving Day
 Christmas Day

Secular Holidays – A cultural holiday that may be celebrated by components of the population. Examples include, but are not limited to Valentine's Day, St. Patrick's Day, Cinco de Mayo, Halloween, Kwanzaa, Christmas Day. Religious Holidays – Those holidays related to the religious beliefs and practices of individuals, groups, or cultures. Religious holidays include, but are not limited to Christmas Day, Easter, Id Al-Fitr, Bodhi Day, Holi, Passover, Divali, Ramadhan, Yom Kippur, etc.

3. *CURRICULUM*

A. The teaching of religion to instill belief is the responsibility of the family and religious institutions, but teaching about religion is a legitimate responsibility of the schools. District curriculum should include study of a variety of religions, but should not advance one religion over another. Instruction about religion should help students better understand the religious heritage of their own and other cultures.

B. The study of holidays should infuse the curriculum as part of cultural studies for the subject areas taught in schools. The Social Studies Curriculum Review Committee has identified a number of holidays which are clearly linked to the Social Studies Essential Learning Outcomes. The holidays identified by the Social Studies curriculum are to be studied or observed. No unit of study should be dominated by the study of a holiday.

C. Religion should be portrayed accurately and there should be balanced treatment of the world religions. The study of the impact of religion on civilization should be included in the curriculum in appropriate curricular areas such as fine arts, language arts, and social studies. It is the responsibility of the staff to ensure that religious symbols are not profane nor desecrate what is sacred to a religion or culture.

D. As guaranteed by the United States Constitution, religious liberty and the separation of church and state are taught as core democratic values. When discussing controversial issues pertaining to democratic values, they should be presented impartially and with balanced treatment of conflicting viewpoints.

E. Curricular content is determined in accordance with District procedures based upon best standards of the field in question, and not solely to accommodate the religious views of a particular individual or group.

4. *DECORATIONS AND DISPLAYS*

Religious symbols such as Menorah, Star of David, Crèches, crosses, etc., should be used only as teaching aids and not decoration. Symbols of religious holidays that might have acquired secular meaning might be used as decorations for up to ten school days prior to the holiday. Example: presents, bells, turkeys, bunny,

cornucopias, giving tree, etc. It is important that holidays reflect the variety of cultural traditions of all students. Sensitivity to the needs of all students should take precedence and teachers are encouraged to expose students to a variety of cultural traditions.

5. *GIFTS AND GREETINGS*

Individual holiday gift giving is permitted, while school sponsored exchanges are not. School sponsored holiday gift sales are acceptable outside of class time. School sponsored holiday gift making or community service projects are permissible, as long as they are consistent with curricular goals and alternative activities are provided for students who choose not to participate. Individual holiday greetings are also permitted.

6. *PERFORMANCES*

Student performances, such as band, instrumental and vocal musical concerts, and dramatic portrayals may be dedicated to public holidays. Performances may have elements associated with religious holidays, provided they are integral to the curriculum. Performances by students throughout the school year should reflect balance and respect for multiple traditions.

7. *SCHOOL COMMUNICATIONS*

School and classroom communications may be decorated with symbols of public and secular holidays. Secular symbols should reflect a variety of cultural traditions. Communications, which advance or inhibit observance of cultural or religious holidays may not be posted in school or disseminated by school staff members.

8. *PRIVACY*

No individual should be required to reveal his/her personal beliefs and/or values. Parents should be reminded to inform teachers of students' religious or cultural needs, which might require individualized attention by the teacher.

9. *PERFORMANCE STANDARDS*

A school will have fulfilled the intent of the AR if in the course of a school year, the following criteria are met:

- Activities in conjunction with religious holidays neither advance nor inhibit religion, and are limited to study.
- Projects and activities representing specific holidays should reflect a variety of cultural traditions. Alternative projects and activities should be provided for students who choose not to participate.
- The totality of holiday-related activities reflects a variety of cultures and a balance among them.
- Students observe holidays which reflect the common heritage of all people.
- No student is compelled to study or observe any holiday in ways contrary to his/her religious beliefs.
- Holidays observed throughout the calendar year should be representative of holidays observed by all cultures to ensure that the needs of all students are met.

Teachers are encouraged to access parents and community leaders as resources in the study of holidays and traditions. Parents or classroom visitors may talk about a culture or religious heritage or do a related

activity in the classroom, provided it is related to the curriculum. Parents or classroom visitors may read a book related to a culture or religious heritage, provided it has been approved by the classroom teacher and does not advance or denigrate any religion.

Flag Displays, Pledge of Allegiance and National Anthem (Former AR8810AR) (Revised 11.30.18)

The flag of the United States shall be flown from a flagstaff on the grounds of each school and the Administration Center of the District during the days that the building is in session, weather permitting, and other days determined by the Board of Education or by law. The flag shall be flown consistent with applicable laws. The flag shall be lowered to half-staff on days so designated by the President of the United States, Governor, Board of Education, or the Superintendent/designee. Schools will display the American flag and State of Michigan flag inside each building and are encouraged to display the flag during major activities.

Student instruction will include learning the National Anthem, Pledge of Allegiance, and history of the flag.

The 7000 series of Board Policies requires or permits the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on August 25, 2024 and posted them on the School District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the District's Deputy Superintendent to review the 7000 series of Board Policies and these regulations at least annually. The Deputy Superintendent is also expected to recommend to the Superintendent legally compliant revisions and additions to the 7000 series of Board Policies and these administrative regulations.

Introduction This Regulation is published by the School District to inform the public of its rights under the [Michigan Freedom of Information Act](#) ("FOIA" or "the Act"). The regulation and guidelines, below, are not intended to, and should not be read to limit the rights actually created by FOIA. Accordingly, to the extent this regulation or the guidelines are found to be inconsistent with FOIA, or inconsistent with a future amendment to FOIA, the Act governs. The School District retains the right to revise this regulation and the guidelines.

Requesting Public Records Under FOIA, the Assistant Superintendent of Business Operations is the School District's "FOIA Coordinator." Public records may be requested by providing the School District's FOIA Coordinator with a written request that identifies the public records with enough specificity to permit the School District to locate them. For requesters other than indigent persons, the request must also include the requester's complete name, address, and contact information or, if the requester is other than an individual person, such as a company or organization, the request must also include the complete name, address, and contact information of the requester's agent who is an individual person. The written request may be on paper or it may be electronic or digital.

A person may subscribe to public records that are created, issued or disseminated on a regular basis. A subscription is valid for up to six months and may be renewed.

The School District will not accept or respond to a verbal request for public records. However, where a School District employee receives a verbal request and is aware the public records are available on the District website, the School District employee may notify the requestor of the website address.

Response to Request for Public Records The District is required to respond, in writing, to a written request for public records. The District may grant the request, deny the request, or grant the request in part and deny the request in part.

Timeline The District has five (5) business days to respond to a written request for public records. Requests sent by email or other electronic transmission are not considered "received" until the first business day after the email or electronic transmission was sent. If the email or electronic transmission was delivered to the District's spam or junk mail folder, the request is not considered received until the District actually becomes aware of the request. The District may extend the time for responding by ten (10) business days if the nature of the request justifies an extension by so notifying the person who made the request, in writing, and within the original five business day response window.

Types of School District Responses

Granting a Request. The District's FOIA Coordinator will grant a request for public records by so notifying the requestor in a timely manner and in writing. The District will also provide notice if some or all of the public records are available on its website and will include a specific website address, if practicable.

Denying a Request. The District's FOIA Coordinator may deny a request if the request is not specific enough to allow the District to locate the public records in question by so certifying that fact to the requestor in writing. The District's FOIA Coordinator may also deny a request if the requested public records are exempt from disclosure under the Act. If only part of a public record is exempt, the FOIA Coordinator will redact the exempt part and, otherwise, grant the request.

Allowable Fees [FOIA](#) allows the District to charge the following fees incurred for processing and responding to FOIA requests, as stated below.

Labor Costs.

Searching for, Locating, and Examining Public Records. The District may charge labor costs directly associated with searching for, locating, and examining requested public records in conjunction with receiving and fulfilling a granted request. Except as provided by the Act, the District will not charge labor costs for searching for, locating, and examining public records that are on the School District's website at the time the request is made.

Separating or Deleting Exempt Information. The District may charge labor costs directly associated with separating or deleting information that is exempt from disclosure under the Act, unless the District has previously redacted the public record(s) and the redacted version is still in the District's possession. The District will not charge for separating documents that are available on its website.

Reproducing Information. The District may charge labor costs directly associated with duplicating or publishing public records. This includes the time spent making paper copies, making digital copies, and transferring public records to non-paper physical media or through the internet, if so requested.

Limitations on Labor Costs. Subject to the Itemization of Allowable Fees section of this Guideline, the District may charge no more than the hourly rate and actual fringe benefits of the lowest paid employee capable of performing the particular task for which the District may charge labor costs, even if the District assigns a more highly paid employee to perform the task. The charge for fringe benefits may not exceed 50% of the employee's hourly rate. The District may not charge overtime except at the request or stipulation of the requestor. If the District's FOIA administrator determines that no District employee is capable of separating or deleting exempt information with respect to a particular request, the District may hire contracted labor to perform the task. In such cases, the District will calculate the time spent by the contracted labor in the same manner it calculates the time of its own employees and the charge for the contracted labor will not exceed six times Michigan's minimum wage. In all cases, labor costs will be charged and estimated in increments of fifteen (15) minutes, with all partial time increments rounded down.

Reproduction Costs.

Non-Paper Physical Media. The District may charge the actual and most reasonably economical cost of reproducing public records on non-paper physical media (e.g., computer discs, computer tapes, or other digital or similar media). The District is not required to reproduce public records on non-paper physical media if it does not have the technology necessary to do so.

Paper Copies. The District may charge the actual incremental cost of reproducing paper copies of public records using the most economical means available (e.g., double sided copies, if double sided copies are available and more economical than single sided copies). In no case will the District charge more than 10

cents per sheet. The District will not charge copying costs for copying documents on its website or the on-site inspection of public records unless the requestor requests paper copies.

Mailing. The District may charge the actual cost of mailing requested public records and the least expensive method of confirming delivery. The District may not charge for expedited shipping or insurance unless specifically requested by the requestor.

Waiver, Reduction, or Discount of Allowable Fees. The District may waive or reduce allowable fees if the District determines a waiver or reduction is in the public interest.

Indigence. The District will discount allowable fees by \$20.00 to a requestor who submits an affidavit stating that they are indigent and on public assistance or, if not receiving public assistance, stating facts showing inability to pay full allowable fees due to indigence. If the District determines a requestor who submits such an affidavit is not eligible for the discount, the District's written response will inform the requestor of the reason(s) for its determination. The District will not provide an indigence discount to an otherwise eligible requestor if: the requestor has already received discounted copies from the District twice during the calendar year; or, the requestor has been offered or received payment or other remuneration by or from another person.

Protection and Advocacy. The District will discount allowable fees and costs by \$20.00 if the requestor is a non-profit agency designated by the Governor under [Section 931 of the Michigan Mental Health Code, MCL 330.1931](#), and the following additional conditions are met: the request is made on behalf of the agency or its clients; the request is made for reasons wholly consistent with the agency's mission, as described in Section 931; and, the request is accompanied by documentation of its designation, if so requested by the District.

Itemization of Allowable Fees. The District will itemize allowable fees on a Detailed Itemization of Allowable FOIA Fees form.

Good-Faith Deposit. The District may require a good-faith deposit from a requestor before providing public records if the total allowable fees exceed \$50.00 and the District provides the requestor with an estimate of total allowable fees using the Itemization of Allowable Fees and Costs form. The good-faith deposit may not exceed 50% of the total allowable fees and costs. The District's request for a good-faith deposit will include a reasonable and best efforts estimate of the time frame within which the District will provide public records after receiving the good-faith deposit, along with notice that the good-faith deposit is due within 48 days of when the request was sent or else the request will be considered abandoned. The School District is not required to fulfill abandoned requests. Requests are not considered abandoned if the requester has filed an appeal of the good-faith deposit request within the 48-day timeframe. The District may charge an increased good-faith deposit of up to 100% of the estimated fee before it begins a full public record search for a person who has previously failed to pay allowable fees in full if: the final allowable fees were not more than 105% of the total estimated fees; the public records provided contained the information sought in the prior request and are still in the District's possession; the public records were provided within the School District's reasonable best efforts estimate for the prior request; ninety (90) days have passed since the District notified the requestor the public records were available for pickup or mailing; the requestor is not able to show proof of prior payment; and, the School District provides a completed Detailed Itemization of Allowable FOIA Fees form that is the basis of the increased good-faith deposit. However, the District may not insist on an increased good-faith deposit if: the requestor shows proof of prior payment; the District is paid in full for the prior request; or, three hundred and sixty-five (365) days have passed since the requestor made the request for which full payment was not remitted.

Reduction of Labor Charges for Untimely Response. The District will reduce otherwise permitted labor charges by 5% per day (to a maximum of 50%) for each day the District's response is untimely if: the late response was willful and intentional; or, the written request conveyed a request for information within the first 250 words or the request included the words, characters or abbreviations for "freedom of information," "information," "FOIA," or a recognizable misspelling of such, or appropriate legal code reference on the front of the envelope or the subject line of the request.

Appeals The requestor may appeal the denial of all or part of a request in two ways: submit an appeal to the District's Superintendent or file a civil action in the circuit court where the District is located. The requestor may also appeal an allowable fee calculation that violates the [Act](#) or this administrative regulation.

Appeal to Superintendent. An appeal to the Superintendent must include the word "appeal" and identify the reason(s) the Superintendent should reverse the denial or reduce the allowable fee calculation. The Superintendent will respond to the appeal, in writing, within ten (10) business days by reversing the denial or calculation, upholding the denial or calculation, or reversing the denial or calculation, in part, and upholding the denial or calculation, in part. In unusual circumstances, the Superintendent may issue not more than one notice extending their time for responding by not more than ten (10) additional business days. If the appeal is based on the District's calculation of fees and the Superintendent upholds the calculation, in whole or in part, the Superintendent must certify and explain the District's calculation.

Civil Action. The requestor may, in addition to appealing to the Superintendent, file a civil action in the circuit court where the District is located. The civil action may be based on the District's failure to timely provide public records or the District's calculation of allowable fees. If the requestor prevails in a case concerning the timely provision of public records, they are entitled to reasonable attorneys' fees, costs, and disbursements. If the requestor or the District prevails in part the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. Additionally, if the court determines the District has arbitrarily and capriciously violated the [Act](#) by refusing or delaying the request, the court will order the District to pay a fine of \$1,000.00, which will be deposited in the Department of Treasury's general fund, and, in addition to any actual or compensatory damages, punitive damages to the requestor in the amount of \$1,000.00.

If the requestor prevails in a case concerning the District's calculation of allowable fees by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award the requestor all or an appropriate portion of their attorneys' fees, costs, and disbursements. If the court determines the District has arbitrarily and capriciously violated the Act by charging an excessive fee, the court will order the District to pay a fine of \$500.00, which will be deposited in the Department of Treasury's general fund, and, in addition to any actual or compensatory damages, punitive damages to the requestor in the amount of \$500.00. Separately, if the court determines the District willfully and intentionally failed to comply with the [Act](#) or has otherwise acted in bad faith, the court will order the District to pay a civil fine of not less than \$2,500.00 and not more than \$7,500.00 per occurrence, which will be deposited in the Department of Treasury's general fund.

A civil action based on a denial of public records must be filed within one hundred and eighty (180) days after the District's final determination. A civil action based on the District's calculation of allowable fees must be filed within forty-five (45) days of receiving the completed Detailed Itemization of Allowable FOIA Fees form or within forty-five (45) days of the Superintendent's decision concerning an appeal. If the requestor files a civil action based on the District's calculation of allowable fees, the District is not required to continue processing the request until the court resolves the fee dispute.

7002-AR Community Use of School District Facilities

Generally The School District's buildings, facilities, and property were acquired to support its educational programs and activities. To the extent individual groups or organizations want to use those buildings, facilities, or property for a purpose that is consistent with the School District's mission, educational programs, and activities, the School District, in its discretion, may approve that use. The Superintendent may develop and implement additional administrative procedures permitting the use of District buildings, facilities, and property.

Agreements The individual, group, or organization requesting use of a School District building, facility, or property will complete and execute an Agreement for the Use of School District Buildings and Facilities, or its equivalent. That Agreement will address, at a minimum: the fee the School District will receive, which

will be at least sufficient to cover all marginal costs associated with the use; the liability or other insurance the user will carry and the fact the School District will be named as an additional insured; a release of the School District (including School District board members, agents, employees, and volunteers) for any injuries or damages that occur during the use; and, an agreement to indemnify and hold harmless the School District against such injuries, damages, and actual attorneys' fees and costs arising or relating to the use or any related litigation. The Superintendent may waive the requirement for such an agreement for School District-related users.

Fees The School District facilities currently in use for the K-12 instructional program are made available to responsible groups and organizations in the Superintendent's discretion. Groups and organizations requesting the use of District facilities are assessed fees according to the following fee tables found [here](#).

Building or Facilities Permit Procedures A group or organization that wishes to use a School District building or facility must obtain a permit from the Facilities Department. To obtain a permit, the group or organization must:

1. Complete and submit a Facility Use Permit form, or its equivalent, to the Facilities Department at least one (1) week prior to the activity. **Payment is due when the building request is made. A \$10.00 late fee will be charged for requests not submitted with the one (1) week time limit. Refunds will be given if cancellation is made five (5) days or more before the event.**
2. Fees will be charged for additional service from school personnel on weekdays, weekends, or holidays and/or after 10:00 p.m. Monday through Thursday and for any event held on Friday.
3. Space will be tentatively reserved pending approval of the Building Principal/Supervisor and the Operations Department.
4. Upon approval, the space will be reserved and a confirmation will be communicated to the applicant. The applicant must have the permit with them at the time of building use.
5. All permits are subject to cancellation for school activities.
6. All renters not affiliated with the School District will be required to pay for the provision of security services during their event. Security services will be provided through the School District.
7. For those renting facilities for purposes of film/media production, the production company may be charged a rate of \$100-\$500 per hour for the services of the authorized School District employee (which may be required by the School District in certain circumstances), depending on the time/day of the week.

Regulations Pertaining to Rental of School District Facilities

- Those in attendance must confine themselves to the area rented by the organization.
- The use or sale of intoxicating beverages and tobacco is not permitted on the premises. Violators will be subject to removal and possible prosecution.
- School District facilities are not available for private parties.
- The sale of food or any commodity requires prior approval from the School District. A request must be included on the reservation request form at the time the reservation form is submitted.
- All current fire and safety regulations must be strictly observed.
- An employee of the School District may be on site during events.

- Users of School District facilities will be fully responsible for damage to school property occasioned by the group's use of School District property. The renting organization will be required to replace damaged property at its sole cost and expense.

Insurance The Board of Education requires all users of School District facilities to carry comprehensive general liability insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. Furthermore, the Board of Education, its individual board members, officers, and agents, and the School District, as well as its employees and volunteers, shall be named as additional insureds.

7003-AR Gifts, Bequests, and Donations

The School District appreciates the generosity of donors who wish to recognize the School District with monetary donations or gifts of property. In order to assure that the School District does not incur a cost as a result of the gift that approaches or exceeds its value, all gifts, bequests, and donations will be submitted to the Superintendent of Schools for approval. As reflected in Board of Education Policy 7003, the Superintendent, or their designee, will review an offered gift to assure that the gift: is free of any restriction that is contrary to law or inconsistent with Board policy; is, in the opinion of the Superintendent, fitting and appropriate for District use; does not require excessive installation, alteration or maintenance costs, or otherwise require a large commitment of District resources; and, contains no commercial advertising.

7004-AR Distribution of Information / Materials

The School District periodically receives requests from various organizations to distribute informational or promotional materials on District property. In order to minimize intrusions on the time of students and employees that result from such distribution, the following regulations apply. In addition, the School District utilizes the Peachjar platform for distribution of electronic materials to the school community and has articulated protocols for the use of such platform on the [School District's website](#). Such protocols are hereby incorporated by reference into these Administrative Regulations.

Review Process Organizations must submit the following information for review and approval prior to distribution: a final pdf version of the flyer; and, a cover sheet with the following information: name and phone number of contact person; the method by which the organization wishes to be contacted following review; the target audience to receive the materials (i.e. students, parents, staff, or some combination thereof); and, the name of the school buildings where it is contemplated that the materials will be distributed. The Superintendent will review and approve materials for which a request for distribution has been received before distribution occurs.

Content In order to be accepted for distribution, materials may not: be obscene, indecent, or vulgar; advocate illegal activities, violence, or hate; contain libelous or defamatory information; discriminate or contain bias toward any individual's race, gender, sexual orientation, or religious or ethnic identity; be likely to cause substantial disruption of or material interference with discipline or the education of students in the school in which the material is posted or distributed; promote, favor, or oppose a candidate for elected office or a ballot measure; or, advocate religion or a particular faith or religious viewpoint.

Disclaimer All materials that will be distributed on District property must include the following statement:

Rochester Community Schools does not support or endorse any of the organizations and/or activities/events identified in this flyer.

Citizens who have concerns with District staff, programs, or practices are encouraged to bring their concerns to the person in charge at the closest point of origin. In most cases this will be the building principal. Where the matter is unresolved at that level, the formal complaint procedure outlined below may be utilized.

Complaint Procedure A complaint will be in writing; be signed by the complaining parties; set forth the specific acts, conditions, or circumstances of concern; identify the relief being requested that is within the authority of the District to grant; and, be submitted to the person in charge at the closest point of origin (typically the building principal).

The building administrator will offer to meet with the complainant to discuss the complaint. Following the meeting, if there has not been a satisfactory resolution, the building administrator will, within five school days after receipt of the complaint, send the written complaint to the Deputy Superintendent, together with the outcome at the building level.

The Deputy Superintendent will designate a central office administrator to conduct or coordinate an investigation of the complaint and reach a decision within fifteen (15) school days after receipt of the complaint. The decision of the Superintendent's designee shall be communicated in writing to the parties involved. Should a complaint be submitted with less than fifteen (15) school days remaining within the school year, a reasonable extension of this timeline may be taken, as deemed necessary by the person conducting the investigation.

If the complaint has been investigated by the Superintendent's designee, and has not been resolved to the citizen's satisfaction, the citizen may request, within five (5) school days, that the complaint be referred to the Superintendent.

The parties involved in the complaint may request to meet with the Superintendent within five (5) school days of referring the complaint to the Superintendent. Any such meeting must occur fifteen (15) school days after the Superintendent receives the designee's decision.

The Superintendent will make a decision and notify the citizen, in writing, within: fifteen (15) school days after: receiving the complaint and the designee's decision, if the parties involved in the complaint have not requested a meeting with the Superintendent; or, within ten (10) school days of meeting with the parties involved in the complaint. The response of the Superintendent will: deny the allegations contained in the complaint and/or identify corrective measures deemed necessary to resolve the complaint.

All references in this administrative regulation to a number of days to complete a task/perform an action will be complied with to the greatest extent possible. If good cause exists to extend the timelines identified herein, such additional time may be taken without representing a violation of this administrative regulation.

Except for student-initiated organizations, all district support organizations must be recognized by the Internal Revenue Service as non-profit, 501(c)(3) charitable organizations prior to engaging in any activity. The Board expects all organizations to operate in a manner consistent with public expectations for the School District and reserves the right to prohibit organization activities at its sole discretion or at the sole discretion of the appropriate building principal. All district support organizations are expected to abide by the Board's policies and these administrative regulations

Except for student-initiated organizations, each district support organization will submit a copy of its bylaws and/or Articles of Incorporation and proof of 501(c)(3) status to the appropriate building principal for review and approval. Each organization will also notify the building principal of any upcoming district support

events. Each organization is required to timely inform the building principal in the event the Internal Revenue Service revokes the organization's 501(c)(3) status.

District Support Organizations are entities, groups, or other organizations formed to support the School District or its programs or activities.

The Board expects all District Support Organizations to operate in a manner consistent with public expectations for the School District. All District Support Organizations are expected to abide by the Board's policies and these administrative regulations and District Support Organizations are responsible for their own compliance.

District Support Organizations must use their own accounting and bookkeeping procedures and maintain accounts for income and expenses that are separate from School District accounts. District Support Organizations may not use School District funds, and the School District is not responsible for any purchases or procurements made by District Support Organizations. Under no circumstances may a District Support Organization use the School District's tax identification number. District Support Organizations are encouraged to obtain 501(c)(3) status, where applicable, in order to receive a charitable tax-deduction.

District Support Organizations may not use the School District's name, logo, or mascot without prior approval by the Superintendent, and the Superintendent may revoke any approval previously granted.

District Support Organizations may hold fundraising activities on School District property consistent with applicable policies and administrative regulations and with prior approval by the Superintendent. District Support Organizations must comply with policies and administrative regulations pertaining to the use of School District facilities and property. District Support Organizations may not commingle any funds with other School District funds. All funds and other donations must comply with School District policies and administrative regulations.

Except for student-initiated organizations, each District Support Organization will submit a copy of its bylaws and/or Articles of Incorporation and proof of 501(c)(3) status to the appropriate building principal for review and approval, to the extent such documents exist. Each District Support Organization will also notify the building principal of any upcoming district support events.

7008-AR Advertising

Approval In accordance with relevant laws, the Superintendent reserves the right to approve or deny any and all requests for advertising on a case-by-case basis, including whether the advertisement is consistent with the educational objectives of the School District. The Superintendent may request that samples of the proposed advertisement be made available for inspection.

Content Advertisements may not be obscene, indecent, or vulgar; advocate illegal activities or violence; contain libelous or defamatory information; illegally discriminate on the basis of race, color, national origin, religion, sex, language, disability, or any other basis prohibited by law; be likely to cause substantial disruption of or material interference with discipline or the education of students in the school or facility in which the advertisement is posted or distributed; promote, favor, or oppose a candidate for elected office or a ballot measure; or advocate religion or a particular faith or religious viewpoint.

Manner of Advertising Advertising on School District premises or by School District students or personnel is prohibited unless, in the sole judgment of the Superintendent, the advertisement benefits the School District, school, student population, or specific student activity; is consistent with the School District's Wellness policy; and/or is consistent with an exclusive agreement entered into between the School District and the advertiser.

District Logos The School District has common law rights to its logos and marks even if they are not trademarked or copyrighted. Any use of such logos is prohibited without the School District's express written permission.

7009-AR District Volunteers

Volunteers to Rochester Community Schools are a welcome addition to our school community.

For occasional volunteers, working in the building once or twice per year under the direct supervision of teachers or staff members, the building principal will provide building-specific information about volunteering.

For volunteers who are in the building on a regular or continuous basis, which will involve supervision of, and/or significant interaction with students or any volunteer who chaperones students on off-site trips must follow the following process:

1. The volunteer will complete the Volunteer/ICHAT Authorization Form (Attachment A) and submit a copy of their driver's license/State ID.
2. The building principal will submit this information to the Department of Human Resources that the volunteer may begin volunteering in the school.

All volunteer chaperones for overnight field trip as well as volunteer coaches must have a Criminal Background Check in addition to the Criminal History Screening; this added check requires fingerprinting.

1. The building principal or teacher must contact the Department of Human Resources with names of all prospective overnight volunteer chaperones when planning an overnight field trip so that the appropriate arrangements may be made in advance of the trip for fingerprinting to be completed and the full Criminal Background Check information to be received and reviewed.
2. In the case of volunteer coaches, the school's athletic director should contact the Department of Human Resources prior to the start of the season with the names of all prospective volunteer coaches. The full Criminal Background Check information must be received and reviewed prior to a volunteer coach participating in the sport.

All information from the Criminal History Screening, and where conducted, Background Check is kept confidential, and is not shared with the building. If questions arise, the volunteer will be contacted by the Department of Human Resources.

In most cases, Volunteer/ICHAT forms need only be completed once each year. However, the District does reserve the right to request that an updated screening be completed.

The District requires that a new Volunteer/ICHAT form be completed each year that the volunteer works/chaperones in the district on a regular or continual basis.

In the case of a volunteer who a volunteer coach or overnight chaperone, if a full Criminal Background Check, including fingerprints was required, each year thereafter, a Volunteer/ICHAT form must be completed prior to volunteering or chaperoning and the ICHAT criminal history record will be reviewed.

7010-AR School Visitors

The Board encourages parents and citizens to visit the schools. The principal will regulate visits both within the school and on the campus for purposes of student/staff security and to protect the integrity of the instructional program.

All visitors, including parents, will report to the main office before visiting elsewhere in the building or on the campus. Rules regarding visitor access will be posted at the main entrances of each school. All principals will include visitation regulations in parent communications, student and staff handbooks.

Visitors will be admitted to a classroom only with permission from the principal/designee upon completion of Attachment A – Classroom Instruction Observation Request Form unless the teacher has been given prior permission to invite guests for a particular occasion.

The principal/designee, with written parent permission, will provide requested information to independent certified professionals through the use of checklists, surveys, observational data and/or meetings. Upon a persuasive showing of need, the principal/designee, in conjunction with the Assistant Superintendent for Instruction/designee, may at his/her discretion allow independent certified professionals to observe a student with parent or guardian permission during school hours. Such observational activities may be limited in scope and duration within administrative discretion, so as to minimize any adverse impact or disruption on the instructional program and classroom activities. Assessment and evaluation activities, other than those mentioned immediately above, will only be conducted by Rochester Community School employees during the school day. Independent tutoring and counseling will not be done during the school day.

If a parent/guardian wants an appointment to discuss his/her child's progress with a teacher, the appointment should be arranged outside school hours, on conference days, or during the teacher's planning period.

If a person on a school campus or facility creates a disturbance or refuses to leave the campus or facility, when directed to by the principal/ designee, the principal/designee shall contact appropriate law enforcement officials and take action as may be necessary. The Superintendent/designee shall be promptly notified of any such action.

7011-AR Media Utilization

The primary point of contact for all media shall be the Executive Director of Strategic Communications.

The School District may post information on the School District website; consider School District-wide mailings on issues of importance; schedule public forums for the dissemination of information and to receive feedback from the community; and, work with local and other media outlets to share School District information with the community.

7012-AR Engagement with Outside Organizations

The administrator receiving a request identified in Board Policy 7011 shall be responsible for the review of such request within a reasonable time from receipt.

The 8000 series of Board Policies requires or permits the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on August 25, 2024 and posted them on the School District's website. All School District personnel and Students are required to follow these administrative regulations.

The Superintendent designates the District's Deputy Superintendent to review the 8000 series of Board Policies and these regulations at least annually. The Deputy Superintendent is also expected to recommend to the Superintendent legally compliant revisions and additions to the 8000 series of Board Policies and these administrative regulations.

8001-AR**Acceptable Use**

The School District encourages and promotes the use of technology in our schools and for school operations. To ensure students, staff and parents take full advantage of the technologies available, but in compliance with applicable law, all uses of technology in the School District must have proper authorization and adhere to School District policies. The use of technology is a privilege, not a right, and must be in support of and consistent with the purposes and stated goals of the School District. There are no inherent warranties for technological resources that the School District is providing. The School District will monitor all network activity by, for example, ensuring the presence of a teacher or other appropriate School District staff personnel when students are accessing the internet at school, installing filtering or blocking software on School District computers to restrict unauthorized websites, and monitoring access logs to keep track of websites visited by students in order to restrict access to newly-created or previously unknown websites harmful to minors.

Guidelines Students will use technology as authorized by appropriate school personnel. Only software legally owned and/or authorized by the School District may be put on School District computers. All network activities will be legal and of an appropriate use. Prior approval of the building principal and District web manager is needed to place anything on the building or District web pages.

Technology Users Will:

- Comply with School District policies, rules, and regulations.
- Use networks and technology in support of the School District's educational goals.
- Obey all School District, state, and national copyright laws.
- Report to the building administrator or teacher any misuse of networks and/or technology.
- Use School District equipment responsibly.
- Respect individual work, files, programs, and security.
- Hold harmless the School District from any and all claims or damages of any nature arising from access, use, or inability to access or use the technology or network system.

Technology Users Will Not:

- Intentionally tamper with computer or network components in a way that makes them temporarily or permanently inoperable.

- Access, vandalize, or modify anyone else’s account, data, files, and/or passwords without authorization of the network administrator or building principal.
- Use School District technology for commercial or “for profit” purposes.
- Use School District technology to impersonate another, or to obtain illegal copies of software or audio, text, or video materials for which the School District does not have ownership.
- Use School District technology to send or intentionally receive messages that are inflammatory, harassing in nature, sexist, racist, or otherwise inappropriate.
- Disclose confidential information, passwords, or access codes.
- Post personal information (such as address or phone number), credit card numbers, bank account numbers, or any other financial information.
- Use School District technology to distribute and/or access materials that:
 1. Violate [FERPA](#), or any other law which affords students certain rights with respect to their education records;
 2. Jeopardize the health and safety of students;
 3. Are obscene, pornographic, or libelous;
 4. Cause disruption of school activities;
 5. Plagiarize the work of others;
 6. Are commercial advertisements; or
 7. Have not been approved by the building administrator, network administrator, or web master.

Any attempt at performing one of the aforementioned prohibited acts is also prohibited.

Internet Safety The School District will implement software and/or other safeguards on School District-owned technology which protects adults and students from accessing images or other online depictions that are obscene, contain child pornography, and, with respect to students, are harmful to minors.

The School District will educate students about appropriate online behavior, including: interacting with other individuals on social networking websites and chat rooms, and cyberbullying awareness and response, in accordance with Board policy 2006 and any implementing regulations.

Artificial Intelligence

The School District’s Director of Technology will be responsible for overseeing the ongoing review of Artificial Intelligence tools. The School District will comply with industry-standard data protection when engaging with any contractor which will use school district data. The use of all tools is subject to the terms of the District’s Acceptable Use Agreement. Student use of such tools, even when off-campus, may be subject to the terms of the Student Code of Conduct. Student creation of deepfakes which violate the Student Code of Conduct is strictly prohibited.

The School District's Director of Technology will provide appropriate training to staff in the use of large language models and generative artificial intelligence. Training will provide guidance on the risks of using AI tools and acceptable uses.

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

The [ADA](#) and [Section 504](#) prohibit illegal discrimination on the basis of disability. ADA and Section 504 also require the School District to provide a free appropriate public education (FAPE) to eligible students. The manner in which the School District provides FAPE to eligible students and related issues are described in the School District's [\[insert name of document\]](#). This regulation sets forth a procedure for addressing complaints of illegal discrimination arising under the ADA and Section 504.

Procedure

Step 1. A person who believes that they have been discriminated against by the School District may discuss the matter informally with the immediate supervisor in the case of an employee, or the building principal, in the case of a student, or, instead, proceed directly to Step 2. (NOTE: If the immediate supervisor or building principal who is the subject of the complaint, the employee or student may instead contact the School District's Section 504 Compliance Officer, identified in Board Policy 8002.) The person receiving the complaint shall verbally convey their findings to both the person who alleged the violation and the person who is the subject of the complaint within ten (10) days.

NOTE: The informal complaint procedure is provided as a less formal option for a person who believes they has been discriminated against or harassed. This informal procedure is **not** required before filing a formal complaint. Moreover, a student who seeks resolution through the informal process may request, at any time, that the matter be moved to the formal complaint process.

Step 2. If the informal Step 1 process does not resolve the matter, or, if the employee or student chooses not to use the informal procedure, a written complaint may be submitted to the employee's immediate supervisor (to the school's principal if by a student). A complaint may also be filed directly with the applicable School District Section 504 Compliance Officer. The complaint shall include: (1) the employee's or student's name; (2) the facts of the incident or action complained about; (3) the date of the incident or action giving rise to the complaint; (4) the type of discrimination alleged to have occurred; and, (5) the specific relief sought. A Step 2 meeting shall be conducted within ten (10) days following the submission of the written complaint. Within the next ten (10) days, the immediate supervisor or principal shall issue a written disposition, with copies to be given to both the person who alleged the violation and the person who is the subject of the complaint.

Step 3. If the supervisor or principal's reply does not resolve the matter, a written complaint may be submitted to the applicable District Section 504 Compliance Officer within ten (10) days of the Step 2 disposition. A meeting shall be conducted at which both parties shall have the right to present witnesses and offer other evidence. Following the meeting, the Section 504 Compliance Officer shall reply in writing to the complainant and the person who is the subject of the complaint within ten (10) days.

Step 4. If the complainant wishes to appeal the decision of the Section 504 Compliance Officer, they may submit a written appeal to the Superintendent of Schools within ten (10) days after receipt of the Section 504 reply. The Superintendent, or their designee, shall meet with all parties involved and respond to the complaint, in writing, within ten (10) days of the date of the appeal. Copies shall be provided to both the complainant and the person who is the subject of the complaint.

Prohibition Against Retaliation The District hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Complaint Procedure.

Service Animals A service animal, as defined by the ADA, means a dog (or in some instances, a miniature horse) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or mental disability. A service animal is generally allowed in any District-controlled space in which an individual with a disability is allowed. Service animals are not required to have any specific identifying license, paperwork, or harness.

If not obvious, the District may ask whether a service animal is required because of a disability. The District may also ask what work or task the animal has been trained to perform. The District may not ask what disability requires the use of the service animal. Issues or questions related to service animals may be directed to the Assistant Superintendent for Human Resources (for employees) or the Executive Director of Special Education (for students). If the animal is not trained, or in the process of being trained, to perform specific work or tasks, the District may prohibit the animal from being on the premises.

A service animal shall be under the care and control of its handler and shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether; or the use of such restraint would interfere with the service animal's safe, effective, performance of work or tasks. In such cases, the handler shall control the service animal through other means (e.g. voice control, signals, or other effective methods).

The District may ask an individual to remove a service animal from campus if: (1) the animal is out of control and the animal's handler does not take effective actions to control it or (2) the animal is not housebroken. Though the District may exclude a service animal for these reasons, it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the District's property.

Comfort Animals Recognizing that certain animals that do not qualify as service animals under the ADA may be in buildings from time to time for purposes associated with mental health and wellness ("comfort animals" or "therapy animals"), the following general guidelines are provided to address such situations, to the extent they are not covered under the Service Animal provisions noted above:

- This is a volunteer/privileged position. All costs incurred are the responsibility of the handler.
- All dogs must be on a leash in common areas.
- Crate must be available for downtime and safety in work areas.
- Handlers must provide downtime throughout the day for the dog, be able to recognize stressors, and limit exposure.
- If a student/staff is uncomfortable around dogs for any reason, all accommodations shall be made in favor of the staff/student, i.e., the dog removed from the classroom for the hour, not the student.
- All vaccines, insurance paperwork, and district-approved certification shall be on file with the lead handler. Paperwork audit and K9 evaluation will be done by lead handler once per semester.
- Dogs must be under the handlers' control and not be handled by any other staff/students except for exigent circumstances.

Additionally, before any such animals are permitted on School District grounds:

- The team must be approved by the building principal.
- Must be certified/trained through Bright and Beautiful – Fur Angels.
- Evaluated in the work area environment by the RCS lead handler.
- Only two dogs per school are assigned to classroom/teaching staff. If in a staff position that can travel through the district, the team will be a district team and does not count against school numbers, i.e., school counselor, social worker, or psychologist.

With regard to the District website and any District web presence which is developed by, maintained by, or offered through third party vendors and open sources, the District is committed to compliance with [Title II of the Americans with Disabilities Act \(ADA\)](#) and [Section 504 of the Rehabilitation Act of 1973](#) so that students, parents, employees, and members of the public are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, with substantially equivalent ease of use. The District further seeks to ensure that those individuals with disabilities are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online. All existing, new, or updated web content produced by the District will conform to Web Content Accessibility Guidelines (WCAG) 2.1, Level AA conformance, or updated equivalents, as soon as practicable.

With respect to third-party content secured through a contractual agreement, the District, through its Director of Technology, will confirm the accessibility of such content before posting/linking to the District's web presence, to the extent possible, by testing same through a web accessibility checker or similar resource and/or manual checking. If the accessibility of third-party content cannot be verified prior to posting/linking, the District shall avoid posting/linking of same.

If third-party content is verified and posted but is later identified as not being accessible **after** posting/linking occurs, the District, through its Director of Technology, will endeavor to determine the basis of the issue by contacting the third-party provider and/or requesting information regarding the accessibility of their products. To the extent possible, the District will determine if an alternate way to provide the third-party content exists. If it is ultimately determined that the third-party content cannot be made accessible – either because it represents an undue burden or would require a fundamental alteration – the District shall keep a record of the inaccessible third party content. A determination of undue burden or fundamental alteration will be made by the Superintendent and/or their designee after considering all resources available for use in the funding and operation of the service, program, or activity and will be accompanied by a written statement outlining the reasons for such conclusion.

Website Audit The District's Director of Technology will be responsible for reviewing all areas of the District's website and evaluating its accessibility on a semester basis or as close thereto as possible. The contemplated review will be completed, subject to District discretion, utilizing free online resources available to the District, a platform audit resource (if applicable), and/or a third-party vendor resource. The District's Director of Technology will also conduct a manual check of the website as part of the contemplated semester review. The results of all reviews/audits will be documented and evaluated. Identified issues will be remediated within a reasonable period of time under the direction of the Director of Technology.

District Training The District will provide annual training for any staff (e.g. administrators, faculty, support staff, student employees) responsible for creating or distributing information with online content. The training will be facilitated, in whole or in part, by an individual with sufficient knowledge, skill, and experience to understand and employ the technical standard(s) adopted by the District. The training will include training on the Web Accessibility Policy, the Administrative Regulation, and staff roles and responsibilities to ensure that web design, documents, and multimedia content are accessible. The District will provide periodic updates to staff, as appropriate, should technology standards change in a readily discernable way. The District will also ensure that new staff are timely provided training consistent with the above expectations. With regard to staff who have already been fully trained at least once on the Web Accessibility Policy, the annual-training requirement may be satisfied by disseminating notice that includes the Web Accessibility Policy (e.g., via e-mail with a link to the policy), highlights any Policy updates, and provides the name and contact information of the Director of Technology to serve as a resource for staff with questions about the accessibility of online content.

Report of Accessibility Concerns/Issues In contacting the District's Director of Technology to report any issues or concerns associated with the accessibility of online content, reporting individuals are encouraged to provide the following information:

- Name;
- Contact information (phone or email);
- Type of information that was inaccessible (PDF, video, etc.);
- Specific web page the user was on (URL or page title);
- Date the user was unable to access the information; and
- Any other information the user believes might be helpful to the District in resolving the issue.

Upon report of a concern regarding the accessibility of online content, the Director of Technology will, consistent with District policy, provide the requested information in an alternate format and, as soon as reasonably practical, make the necessary improvements to make the information accessible online.

Formal Discrimination Complaint A student, parent, or member of the public who wishes to submit a formal complaint regarding a violation of [Title II of the Americans with Disabilities Act \(ADA\)](#) and [Section 504 of the Rehabilitation Act of 1973](#) related to the accessibility of any District web presence that is developed by, maintained by, or offered through the District, third party vendors, and/or open sources, may utilize the District's established complaint procedures are contained in administrative regulation 8002.

Irrespective of the submission of a formal complaint, once the District has been notified of inaccessible content, the reporting party should be provided with access to the desired information in a prompt manner. In this regard, the Complainant should not have to wait for the investigation of the complaint to be concluded before receiving the information that they were unsuccessful in accessing through the District's web presence.

8005-AR Communicable Diseases

Where a student or staff member has been diagnosed with a communicable disease, the School District administration will consult the most recent County Health Division Reference Chart (CHD COMMUNICABLE DISEASE REFERENCE CHART) to determine and implement exclusion and readmittance of individuals. Oakland County Health Division staff will be contacted as needed for consultation and clarification.

Communicable Diseases Known Not to Be Spread by Casual Contact Communicable diseases that are known not to be spread by casual contact, within the meaning of this regulation include Hepatitis B, HIV infections, ARC (AIDS Related Complex), AIDS, and other diseases that are transmittable by blood, other body fluids, and other body products, which present potentially serious health problems for those who contract the disease. The following procedure is intended to assure that both the rights of the individual and the school community at large are protected, and that each case will be determined on an individual basis.

HIV, ARC, or AIDS When a District employee reasonably suspects that a student or staff member is infected with HIV, ARC, or AIDS, they must notify the Oakland County Health Division, if such action is reasonably thought necessary to: protect the health of the student or staff member; prevent further transmission of the disease; or, diagnose and care for the student or staff member. The District employee shall not provide the Oakland County Health Division with the name of the student or staff member unless

such information is determined by the employee making the disclosure to be reasonably necessary to accomplish the above-mentioned purposes.

Request the permission of the affected student's parent or guardian, or the staff member, to inform the Superintendent and other necessary persons of the suspected illness. If such consent cannot be obtained, the employee shall inform the Superintendent of the matter in such a way that the identity of the affected person is not discernible. The Superintendent may then seek a court order permitting the Superintendent to obtain the information and disclose it to Board of Education members and other necessary persons.

Communicable Disease Review Committee. Upon receipt of the consent of the affected student's parent or guardian, or the staff member, or a court order permitting the review process to proceed, the Superintendent shall select a Communicable Disease Review Committee and direct the Committee to meet within five (5) school days. The Committee may be comprised of the following individuals:

- An official representative of the District, designated by the Superintendent, who will chair the Committee.
- The principal of the school of the affected student or staff member.
- A physician who is treating the affected individual.
- A physician appointed by the Superintendent to represent the District.
- A representative of the Oakland County Health Division.
- A parent if the affected individual is a student, the affected individual, and/or their representative if the affected individual is a staff person.
- A special education teacher, when the affected student is a special education student.
- Other persons designated by the Superintendent, the Committee, or the court.

Committee Recommendations. The Committee shall make a written recommendation to the Superintendent, based on the affected student or staff member's neurological and physical condition and the expected type of interaction with others in the affected student or staff member's school or employment setting, as to whether the person should be excluded from the school or employment setting and all school sponsored activities, restricted in their activities in the school or employment setting, or remain in an unrestricted school or employment setting.

If the Committee recommends that the student or staff member remain in their present school or employment setting, but that they are restricted from participating in certain activities, or that consideration be given to an alternate setting within the District, the Committee shall further set forth, in writing, the precautionary/sanitary measures, if any, that should be taken to protect the health and welfare of the student or staff member and the school community.

If the Committee recommends that the student or staff member remain in an unrestricted school setting, the Committee must so state in writing, and further state what precautionary/sanitary measures, if any, should be taken to protect the health and welfare of the student or staff member and the school community.

If the Committee recommends that the affected student or staff member be totally excluded from their former school or employment setting based upon their neurological and physical condition and expected type of interaction with others in that setting, the Committee must so state in writing. The Committee shall also state the conditions under which it would consider the student or employee's return to a restricted or unrestricted school or employment setting.

The Committee shall provide the Superintendent with its written recommendation within ten (10) school days of its meeting, unless the Committee determines that additional time is necessary in order to obtain pertinent medical information regarding the student or staff member's condition and/or that additional diagnostic testing is necessary for a thorough review of the matter.

In the event that the Committee's decision is not unanimous, the dissenting member(s) shall be given the opportunity to attach a written dissenting report to the Committee's recommendation within twenty-four (24) hours of the presentation of the Committee's report to the Superintendent.

Upon the Superintendent's receipt of the Committee's written report, the Superintendent shall, within five (5) school days, make a determination regarding the student or employee's status. The Superintendent's decision will be based upon whether, with reasonable accommodations, the student or staff member can remain in the school or employment setting without posing a health risk to himself/herself or others in the school community. In the event that the Superintendent determines that a student or staff member should be excluded from the school setting, they shall so advise the affected person, and, where a student is involved, their parent or guardian.

Where the Superintendent determines that a staff member who has been affected with HIV, ARC, or AIDS should be excluded from employment, the Superintendent shall attempt to obtain the affected person's permission or petition the circuit court for an order permitting the District to proceed pursuant to the provisions of the applicable collective bargaining agreement, board policy and/or applicable laws. If the employee in question is certified, the Superintendent shall, pursuant to [Article V, Section 2 of the Michigan Teacher's Tenure Act](#), either obtain the person's consent to be placed on a medical leave, or, if consent cannot be obtained, file tenure charges with the Board of Education seeking to place the person on an involuntary medical leave of absence.

Appeals. If the affected student or staff member disagrees with the determination of the Superintendent, they may file a written appeal to the Board of Education within ten (10) school days. The Board shall receive and review all necessary and pertinent materials provided by the Committee and the student or employee and provide an opportunity to both the Superintendent and student or employee to provide additional pertinent information. In its discretion, the Board may grant the student or employee a hearing.

The Board of Education may affirm, modify, or revise the decision of the Superintendent within ten (10) school days of the receipt of an appeal. The affected student or staff member shall have the right to remain in the school setting during the tendency of any such appeal, unless an appropriate medical professional confirms that there are clearly documented risks to the infected individual or others in the school setting that could pose an immediate health threat.

Where an affected student or staff member is permitted to remain in either a restricted or unrestricted school setting, the Superintendent shall designate a school representative to monitor changes in the student or staff member's medical status on a monthly basis, or more frequently if deemed appropriate. The Superintendent shall seek written permission from the affected person or parent prior to designating the responsible school representative. If the written authorization cannot be obtained, the Superintendent shall seek an order from the court permitting such. The Superintendent, with input from the Committee, shall reassess the status of the student or staff member at not less often than annual intervals. All time lines set forth herein may be extended where required by the individual circumstances of the case.

Communicable Diseases Known Not to Be Spread by Casual Contact, Other Than HIV, ARC, or AIDS
For communicable diseases which are known not to be spread by casual contact, other than HIV, ARC, or AIDS, the identical procedures set forth above will be followed, except that there will be no necessity of court involvement to obtain the infected person's consent to disclosure of their identity to the Superintendent and other necessary persons.

If the District employee determines that disclosure of such information is reasonably necessary to: (1) protect the health of the student or staff member; (2) prevent further transmission of the disease; or, (3)

diagnose and care for the student or staff member, the District employee may advise their supervisor that a student or staff member may have a serious communicable disease known not to be spread by casual contact. The identity of the student or staff member *SHALL NOT BE* disclosed unless written authorization is obtained from the affected student's parent or the staff member, or is otherwise necessary to satisfy the requirements of this section. The supervisor shall immediately inform the Superintendent or their designee.

Confidentiality All persons involved in these proceeds and in the education of an affected student shall respect the student's right to privacy, including maintaining student records and information in accordance with the requirements of the [Michigan Public Health Code, MCL 333.5101 et seq.](#) and the [Family Educational Rights and Privacy Act, 20 USC 1232g](#). The privacy rights of affected staff members shall be similarly affected including maintaining employment records and information in accordance with the requirements of the [Michigan Public Health Code, MCL 333.5101 et seq.](#), the [Bullard Plawecki Employee Right to Know Act, MCL 421.501 et seq.](#), any applicable contractual provisions, and Board of Education policy and regulations.

8006-AR Copyrighted Works

Generally The guidelines, below are intended to assist staff in determining the permitted use of copyrighted materials within the School District. The guidelines apply to materials used within the classroom, as well as in staff members' instructional and research activities. Before beginning or authorizing a reproduction, a School District employee will determine whether the copying is expressly permitted within the guidelines. If copying is not expressly permitted, or if there are any questions, the matter must be brought to the attention of the building principal before any copying is done. Should there be a question about whether a particular use is permitted, staff members are not to proceed without consulting their building principal.

Single Copying for Teachers' Use A single copy may be made of the following by or for a teacher for use in teaching or for research purposes:

- A chapter from a book;
- An article from a periodical or newspaper;
- A short story, short essay, or short poem, whether or not part of a collective work; and/or
- A chart, graph, diagram, cartoon, or picture from a book, periodical, or newspaper.

Multiple Copies for Classroom Use Multiple copies (not to exceed one copy per student in the class) may be made by or for the teacher for classroom use as follows:

- A complete poem if less than 250 words and if printed on not more than two pages;
- An excerpt from a longer poem, containing not more than 250 words;
- A complete article, story or essay of less than 2500 words;
- An excerpt from any prose work of not more than 1000 words or 10% of the work, whichever is less.

(Each of the numerical limits, above, may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)

- One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

- Certain “special works” in poetry, prose, or in "poetic prose" which may combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Such "special works" may not be reproduced in their entirety but an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof, may be reproduced.

All copies must include a notice of copyright.

Additional Permitted Use – Spontaneity

- The copying is at the instance and inspiration of the individual teacher, and
- The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Copying, as detailed above, is not intended to serve as a substitute for the purchase of books or periodicals.

8007-AR Discrimination and Harassment

The Board of Education is committed to maintaining an educational and work environment that is free from discrimination and harassment based on race, color, national origin, sex (including sexual orientation and gender identity/expression), disability, religion, genetic information, marital status, pregnancy status or any other legally protected characteristic. The Board has therefore adopted anti-discrimination and anti-harassment policies that prohibit discrimination and harassment by Board members, School District employees, students, contractors, volunteers and others connected with the School District. A student, employee, or any other person who believes that a student or employee has been subjected to discrimination or harassment may seek resolution of the matter through the procedures that follow. Complaints of sexual harassment within any educational program or activity of the School District will be investigated and resolved under 8007.3-AR, as required by Title IX and its implementing regulations (“Title IX sexual harassment”). All other complaints of discrimination, harassment or retaliation, other than Title IX sexual harassment, will be investigated and resolved under 8007.1-AR or 8007.2-AR. The District will work to address and remedy any violations of this regulation that prevent individuals from equal access to an education and to the workplace.

Compliance Officer and Title IX Coordinator The Assistant Superintendent of Human Resources, whose telephone number is 248.726.3118 and whose email address is dmurphy@rochester.k12.mi.us, is the School District’s Title IX Coordinator for purposes of reports made under 8007.3-AR and the School District’s Compliance Officer when addressing other reports made under this Administrative Regulation.

Days As used in 8007.1-AR through 8007.3-AR, the word “days” means school days during the school year when school is in session and business days during the summer break.

8007.1-AR Discrimination and Harassment (Non-Title IX) – Students

Generally Any person who believes that a student has been subjected to discrimination or harassment (or retaliated against for opposing discrimination or harassment) should report it to the School District’s Compliance Officer. That report will be resolved through the informal or formal procedures described in this Administrative Regulation.

Definitions for 8007.1-AR

“Complainant” means the student who is reported to have been discriminated against or harassed based on a legally protected characteristic. Complaints of Title IX sexual harassment will be addressed under 8007.3-AR.

“Respondent” means the person who is reported to have discriminated against or harassed Complainant.

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

“Discrimination” means unequal treatment based, in whole or part, on Complainant’s race, color, national origin, religion, sex, marital status, genetic information, disability, or other legally protected characteristic, which adversely affects Complainant’s educational opportunities or participation in the School District’s educational program or activities.

“Harassment” means behavior based, in whole or in part, on Complainant’s race, color, national origin, religion, sex, marital status, genetic information, disability or other legally protected characteristic, which is sufficiently severe and pervasive that it:

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

Informal Complaint Resolution Procedure The informal complaint resolution procedure is a less formal option for Complainants who believe they were subjected to discrimination or harassment. Resorting to the informal procedure is not required before filing a formal complaint. Moreover, at any time during the informal complaint resolution procedure, Complainant may request that the matter be moved to the formal complaint process. The informal complaint resolution procedure will not be used for complaints against District employees or other District-affiliated adults.

Step 1. A student, or any other person, may report discrimination or harassment to any School District employee whose primary responsibility includes student supervision or discipline, including a teacher, counselor, building administrator or central-office administrator, including the Compliance Officer.

If not reported directly to the Compliance Officer, all informal complaints received by School District employees must be reported to the Compliance Officer within two (2) days. The Compliance Officer will either facilitate an informal resolution, as described below, or appoint another person to facilitate an informal resolution.

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

- Counseling Complainant how to effectively communicate the unwelcome nature of the behavior to Respondent.
- Distributing a copy of the School District’s anti-discrimination and anti-harassment policy and this Administrative Regulation as a reminder to Respondent and other individuals.
- If both parties agree, the Compliance Officer and Title IX Coordinator may arrange and facilitate a meeting between the Complainant and Respondent to work out a mutual resolution. Such a

meeting may include some or all of the features of the restorative practices process described in the Revised School Code, [MCL 380.1310c](#).

Step 3. The Compliance Officer will endeavor to complete the informal complaint resolution procedure within ten (10) days of receiving the informal complaint. If Complainant is dissatisfied with the process at any time prior to agreeing on a mutual resolution, the Complainant may file a formal complaint.

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

Formal Complaint Resolution Procedure

Step 1. A student, or any other person, may file a formal complaint of discrimination or harassment with any building-level or central-office administrator, including the Compliance Officer. If not reported directly to the Compliance Officer, all such complaints must be forwarded to the Compliance Officer within two (2) days.

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

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

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

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

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

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

Although certain cases may require additional time, the Investigator will endeavor to complete the investigation within thirty (30) days of receiving the formal complaint. The investigation will include:

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

Step 3. At the conclusion of the investigation, the Compliance Officer and/or Investigator will prepare and deliver a written report to the Superintendent, summarizing the information gathered during the investigation and, if applicable, the date of any report to the police. The report will also provide recommendations based on the evidence, including whether the complaint should be substantiated based on a preponderance of the evidence (“more likely than not”) standard. The recommendations should consider the totality of the circumstances, including the ages and maturity levels of those involved. Disciplinary recommendations, if appropriate, should be reasonably calculated to prevent the recurrence of discrimination or harassment and should consider the factors set forth in Section 1310d of the Revised School Code. Disciplinary recommendations may range from counseling to permanent expulsion, in the case of a student; counseling to discharge, in the case of an employee; and recommendation for censure or a complaint to the Governor, in the case of a Board member. The report will be provided to the Superintendent within sixty (60) days after the formal complaint was made, unless there is good reason for the process to take longer.

Step 4. Absent extenuating circumstances, within ten (10) days of receiving the Compliance Officer and/or Investigator’s report, the Superintendent will issue a final written decision or request further investigation. A copy of the Superintendent’s final written decision will be delivered to both parties.

If the Superintendent requests additional investigation, the Superintendent will specify the additional information that is to be gathered, and absent extenuating circumstances, the additional investigation will be completed within ten (10) days. At the conclusion of the additional investigation, the Superintendent will issue a final written decision as described above.

Filing a Complaint with the Office for Civil Rights Complainant, or any other person, may, at any time, file a complaint with the United States Department of Education Office for Civil Rights at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
(216) 522-4970

Cooperation with Law Enforcement Agencies In certain instances, an allegation of discrimination and harassment may be investigated as a criminal matter. To the extent permitted by law, the District will comply with law enforcement requests for cooperation.

Retaliation Retaliation against a Complainant, a person who filed a complaint alleging discrimination or harassment, or a person who participates in an investigation under this Administrative Regulation, is strictly prohibited. Upon a finding that a person has engaged in retaliation, appropriate disciplinary action will be taken.

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

8007.2-AR Discrimination and Harassment (Non-Title IX) – Employees

Generally Any employee who believes that they have been subjected to discrimination or harassment not covered by Title IX (or retaliated against for opposing discrimination or harassment) should notify the School District's Compliance Officer and seek resolution of the matter through the informal or formal procedures described below.

Definitions for 8007.2-AR

“Complainant” means the employee who reported that they have been subjected to discrimination or harassment. Complaints of Title IX will be addressed under 8007.3-AR.

“Respondent” means the person who was reported to have discriminated against or harassed Complainant.

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

“Discrimination” means taking an adverse employment action against an employee based, in whole or in part, on the employee's race, color, national origin, religion, sex, marital status, genetic information, age, height, weight, disability or other legally protected characteristic.

“Harassment” means unwelcome physical acts, attempted acts, statements, gestures, jokes, written or graphic material, or other conduct or communications that are both:

- Based on race, color, national origin, religion, sex, marital status, genetic information, age, height, weight, disability or other legally protected characteristics; and
- Sufficiently severe or pervasive to create a hostile working environment.

Harassment may also include sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, where submission to this conduct becomes a condition of any person's continued employment or the basis for employment decisions. To the extent sexual harassment occurs within any educational program or activity of the School District and is covered by Title IX, the matter will be resolved through 8007.3-AR.

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

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

If not made to the Compliance Officer, all informal complaints must be reported to the Compliance Officer within two (2) days. The Compliance Officer will facilitate an informal resolution, as described below, or appoint another individual to facilitate an informal resolution.

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

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

Step 3. The Compliance Officer will endeavor to complete the informal complaint resolution procedure within ten (10) days of receiving the informal complaint. If Complainant is dissatisfied with the informal complaint resolution process at any point prior to agreeing to a mutual resolution, the Complainant may file a formal complaint.

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

Formal Complaint Resolution Procedure

Step 1. Complainant may file a formal complaint with: the building administrator of the building to which they are assigned; the Superintendent or other central-office administrator; or the Compliance Officer. If not filed directly to the Compliance Officer, the person with whom a complaint is filed must report it to the Compliance Officer within two (2) days.

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

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

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

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

NOTE: Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken during the investigation to protect Complainant and Respondent from discrimination or harassment, including, but not limited to, a change of work assignment or schedule for Complainant or Respondent. In making such a determination, the Investigator

will consult the parties to assess their reaction to the proposed action. If Complainant or Respondent are unwilling to consent to the proposed change, the Compliance Officer may nevertheless, after consulting with the Superintendent, take whatever actions deemed appropriate for the protection of Complainant, Respondent, and the integrity of the investigation.

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

Although certain cases may require additional time, the Investigator will endeavor to complete the investigation within thirty (30) days of receiving the formal complaint. The investigation will include:

- Interviews with Complainant and Respondent;
- Obtaining and reviewing any written statements of Complainant, Respondent, and any other witnesses;
- Interviews with any other witnesses;
- Relevant documents and other information presented by Complainant, Respondent, or any other witnesses.

Step 3. At the conclusion of the investigation, the Compliance Officer and/or Investigator will prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and, if applicable, the date any incident was reported to the police. The report will provide recommendations, including whether the complaint should be substantiated based on a preponderance of the evidence ("more likely than not") standard. The recommendations should consider the totality of the circumstances. Disciplinary recommendations, if appropriate, should be reasonably calculated to prevent recurrence of illegal discrimination or harassment. Disciplinary recommendations may range from: counseling to discharge, in the case of an employee; and censure to a complaint to the Governor, in the case of a Board member. The report will be provided to the Superintendent within sixty (60) days after the formal complaint was made, unless there is good reason for the process to take longer.

Step 4. Absent extenuating circumstances, within ten (10) days of receiving the report, the Superintendent will either issue a final written decision regarding whether the complaint has been substantiated or request further investigation. A copy of the Superintendent's final written decision will be delivered to both parties.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and absent extenuating circumstances, such additional investigation must be completed within ten (10) days. At the conclusion of the additional investigation, the Superintendent will issue a final written decision as described above.

Filing a Discrimination or Harassment Complaint with State or Federal Agencies An employee alleging discrimination or harassment, may, at any time, file a complaint with the United States Department of Education Office for Civil Rights at:

United States Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115

(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

A complaint may also, or instead, be filed with:

United States Department of Labor
Equal Employment Opportunity Commission
Detroit Field Office
477 Michigan Avenue, Room 865
Detroit, Michigan 48226

or

State of Michigan
Department of Civil Rights
Cadillac Place, Suite 3-600
3054 West Grand Boulevard
Detroit, Michigan 48202

Cooperation with Law Enforcement Agencies In certain instances, an allegation of discrimination or harassment may also be investigated as a criminal matter. To the extent permitted by law, the School District will comply with law enforcement requests for cooperation.

Retaliation Retaliation against a person who files a complaint alleging discrimination or harassment, or participates in an investigation, is strictly prohibited. Upon a finding that a person has engaged in retaliation, appropriate disciplinary action will be taken.

Maintenance of Records All materials generated as a part of the formal complaint process will be retained in a single location under the control of either the Compliance Officer or the Title IX Coordinator in accordance with the Board of Education's records retention policy.

8007.3-AR Sexual Harassment Under Title IX Employees and Students

Generally This Administrative Regulation sets forth the procedure the School District follows to respond to reports of conduct that may constitute sex discrimination within any education program or activity of the School District, as required by Title IX. Administrative Regulations 8007.1-AR and 8007.2-AR apply to discrimination and harassment on other bases.

The School District's Title IX Coordinator is responsible for implementing 8007.3-AR. The Title IX Coordinator will ensure their contact information is posted on the School District's website, included in the School District's annual notifications document, and published in every handbook and catalogue distributed to parents and students.

The School District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX. The School District has adopted grievance procedures that provide for the prompt and equitable resolution of sex discrimination complaints made by students, employees, or other individuals who are participating or attempting to participate in the District's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

Sex Discrimination, including Sexual Harassment, Covered by this Policy

The School District prohibits sex discrimination in all programs and activities that the District operates. Sex-based harassment is a form of sex discrimination, which means harassment on the basis of sex – including harassment on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity – that falls within one of the following categories:

- (1) *Quid pro quo harassment.* An employee, agent, or other person with authority to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- (2) *Hostile environment harassment.* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive, and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - The degree to which the conduct affected the complainant's ability to access the District's education program or activity;
 - The type, frequency, and duration of the conduct;
 - The parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - The location of the conduct and the context in which the conduct occurred; and
 - Other sex-based harassment in the District's education program or activity; or
- (3) *Specific offenses, including:*
 - Sexual Assault
 - Dating or Domestic Violence
 - Stalking

Sex discrimination, including sex-based harassment, is covered by this Policy when it occurs under the District's education program or activity in the United States. Conduct occurs under the District's education program or activity when it is subject to the District's disciplinary authority. This includes conduct that occurs on school property; through use of school property (e.g., during online learning or when using the District's network or computer systems); at school-sponsored events or activities (e.g., field trips, athletic events, extracurricular activities); and in off-campus settings, if the conduct is sufficiently serious or severe that it could contribute to a hostile environment. The District will address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the District's education program or activity.

Reporting Concerns about Conduct That May Be Sex Discrimination

The School District encourages anyone who believes that they have been subjected to sex discrimination (or has knowledge of another person being subjected to sex discrimination) in connection with the District's programs or activities to promptly report their concerns to the School District. The nature of the District's response will depend upon whether the report is made to a "confidential employee" or another school employee.

- Reports to a "Confidential Employee." Reports made to a "confidential employee" will generally not be shared with the Title IX Coordinator or other school administrators. After receiving a report about

conduct that may reasonably constitute sex discrimination, the confidential employee will share information with the reporting person about Title IX and its regulations, including the confidential employee's status, how to contact the Title IX Coordinator, how to make a complaint, and how to obtain additional information about possible supportive measures and options for resolution.

- At the School District, Social Workers and Counselors are designated as “confidential employees.” They may be contacted via the school building website or by calling the school's main office and requesting the school social worker or counselor.
- Reports to All Other School Employees. Reports made to all other school employees must be reported to the District's Title IX Coordinator.
- Reports to the Title IX Coordinator. When the Title IX Coordinator receives a report about conduct that may reasonably constitute sex discrimination, the Title IX Coordinator will be responsible for coordinating the District's response in a fair and equitable manner, consistent with Title IX and its regulations.
 - The District's Title IX Coordinator is the Assistant Superintendent of Human Resources and may be reached at:
 - 52585 Dequindre Road, Rochester, MI 48307
 - dmurphy@rochester.k12.mi.us
 - 248.726.3118
 - Student Protection Obligations. When an employee with mandatory reporting obligations under Michigan's Child Protection Law (e.g., counselors, teachers, administrators) or other law receives information about suspected abuse of a student by a person responsible for the child's health or welfare associated with the School District (e.g., teacher, coach, or other individual affiliated with the School District), the employee must notify child protective services and/or Title IX Coordinator, even if they are a confidential employee.

The District's Response to Reports About Conduct That May Reasonably Constitute Sex Discrimination

The Title IX Coordinator's Initial Response.

When the Title IX Coordinator becomes aware of conduct that may reasonably constitute sex discrimination, the Title IX Coordinator will take the following actions:

- Provide the “complainant” (i.e., the person who is alleged to have been subjected to sex discrimination); the complainant's parent, guardian or legal representative; or the person who made the report, if the complainant's identity is unknown, with information about the Title IX process and possible options for resolution, including:
 - The availability of “supportive measures” for complainant, as described below;
 - The right to make a “complaint” that would trigger the District's grievance procedure, which is an oral or written request that could objectively be understood as a request for the District to investigate and make a determination about alleged sex discrimination;
 - The option for informal resolution, if available and as described below;

- If a complaint is made, provide the “respondent” (i.e., the person who is alleged to have violated the District’s prohibition on sex discrimination) or the respondent’s parent, guardian or legal representative, with information about the Title IX process and possible options for resolution, including:
 - The availability of “supportive measures” for respondent, as described below.
 - The grievance procedures;
 - The option for informal resolution, if available and as described below.
- If a report made to the Title IX Coordinator does not trigger the grievance procedures (e.g., no complaint was made, the complaint allegations were withdrawn, no informal resolution process was elected), the Title IX Coordinator will determine whether to initiate a complaint that will trigger the grievance procedures. In making this determination, the Title IX Coordinator will consider multiple factors, including the complainant’s wishes; the complainant’s reasonable safety concerns; the risk of additional acts of sex discrimination if the grievance procedures are not initiated; the severity and scope of the allegations of sex discrimination; the age and relationship of the parties; the availability of evidence; and whether the District could end the alleged sex discrimination and prevent its recurrence without initiating the grievance procedures.
 - If the Title IX Coordinator initiates the complaint and grievance procedures, the Title IX Coordinator will first notify the complainant and address reasonable concerns about the safety of complainant or others, including by providing supportive measures.

Supportive Measures, Emergency Removal and Administrative Leave

The Title IX Coordinator will be responsible for coordinating supportive measures, removals and placement decisions.

- *Supportive Measures.* “Supportive measures” are supports that the District may provide, as appropriate, to restore or preserve the complainant’s and respondent’s access to the School District’s education program or activity. Supportive measure may be available to the complainant even if the complainant does not make a complaint that triggers the grievance process. Supportive measures may be available to the respondent if either the grievance procedures have been triggered or informal resolution process has been offered.
 - Supportive measures may include, but are not limited to counseling, extensions of deadlines and other course-related adjustments; campus escort services; increased security or monitoring of certain areas of campus; restrictions on contact; leaves of absence; changes in class, work, or other extracurricular or any other activity, and training and education programs related to sexual harassment. Supportive measures are not disciplinary or punitive, and may not unreasonably burden either party.
 - If a party disagrees with a decision to provide, deny, modify or terminate supportive measures applicable to them, the party may submit a written request to the Title IX Coordinator challenging the decision. The Title IX Coordinator will designate an impartial employee (other than the person who made the initial decision) to evaluate the party’s challenge and decide whether to modify or reverse the decision. The impartial employee’s decision is final, except that a party may seek additional modification or termination of supportive measures applicable to them if circumstances change materially.

- Supportive measures may be available, as appropriate, through any grievance procedure or informal resolution process; following resolution, supportive measures may terminate or remain in place.
- Supportive measures offered to the parties are confidential and may not be disclosed, except as necessary to provide the supportive measure or restore or preserve a party's access to the District's education program or activity.
- *Emergency Removals.* Removal of a student-respondent from the District's education program or activity is only permitted on an emergency basis, and may only occur after the District undertakes an individualized safety and risk analysis, and determines that an imminent and serious threat to the health and safety of a complainant or others arising from the allegations of sex discrimination justifies removal. If the District determines that an emergency removal is justified, the District must provide notice to the respondent and an opportunity to challenge the decision immediately following the removal. Any such challenge should be submitted to the Title IX Coordinator, who will be responsible for designating an impartial employee (other than the employee who made the initial decision) to evaluate and make a decision on the respondent's challenge.
- *Students with Disabilities.* When evaluating supportive measures and emergency removals for students with disabilities covered by the Individuals with Disabilities Education Act ("IDEA") or Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Title IX Coordinator will consult with one or more members of the student's team or group of persons responsible for the student's placement decision, in order to determine how to comply with IDEA and Section 504.
- *Administrative Leave.* The District may place an employee-respondent on administrative leave pending completion of the grievance procedures.

Complaints Triggering the Grievance Procedures

An oral or written request that could objectively be understood as a request for the District to investigate and make a determination about alleged sex discrimination is considered a "Complaint" that triggers the Title IX grievance procedures. The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the School District investigate and make a determination about alleged discrimination under Title IX:

- A "complainant," which includes:
 - a student or employee of the School District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
 - a person other than a student or employee of the School District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the School District's education program or activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- The School District's Title IX Coordinator.

Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of

such person, or if the Title IX Coordinator has grounds to initiate a complaint based on the factors described above.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student or employee of the School District; or
- Any person other than a student or employee who was participating or attempting to participate in the School District's education program or activity at the time of the alleged sex discrimination.

The School District may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

The Grievance Procedures

Basic Requirements

The School District will treat complainants and respondents equitably. The School District requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.

The School District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

The School District has established the following timeframes for the major stages of the grievance procedures:

- *Evaluation:* Within five (5) calendar days of receiving a complaint, the Title IX Coordinator will evaluate the complaint to determine whether it should be dismissed or investigated.
- *Investigation:* Within forty-five (45) calendar days of receiving a complaint, the investigation will be completed.
- *Determination:* Within sixty (60) calendar days of receiving a complaint, a determination will be issued.
- *Appeal:* Within five calendar (5) days after a determination is issued, parties may submit a written appeal. The other party will be allowed five (5) calendar days to respond. A decision will be made on the appeal within ten (10) calendar days after the appeal is received.

When there is good cause, the School District may reasonably extend these timeframes on a case-by-case basis. If such an extension is needed, the Title IX Coordinator will notify the parties of the need for an extension, the reason for delay, and the extended timeframe(s).

The School District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

The School District will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the School District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the School District obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Notice of Allegations

Upon initiation of the School District's Title IX grievance procedures, the School District will notify the parties of the following:

- The School District Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited; and
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the School District provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

If, in the course of an investigation, the School District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the School District will notify the parties of the additional allegations.

Dismissal of a Complaint

The School District may dismiss a complaint of sex discrimination if:

- The School District is unable to identify the respondent after taking reasonable steps to do so;

- The respondent is not participating in the School District's education program or activity and is not employed by the School District;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the School District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- The School District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the School District will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the School District will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the School District will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

The School District will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the School District will also notify the respondent that the dismissal may be appealed.

If the dismissal is appealed, the School District will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the School District will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the School District's education program or activity.

Investigation

The School District will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on the School District—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. The School District will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The School District will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. The School District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- The School District will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the School District provides a description of the evidence, the School District will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
- The School District will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
- The School District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Questioning the Parties and Witnesses

Typically, the person who investigates the complaint will be the same person who makes the determination of whether sex discrimination occurred. In the event a different person must make the determination (e.g., the investigator becomes unavailable or develops a conflict), prior to making the determination, the decisionmaker will question the parties and witnesses, either in writing or orally, in order to adequately assess a party's or witness's credibility. This questioning is only required to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

Determination Whether Sex Discrimination Occurred

Following the investigation and evaluation of all relevant and not otherwise impermissible evidence, the School District will:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX, including the rationale for such determination and the procedures and permissible bases for the complainant and respondent to appeal;
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.

- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a complainant and other people the School District identifies as having had equal access to the School District's education program or activity limited or denied by sex discrimination;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the School District's education program or activity.
- Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Disciplinary Sanctions and Remedies.

Following a determination that sex-based harassment occurred, the School District may impose disciplinary sanctions, which may include discipline ranging from a verbal warning up to and including expulsion, termination of employment, or exclusion from the District's programs and activities. The School District may also provide remedies, which may include ensuring that a complainant can move safely between classes and while at school or on campus such as by providing a campus escort or allowing a student to park in the teachers' parking lot; making changes to class schedules and extracurricular activities to ensure the complainant and respondent are separated; providing services, including medical support and counseling; providing academic resources and support; reviewing any disciplinary actions taken against the complainant to determine whether there is a causal connection between the sex-based harassment and the misconduct; providing reimbursement for professional counseling services; making tuition adjustments; and any other remedies the District deems appropriate.

Appeal of Determinations

The School District offers the following process for appeals from a determination whether sex discrimination occurred:

- Within five (5) calendar days of receiving the determination, if either party disagrees with the determination, the party may submit a written appeal to the Superintendent, copying the Title IX Coordinator. The appeal should describe the reason why the party believes the determination was incorrect. The Superintendent will allow the other party five (5) calendar days to provide a written response, and will issue a decision on the appeal within ten (10) calendar days of receiving the appeal.

Informal Resolution In lieu of resolving a complaint through [K-12 School]'s Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. [K-12 School] does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Cooperation with Law Enforcement Agencies In certain instances, an allegation of sex based harassment may be investigated as a criminal matter. To the extent permitted by law, the School District will comply with law enforcement requests for cooperation

Digital communication (including social networking) provides educational and other opportunities for staff and students. There are also potential pitfalls arising from, among other things, the speed, permanence, and perceived anonymity of digital communication. These regulations are intended to help staff and students take advantage of opportunities presented by digital communication in a manner that enhances education, student achievement, and appropriate relationships between staff, students, parents, and the larger community. These regulations are not intended, and should not be interpreted, to limit the legal rights of any person.

Digital Communication Involving Students Digital communication between staff and students should always be professional and of the same content, tone, and demeanor as in-school communications. This applies to direct communication between staff and students and to communication to which students reasonably may be exposed. Unless otherwise protected by law, examples of inappropriate digital communication include, but are not limited to:

- Communication that violates Board Policy, such as: communication that discloses personally identifiable information about students (see Policy 2003); communication that violates Board Policy against illegal harassment (see Policy 8007); etc.
- Communication that is false or misleading.
- Communication that attributes the staff member's personal views to others, including the School District, school administration, or other staff members.
- Communication that defames or personally insults staff members or students, or otherwise undermines any staff member's ability to fulfill their responsibilities to the School District or its students.
- Communication that defames or personally insults Board members, parents or other community members.
- Communication stating or suggesting the desirability of confidentiality vis-à-vis students' parents or other staff members.
- Communication that has as its purpose or effect the development of a romantic or sexual relationship between a staff member and a student, or that reasonably may be interpreted as having that purpose.

The School District encourages staff to use School District equipment and sites for all digital communication with students. School staff may not communicate with students through personal social media and other similar platforms, like Snapchat, that promptly delete evidence of those communications with students. Use of messaging apps, like Remind, which send general communications and alerts to parents and students are not prohibited.

The School District does not have the resources or ability to police digital communication between and among students. However, students may be subject to school-imposed disciplinary sanctions when their digital communication violates the Student Code of Conduct or interferes with the rights of others or is reasonably anticipated to result in the disruption of school or school activities. Separately, the School District reserves the right to report suspected criminal misconduct to police authorities.

Digital Communication Involving Board and Staff Members, Parents, and Others Digital communication between Board and staff members, parents, and other community members or adults should always be professional. This applies to direct communication and to communication to which they

reasonably may be exposed. Unless otherwise protected by law, examples of inappropriate communication include, but are not limited to:

- Communication that violates Board Policy, such as: communications that disclose personally identifiable information about students (see Policy 2003); communication that violates Board Policy against illegal harassment (see Policy 8007); etc.
- Communication that is false or misleading.
- Communication that attributes personal views to others, including the School District, school administration, or other staff members.
- Communication that defames or personally insults staff members or students, or otherwise undermines any staff member's ability to fulfill their responsibilities to the School District or its students.
- Communication that defames or personally insults Board members, parents, or community members and is not otherwise protected by law.

Personal Digital Social Networking The School District does not have the inclination, resources, or ability to police the off-duty behavior of staff members. At the same time, staff must be cognizant of the fact they serve as role models for our students and, to the extent their personal social networking is "public" or includes members of the school community, such staff members may be subject to greater scrutiny. Furthermore, their communications and behavior may adversely impact their ability (or the ability of the School District or their colleagues) to carry out their responsibility of educating students in a safe and supportive educational environment. For these reasons, staff are reminded that off-duty digital communication may result in investigation, disciplinary sanctions, or discharge when those communications disrupt the educational environment or adversely affects or undermine the staff member's ability to perform their jobs.

Social Media Authorization

The Superintendent designates the School District's Executive Director of Strategic Communications to review the Board Policy governing Digital Communications and these administrative regulations at least annually. The Executive Director of Strategic Communications will maintain and update a list of designated District Social Media accounts. School District social media accounts must be named after school buildings, facilities, or departments and maintained by School District administrators or communications department staff.