Series 4000: District Employment

4200 Employee Conduct and Ethics

4201 Employee Ethics and Standards

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

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

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

A. Employee Ethical Conduct

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

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

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11. engaging in activities or behaviors that enhance the operational and instructional environment;

12. professionally communicating with students, Parents, colleagues, Board members, and community members, including through electronic means;

13. completing time and effort reporting under 4201-AG;

14. abiding by professional, ethical, and licensing standards established by relevant governmental agencies, professional licensing boards, and professional associations, including the Michigan State Board of Education; and

15. self-reporting a criminal charge and plea or conviction, as required by law.

B. Conflict of Interest

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

1. soliciting or accepting anything of value (such as a gift, loan, contribution, or reward), other than compensation received from the District in exchange for services provided to the District, that would influence the employee's judgment when performing the employee's duties;

2. using public funds to purchase alcoholic beverages, jewelry, gifts, fees for golf, or any item the purchase or possession of which is illegal, except as consistent with and permitted by Policy 3205 and Revised School Code Section 1814;

3. using or authorizing the use of the employee's public employment or any confidential information received through public employment to obtain personal, professional, political, or financial gain other than compensation received from the District in exchange for services provided to the District for the employee or a member of the employee's immediate family, or a business with which the employee is associated;

4. using or authorizing the use of District personnel, resources, property, or funds under the employee's care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or using those items for personal, professional, political, or financial gain;

5. providing private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration, except as permitted by Policy 4214;

6. engaging in any activity of a sexual or romantic nature with another employee(s) or contractor(s) that the employee supervises, unless the individuals are engaged to be married, married, or cohabitating;

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7. engaging in any activity of a sexual or romantic nature on school property or at school-sponsored events;

8. directly or indirectly supervising, making, or contributing to an employment decision pertaining to a relative or significant other, or relative of a relative or significant other (as defined by Policy 4213); and

9. engaging in any other activity that promotes an employee's financial and pecuniary interests over those of the District.

C. Student Fraternization

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

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

1. communicating about alcohol use, drug use, or sexual activity when the discussion is not appropriately related to a specific aspect of the curriculum or the employee's duties;

2. providing drugs, alcohol, tobacco, e-cigarettes, or other items students cannot possess under the District's Student Code of Conduct;

3. commenting about matters involving sex, using double entendre, or making sexually suggestive remarks with no appropriate educational purpose;

4. displaying sexually inappropriate images, materials, or objects;

5. offering or soliciting sexual advice, whether written, verbal, or physical;

6. engaging in any activity of a sexual or romantic nature, including following graduation where the relationship arises out of an employee-student relationship;

7. inappropriate kissing;

8. inappropriately intruding on a student's personal space, such as by touching unnecessarily, moving too close, or staring at a portion of the student's body;

9. communicating directly or indirectly (e.g., by phone, email, text messaging, or social media) on a matter that does not pertain to school without first obtaining the express permission of the student's Parent. Electronic communications with students generally are to be sent simultaneously to multiple recipients and not

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just to one student except when the communication is clearly school related and inappropriate for persons other than the individual student to receive (e.g., grades);

10. permitting a specific student to engage in conduct that is not permitted or tolerated from other students;

11. inappropriately discussing with a student the student's personal issues or problems that should normally be discussed with a Parent or counselor unless the employee is the student's family member;

12. inappropriately giving a student a personal gift;

13. allowing a student to live in the employee's residence without first obtaining the express permission of the student's Parent unless the student is the employee's family member, a foreign exchange student placed with the employee, or if the employee serves as the student's foster parent or legal guardian;

14. giving a student a ride in the employee's vehicle without appropriate authorization;

15. taking a student on an activity outside of school without first obtaining the express permission of the student's Parent and a District administrator;

16. inviting a student to the employee's home or residence without first obtaining the express permission of the student's Parent;

17. going to a student's home when the student's Parent or an adult chaperone is not present unless the employee is the student's family member; or

18. engaging in any other conduct which undermines the special position of trust and authority between a District employee and a student.

D. Abuse and Neglect

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

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

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

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

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

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

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4201-AG Employee Ethics and Standards – Time and Effort Reporting

Employees who are paid, in full or in part, with federal funds must maintain time and effort records under this administrative guideline. This administrative guideline applies to employees who are paid with state or local funds, but are used to meet a required "match" in a federal program, full and part-time employees, stipends for employees administering federal programs, and substitute teachers. Time and effort records must be completed on forms provided by the District.

Employees must provide the information required by this administrative guideline on a timely basis and following all procedures.

A. Definitions

1. Cost Objective: A program, function, or activity for which cost data are desired (e.g., administrative costs).

2. Multiple Cost Objective Employee: Employees who work on multiple cost objectives, such as more than one federal award, a federal award with a non-federal award, or more than one activity within a federal award that is separately tracked by the District.

3. Single Cost Objective Employee: Employees who work exclusively on one cost objective.

4. Employee Compensation: All amounts paid to an employee for services rendered during the award period. Compensation includes salaries, fringe benefits, stipends, bonuses and payments made under supplemental contracts.

5. Personnel Activity Report (PAR): A document certifying the amount of time a multiple cost objective employee spends on each cost objective. The PAR must:

    a. Reflect an after-the-fact distribution of the activities performed;

    b. Account for the total activity for which the employee is compensated;

    c. Be prepared at least monthly and coincide with one or more pay periods; and

    d. Be signed by the employee.

B. Requirement

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Charges to federal grants or awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

1. Be supported by a system of internal controls that provides reasonable assurance that the charges are accurate, allowable, and properly allocated;

2. Include verification through electronic signatures and documentation from individuals with first-hand knowledge incorporated into official records;

3. Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;

4. Encompass both federally-assisted and all other activities compensated by the District on an integrated basis. Reported hours need to cover 100% of the employee's time, regardless of full-time versus part-time work status;

5. Comply with the established accounting policies and practices of the District; and

6. Support the distribution of the employee's salary or wages among specific activities or cost objectives.

C. Procedure

1. Single Cost Objective Employees

An employee who works on a single cost objective must complete a semi-annual certification that indicates the employee worked solely on that cost objective for the period covered by the certification. The certification must be prepared at least every six months. Either the employee or a supervisor with first-hand knowledge of the work performed by the employee must sign the semi-annual certification.

A semi-annual certification must:

- Be executed after the work has been completed;
- State that the employee worked solely on activities related to a particular cost objective;
- Identify the cost objective;
- Specify the reporting period;
- Be signed by the employee or a supervisor with first-hand knowledge of the work performed; and
- Be dated.

The supervisory official for all single cost objective employees must complete the semi-annual certification and forward it to the Finance Director.

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The Finance Director will send the semi-annual certification forms to departments, schools, and offices in January and July. If an employee works on a short-term cost objective and their end date does not coincide with the normal January/July collection dates for semi-annual certifications (e.g., a supplemental contract for summer school programs), the employee must obtain a semi-annual certification from the Finance Director after the period when the work has ended.

2. Multiple Cost Objective Employee

   Employees working on multiple cost objectives must maintain PARs or equivalent documentation indicating the amount of time spent on each cost objective for the period covered by the PAR or equivalent documentation. The PAR or equivalent documentation must be prepared at least every month. The employee must sign the PAR or equivalent documentation.

   A PAR or equivalent documentation must:

   - Be executed after the work has been completed (projections of how an employee is expected to work or position descriptions are not sufficient);
   - Account for the total activity for which each employee is compensated, including part-time schedules or overtime (total activity means all of the time an employee works, not just the amount of time worked on a Federal program);
   - Identify the cost objectives;
   - Specify the reporting period;
   - Be prepared at least monthly and coincide with one or more pay periods;
   - Be signed by the employee (unlike a semi-annual certification, a supervisor's signature alone is not sufficient); and
   - Be dated after the fact (when the work has been completed).

   All multiple cost objective employees must complete the PAR, unless they receive permission from the [identify position] to use equivalent documentation instead of a PAR.

   Copies of executed PARs, or approved equivalent documentation, must be forwarded to the Finance Director.

3. Supplemental Contracts

   An employee's overtime work must be reflected in the employee's time and effort record. If, however, an employee works in two distinct positions, the employee may maintain separate time and effort records for each position.

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4. Stipends

   Employees receiving stipends for District-sponsored activities (e.g., for professional development) may satisfy time and effort records by signing the sign-in and sign-out sheets provided at the activity. Employees receiving such stipends for non-District sponsored activities should contact the Finance Director to obtain the necessary documentation.

D. Training

The District will provide training on the requirements related to federal timekeeping to all staff involved in federal programs through group training, one-on-one training, or informal technical assistance.

E. Reconciliation

It is the District's practice to charge employee compensation costs to federal programs based on budget estimates that reasonably approximate how an employee will work during the year. The District will reconcile payroll charges to the time and effort reflected in employee time and effort records at least quarterly.

If the District identifies a variance in how an employee's salary was charged and how much the employee actually worked, the District will adjust its payroll charges so that the amount charged to federal funds reflects the employee's actual time and effort. If the difference between the actual and budgeted amounts is 10% or greater, the District will adjust its accounting records at least quarterly. If the reconciled difference is less than 10%, the District will adjust the accounting records at least annually.

F. Document Retention

Time and effort records must be maintained for a period of five (5) years by the District.

G. Sanctions

Any district employee who violates this procedure will be subject to appropriate discipline as reflected by comments to be placed in their annual employee evaluation.

For violations of this procedure, the District may impose sanctions as follows:

- If time and effort records are not completed and returned on time, salary costs associated with uncertified grant activity may be removed for the individual and will be charged to a General, Special, or Vocational Education non-grant account.

- The District may suspend any new work by a non-compliant employee, or the inclusion of a non-compliant employee in projects or programs until time and effort records are up-to-date and properly completed and certified.

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- Employees who complete certification of time and effort records that are inaccurate or incomplete may be subject to discipline, up to and including discharge. Employees who fail to properly complete time and effort records or who violate the procedures established in this administrative guidelines may be subject to disciplinary action, up to and including discharge.

- At the Superintendent's or designee's discretion, payment to an individual for time and effort expended on the grant may be withheld if time and effort records are not complete.

Legal authority: 2 CFR 200.430

Dated adopted: June 25, 2025

Date revised:

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4202 Children's Protective Services (CPS) and Adult Protective Services (APS) Reporting and Student Safety and Welfare

During the performance of their duties, employees must exercise due care for the safety and welfare of the District's students.

A. Required Reports to CPS, APS, District administration, and Michigan State Police

1. A reporter must: (a) promptly notify the Superintendent or designee and the building principal of the report; and (b) submit an electronic or written report to CPS or APS within the statutory timeframe. Failure to make an immediate report or follow-up with an electronic or written report may result in discipline, including discharge, as well as criminal or civil penalties. CPS and APS may be contacted at 855-444-3911 or www.michigan.gov/mdhhs.

   Administrators, teachers, counselors, social workers, psychologists, nurses, physical therapists, physical therapist assistants, occupational therapists, athletic trainers, and others identified as mandatory reporters pursuant to Michigan's Child Protection Law must *immediately* report all instances of suspected child abuse or neglect to CPS. Other employees are also expected to make reports to CPS of suspected child abuse or neglect.

   School employees who suspect or have reasonable cause to believe that a vulnerable adult was or is being subjected to abuse, neglect, or exploitation must *immediately* report the matter to APS. A vulnerable adult means a person 18 years of age or older who is unable to protect themselves from abuse, neglect, or exploitation because of a mental or physical impairment or because of advanced age.

2. Employees must promptly report to the building principal or the Superintendent or designee any instances of injury (accidental or intentional), violence, threats of violence, self-harm, hazards, or any other situation that endangers student safety and welfare or raises reasonable concerns as to the safety of students.

3. Employees must promptly report to the building principal or the Superintendent or designee incidents of student bullying and crimes or attempted crimes involving physical violence, gang-related activity, illegal possession of a controlled substance or controlled substance analogue, or other intoxicant, trespassing, and property crimes, including theft and vandalism.

   Within 24 hours of an alleged incident, an administrator must make an appropriate report to the Michigan State Police as required by law.

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B. Student Safety and Welfare

1. Employees will maintain control and supervision of students to ensure student safety and will take appropriate action if the employee observes an unsafe or dangerous situation.

2. Employees will treat students with respect and maintain appropriate professional boundaries with students both in and out of school. Employees must avoid conduct with students that potentially creates the appearance of an unprofessional, unethical, or inappropriate relationship. Romantic relationships between employees and students are prohibited regardless of the student's age, including following graduation where the relationship arises out of an employee-student relationship.

3. An employee will not assess, diagnose, prescribe, or provide therapy or counseling services to a student unless: (a) the employee is appropriately certified or licensed under Michigan law; and (b) the services are within the employee's job duties. An employee will direct students in need of these services to the appropriate District employee or community resource.

4. Employees will comply with and respect confidentiality of student records and privacy rights, including not posting student information or images online without prior authorization from the employee's supervisor.

5. Employees will not interfere with or adversely impact a Parent's right to determine and direct their student's care, wellbeing, teaching, and education.

6. Pursuant to the state's 2013 Task Force on the Prevention of Sexual Abuse of Children, the Board authorizes the Superintendent or designee to consider and implement all of the following:

    - age-appropriate, evidence-based curriculum and instruction for students in grades pre-K to 5 concerning child sexual abuse awareness and prevention;

    - training for District personnel on child sexual abuse, including but not limited to, training on supportive, appropriate response to disclosure of abuse;

    - providing educational information to Parents on the warning signs of a child being sexually abused and information on needed assistance, referral, or resources;

    - available counseling and resources for students affected by sexual abuse;

    - emotional and educational support for a students affected by sexual abuse; and

    - a review of the system to educate and support personnel who are legally required to report child abuse or neglect.

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Legal authority: MCL 380.10, 380.1308, 380.1308a, 380.1310a, 380.1505; MCL 400.11 et seq.; MCL 722.621 et seq.

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4203 Corporal Punishment and Limited Use of Reasonable Force

A. Definition

"Corporal punishment" is defined as the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline. Corporal punishment does not include physical pain caused by reasonable physical activity associated with athletic training.

B. Prohibition

Employees will not inflict, or cause to be inflicted, corporal punishment upon any student under any circumstances. Any employee who engages in corporal punishment against a student will be subject to discipline, including discharge. An administrator or supervisor will report the employee to CPS consistent with Policy 4202.

C. Alternatives to Corporal Punishment

The Board has reviewed and approved the administration's list of alternatives to the use of corporal punishment. District administrators will distribute the list of alternatives to employees, volunteers, and contractors. See 4203-AG.

District employees must implement alternatives to corporal punishment. An employee may request assistance from other employees or administration when addressing student conduct.

D. Limited Use of Reasonable Force

Employees may use reasonable physical force upon a student as necessary to maintain order and control in a school or school-related setting for the purpose of providing an environment conducive to safety and learning. Use of reasonable force is permitted under any of the following circumstances:

1. to remove a student whose behavior is interfering with the orderly exercise and performance of school functions within a school or at a school-related activity, if that student has refused to comply with a request to refrain from further disruptive acts;

2. for self-defense or the defense of another;

3. to prevent a student from inflicting self-harm;

4. to quell a disturbance that threatens physical injury to any person;

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5. to obtain possession of a weapon or other dangerous object upon, or within the control of, a student; or

6. to protect property.

Use of reasonable force upon a student must not, in light of all known factors, be excessive, unnecessary, or take place for a longer duration than is necessary to address the circumstance justifying the use of reasonable force.

E. Training

The District may provide training to employees on the use of reasonable force and physical intervention techniques. If the District has provided that training to an employee, the employee must comply with that training.

F. Seclusion and Restraint

Employees must comply with Policy 5211 on Seclusion and Restraint of students and federal and state law. An employee's illegal use of seclusion or restraint may result in discipline, including discharge.

Legal authority: MCL 380.1307, 380.1307a-h, 380.1312

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4203-AG Corporal Punishment and Limited Use of Reasonable Force

A list of alternatives to corporal punishment includes the following:

- provide direct instruction to students in social skills and problem-solving strategies;
- use positive reinforcement to teach and maintain the use of appropriate problem-solving and social skills;
- use social reinforcers, such as teacher feedback and other self-esteem enhancing activities, to support and maintain the use of problem-solving and social skills;
- apply logical consequences that will teach students personal responsibility for their actions (e.g., losing the privilege of participating in special school activities);
- consider the use of time out, which may allow students to learn to take control of their actions and, ultimately, in conjunction with instruction in social skills, to cease their undesirable behavior;
- employ problem-solving classroom meetings and/or school assemblies with honest discussion of problems to encourage student ownership of and responsibility for solutions;
- establish a variety of strategies for communicating with Parents;
- establish contractual agreements that clearly outline consequences with students and their Parents to enhance the development of self-control behavior;
- establish an in-school suspension program, supervised by a responsible adult, in which the student performs curricula-related activities;
- when necessary, refer students to a counselor, social worker, or psychologist at the local or intermediate level and coordinate services with other units of state government (e.g., public health, social services, mental health). Also, seek assistance from private institutions or agencies with appropriate services;
- evaluate and arrange appropriate curriculum and adequate support for students who need academic acceleration, special education, alternative education, or services for achieving English proficiency;
- consider and take action, in accordance with the applicable student code of conduct and due process of law, when disruptive behavior occurs; or
- consider the use of suspensions or expulsions only after other alternatives have been considered.

The Board adopts the above list. District administration will distribute this list to each employee, volunteer, and contractor.

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Date revised:

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4204 Confidentiality of Student Information

Employees must maintain and protect the confidentiality of student information and student education records (as defined in Policy 5309) and recognize Parent rights to student information about their minor child(ren).

Employees must not disclose to third parties confidential student information or records, medical information, performance records, or behavior records unless appropriately authorized. This Policy prohibits disclosure to employees who do not have a legitimate educational interest in the student record.

Disclosure is appropriately authorized with a written release from the Parent or student 18 years or older in accordance with the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), implementing regulations, and state law.

Employees who receive a subpoena seeking disclosure of student records or other confidential information must immediately notify the Superintendent or designee. Employees must not speak with an attorney who does not represent the District about a student without approval from the Superintendent or designee.

Legal authority: 20 USC 1232g, 1415(b); 34 CFR 99; MCL 380.1136; MCL 600.2165

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4205 Hiring and Background Checks

The District is committed to prohibiting unlawful discrimination in its hiring practices consistent with Policy 4101. Hiring decisions are based on qualifications, skills, knowledge, abilities, education, certifications/licenses, experience, demeanor, and other criteria the Board may deem relevant. In making hiring decisions, the Board or designee will consider enrollment, operational requirements, financial needs, and the District's best interests.

A. Advertising and Posting

Vacancies may be posted on a designated website or other location and distributed to appropriate employee groups or relevant professional associations. The posting may outline general duties, qualifications, pay range, work experience, and hours. Vacancies may be posted for at least 10 calendar days unless a different time period is specified in a collective bargaining agreement. Applications must be submitted to the central office unless otherwise designated. The District may establish an online application process. Postings will comply with applicable collective bargaining agreements.

B. Hiring

The Board will determine the hiring process for the Superintendent. For all other positions, the Superintendent or designee will determine the process to consider and interview qualified applicants. The Superintendent or designee is authorized to hire non-exempt staff, temporary, and substitute employees. Teachers, Non-Teaching Professionals, Supervisors, and Administrators that the Superintendent or designee recommends for hire are subject to Board approval.

The District will not consider an applicant for employment unless the applicant provides the District with the following:

1. written consent for the criminal records division of the Michigan State Police to conduct the criminal history check required by Revised School Code Section 1230 and the criminal records check required by Revised School Code Section 1230a;

2. a signed statement that complies with Revised School Code Section 1230b(1); and

3. other required application materials.

Falsification or misrepresentation of credentials, qualifications, references, or application materials will be grounds for disqualification or discipline, including discharge.

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C. Background Checks for Employees, Contractors, and Volunteers

1. The District will conduct a background check on a selected applicant upon an offer of employment or before a person is assigned to regularly and continuously work under contract in any of its schools. The Superintendent or designee will receive and review the results of the background check before the District employs or allows the person to regularly and continuously work under contract in any of its schools, unless otherwise permitted by law.

2. "Regularly and continuously work under contract" means any of the following:

   a. to work at school on a more than intermittent or sporadic basis as an owner or employee of an entity that has a contract with the District to provide food, custodial, transportation, counseling, or administrative services or to provide instructional services to pupils or related and auxiliary services to special education pupils;

   b. to work at school on a more than intermittent or sporadic basis as a person under a contract with the District to provide food, custodial, transportation, counseling, or administrative services, or to provide instructional services to pupils or related and auxiliary services to special education pupils.

3. "School" means in a classroom, elsewhere on District property, or on a school bus or other school-related vehicle.

4. The background check will include:

   a. a criminal history check pursuant to Revised School Code Section 1230;

   b. a criminal records check pursuant to Revised School Code Section 1230a;

   c. an unprofessional conduct check pursuant to Revised School Code Section 1230b; and

   d. if a certification is required for the position, such as a teaching certificate or administrator certificate, District verification that the person's certification is valid.

   The background check may include any other matters the District deems relevant, such as verifying references, school transcripts, and prior employment, as may be permitted by law.

   If the criminal history check report, criminal records check report, or any other report discloses that the person has been convicted of a listed offense as defined in MCL 28.722, and the District verifies the conviction using public records, the District must not employ the person or allow the person to regularly and continuously work under contract in any of its schools. If any of the reports disclose that the person was convicted of a felony as defined in MCL 761.1, and the felony is not a listed offense, and the District verifies the conviction using public records, the District must not employ the person or allow the

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person to regularly and continuously work under contract in any of its schools unless the Superintendent and the Board each specifically approve the employment or assignment in writing.

Employment offers are contingent on the Superintendent's or designee's review of the background check results.

All the information the District obtains via the criminal history check report, criminal records check report, or any other report that discloses that the person has been convicted of a listed offense will be maintained pursuant to 4205-AG-1.

5. Confidentiality

All the information the District obtains via the criminal history check report, criminal records check report, or any other report that discloses that the person has been convicted of a listed offense are to be considered confidential and will not be released except pursuant to 4205-AG-1(C)(5). Violation of confidentiality is a misdemeanor punishable by a fine up to $10,000.

Notification from the Michigan Department of Education or Michigan State Police about a District employee's criminal conviction is exempt from FOIA for the first fifteen (15) days until the information is verified. Once verified, only information regarding physical or sexual abuse may be released. The employee may release the information with written authorization.

D. Other Post-Offer Considerations

The District will not make disability-related medical inquiries or inquire about an applicant's disability-related requested accommodation(s) until after a conditional job offer is made, consistent with Policy 4105. Based on the physical and mental demands of a position, an examination and/or drug test may be required following a conditional offer of employment. The examination will be performed by a health care provider identified by the Superintendent or designee at the District's expense.

Legal authority: MCL 28.722; MCL 380.1230, 380.1230a, 380.1230b; MCL 761.1

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4205-AG-1 Criminal Justice Information Security (Non-Criminal Justice Agency)

The District will conduct background checks, consistent with Policy 4205(C) and Administrative Guideline 4205-AG-1, and will have the Michigan State Police ("MSP") obtain criminal history record information ("CHRI") from both the state and Federal Bureau of Investigation ("FBI") for all District employees, contractors, and vendors and their employees who regularly and continuously work under contract as provided in Policy 4205(C)(2). Employees who fail to follow these procedures will be subject to discipline subject to the Superintendent's review and written approval of any corrective action.

The District will provide employees, contractors, volunteers, and vendors and their employees for whom the District conducts background checks the most current version of the MSP RI-030 Live Scan consent form.

The District will complete and maintain a Noncriminal Justice Agency User Agreement (RI-087) provided by the Michigan State Police.

A. Local Agency Security Officer ("LASO")

The District Superintendent will appoint the Superintendent's Administrative Assistant, a District employee, who: (1) is an authorized user, (2) has completed a fingerprint-based background check as required, (3) has been found appropriate to have access to CHRI, and (4) is directly involved in evaluating an individual's qualifications for employment or assignment as its LASO, who is responsible for the adoption of this guidance along with data/system security. When changes in the appointed LASO/CHRISS Administrator occur, the District will complete and return a new appointment notification form (CJIS-015) to MSP-CJIC-ATS@michigan.gov.

1. The LASO is responsible for ensuring:

    a. compliance with these regulations and laws;

    b. personnel security screening procedures are followed under this administrative guideline;

    c. approved and appropriate security measures are in place and functioning properly to protect CHRI;

    d. annual Awareness Training is being completed by all personnel authorized to access CHRI;

    e. only approved District employees have access to and are using the information in compliance with the law;

    f. compliance with this administrative guideline;

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g. that the MSP Information Security Officer (ISO) is promptly informed of any security incidents by submitted the MSP CJIS-016 Information Security Officer (ISO) Security Incident Report;

h. information security policy/procedures are reviewed and updated at least annually and after any security events involving CHRI; and

i. the District (1) displays posters, (2) offers supplies inscribed with security and privacy reminders, (3) displays logon screen messages, (4) generates email advisories or notices from District officials, or (5) conducts awareness events to increase security and privacy awareness of system users.

2. The LASO is also responsible for identifying and documenting, to the extent applicable:

   a. District equipment connected to the MSP system; and

   b. who is using or accessing CHRI and/or systems with access to CHRI.

3. When a new LASO is established, the District will complete and deliver a LASO appointment form to the MSP and will keep a copy of the appointment form on file indefinitely. The LASO will make all MSP fingerprint account changes.

B. Personnel (Authorized User) Security

Only authorized users will have access to CHRI. An authorized user must be vetted through the national fingerprint background check and be given CHRI access by the LASO to evaluate potential employees, contractors, or volunteers for employment or assignment. If the District maintains digital CHRI, the LASO will assign authorized users unique passwords compliant to 4205-AG-1 (C)(3) to access it. Those who are not authorized users but who, by the function of their job, will be close to CHRI or computer systems with access to CHRI will be supervised by an authorized user. Employees who do not comply with state or federal laws or District policies or administrative guidelines will be subject to discipline, up to discharge.

1. Security with Separated Authorized Users

   After an authorized user is separated from the District, that individual's access to CHRI will be terminated within 24 hours. This includes, but is not limited to, returning keys, access cards, and ceasing access to digital CHRI.

   a. The Human Resources director or designee must notify the LASO of the effective termination date of a user's employment by written email communication no later than 24 hours after the termination date.

   b. The Human Resources director or designee will require the return of any keys, access cards, files, and other related items.

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c. The LASO must ensure that access to the District's digital CHRI records system is disabled and the user's CHRISS account is deactivated.

2. Security with Transferred Authorized Users

When an authorized user is transferred or reassigned, the LASO will take steps necessary to block that individual's access to CHRI within 24 hours, unless the LASO determines that the individual must retain access.

C. Media Protection

Authorized users may only access CHRI on authorized devices, which does not include a personally owned mobile device, cell phone, computer, or other technology, consistent with specific terms and conditions, for access. All CHRI (including digital media) will be maintained in a physically secure location or controlled area. A physically secure location or controlled area will (1) be locked whenever an authorized user is not present or supervising and (2) limit access to unauthorized users. An authorized user accessing CHRI must position the media to prevent unauthorized users from accessing or viewing CHRI. Physical CHRI will be stored in a locked filing cabinet, safe, or vault. Digital CHRI will be encrypted consistent with FBI CJIS Security Policy. If digital CHRI is stored on a storage device without encryption, it must be stored like physical CHRI.

CJI and information system hardware, software and media are located and processed in the District Office's Records Room, located at 100 Big Red Drive, Milan, MI 48160. This room is always locked and monitored by the district's security camera system.

1. Media Transport

The LASO must approve all CHRI media transportation and will not grant approval unless transportation is reasonably justified. The LASO or LASO's designee will transport CHRI, which must be secured during transport. Physical CHRI must remain in the physical presence of authorized personnel until it is delivered. Physical CHRI must be transported in a sealed, locked, or secured medium and digital CHRI must be encrypted, and if not, secured in the same fashion as physical CHRI.

2. Media Disposal/Sanitization

CHRI media will be stored and retained for the duration required by law. Disposal must be made with the written approval of the LASO and the Superintendent. Only authorized users may dispose of CHRI media. Physical media will be cross-cut shredded or incinerated. Digital media must either be overwritten at least three (3) times or degaussed, passing a strong magnet over the media, before disposal or reuse. The LASO will keep written records (date and authorized user's signature) of CHRI media destroyed and the process for destroying or sanitizing CHRI media for ten (10) years.

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3. Passwords

   When the LASO assigns a unique password to an authorized user, it must have the following attributes:

   a. at least eight (8) characters;

   b. not consisting of only a proper noun or word found in a dictionary;

   c. not similar or identical to the username;

   d. not be displayed while entered or transmitted outside of the physically secure location or controlled area;

   e. expires every ninety (90) days; and

   f. cannot be the same as the previous ten (10) passwords.

4. Security Awareness and Incident Response Training and Testing

   a. The District will provide all authorized users role-based security and privacy and incident response training consistent with the following roles, as applicable:

      Basic Role: users with unescorted access to a physically secure location;

      General Role: users with physical and logical access to CJI;

      Privileged Role: information technology personnel including system administrators, security administrators, network administrators and other similar roles;

      Security Role: users responsible for ensuring confidentiality, integrity, and availability of CJI and compliant implementation of technology with the Criminal Justice Information Services (CJIS) Security Policy (CJISSECPOL).

   b. The District will provide users with security awareness training about the user's responsibilities and expected behavior when accessing CJI and the systems which process CJI, and on handling information security incidents as follows:

      i. for new users, prior to accessing CJI; and

      ii. for all users annually about the user's responsibilities and expected behavior when accessing CJI and the systems which process CJI, and on handling information security incidents;

      iii. when required due to system changes; and

      iv. within 30 days of any security event for individuals involved in the event.

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c. The LASO will keep a current record of all users who have completed training.

5. CHRI Dissemination

The District must maintain a record of any CHRI dissemination to another authorized agency for all dissemination outside the CHRISS system, consistent with the Revised School Code, which must include (1) date of release, (2) records released, (3) means of sharing, (4) District personnel who disseminated the CHRI, (5) whether authorization to disseminate was obtained, and (6) the agency to whom the CHRI was disseminated and (7) the recipient's name.

D. Incident Handling, Monitoring, and Reporting

1. In General

The District has established operational incident handling procedures for instances of an information security breach. The LASO will track CHRI security breach incidents and will report such incidents to the superintendent and MSP ISO using the MSP CJIS-016 reporting from. The District has provided specific incident handling capabilities for CHRI, consistent with the following table:

Capabilities shall be handled according to the following description:	**Physical – Hard Copy CHRI**	**Digital – Digitally Accessed/Saved CHRI**
Preparation	The CHRI container will be locked at all times in the office in which it is stored. When office staff is not present, the office must be locked.	Firewalls, anti-virus protection, and anti-malware/spyware protection will be maintained.
Detection	Physical intrusions to the building will be monitored. A surveillance system will monitor for physical or unauthorized intrusions. The building must be locked at night.	Electronic intrusions will be monitored by the virus and malware/spyware detection.
Analysis	The LASO will work with police authorities to determine how the incident occurred and what data was affected.	The IT department will determine what systems or data were affected and compromised.

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Containment	The LASO will lock uncompromised CHRI in a secure container or transport CHRI to a secure area.	The IT department will stop the spread of any intrusion and prevent further damage.
Eradication	The LASO will work with local law enforcement, the Milan Police Department, 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 will be taken before restoring the system.
Recovery	Local law enforcement, the Milan Police Department, handle and oversee the recovery of stolen CHRI media. The LASO may contact MSP for assistance in re-fingerprinting, if necessary.	The IT department will restore the agency information system and media to a safe environment.

2. CHRI Security Breach Incident

   When a CHRI security breach incident occurs, the following will take place:

   a. Notice: Personnel will notify the LASO immediately or no later than one hour after the incident was discovered.

   b. Secure Systems: The LASO or appointed authorized user will stop any unauthorized access, secure the media, and shut down the systems necessary to avoid further unauthorized exposure.

   c. Assessment: The LASO will determine whether notification to individuals is needed, assess the extent of harm, and identify any applicable privacy requirements.

   d. Automated Reporting: Using automated mechanisms, such as email, website postings with automatic updates, and automated incident response tools, the LASO will report confirmed incidents to the CJIS Systems Officer (CSO), State Identification Bureaus Chief (SIB Chief), or Interface Agency Official.

   e. Supply Chain Coordination: The LASO will provide incident information to product or service providers or organizations involved in the supply chain or supply chain governance for systems or system components related to the incident.

   f. Records: The LASO or appointed authorized user will record all necessary information regarding the breach, the District's response to the breach, and who was involved in taking response measures.

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g. Coordination of Incident Handling and Contingency Planning: The LASO will coordinate incident handling activities with contingency planning activities and incorporate lessons learned from ongoing incident handing activities into incident response procedures, training, and testing implementing the resulting changes.

h. Predictability: The LASO will ensure the rigor, intensity, scope, and results of incident handling activities are comparable and predictable across the organization.

i. Review of Policy/Procedures: The LASO will review and update information security policy/procedures at least annually and after security incidents involving CHRI.

j. Legal Action: When such incident results in legal action (either civil or criminal) against a person or the District, the local law enforcement agency shall be contacted to collect, retain, and present evidence, according to the evidentiary rules of the appropriate jurisdiction(s).

E. Incident Response Support and Plan

1. Response Support Resource: The District will provide a response support resource that offers advice and assistance to system users for handling and reporting incidents.

2. Automation Support: The District will use automated mechanisms, such as access to a website or to an incident response vendor, to increase availability of incident response information and support.

3. Incident Response Plan: The District will develop an incident response plan that:

a. provides a roadmap for implementing incident response capability;

b. describes the structure and organization of incident response capability;

c. provides high-level approach for how incident response capability fits into overall organization;

d. meets unique requirements of the District related to mission, size, structure and functions;

e. defines reportable incidents;

f. provides metrics for measuring District incident response capability;

g. defines resources and management support needed to effectively maintain and mature an incident response capability;

h. addresses sharing of incident information;

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i. is reviewed and approved by the superintendent annually; and

j. explicitly designates responsibility for incident response to District personnel with incident reporting responsibilities and CSO or CJIS WAN Official.

4. Incident Response Plan Management: The District will:

   a. distribute the incident response plan to personnel with incident handling responsibilities;

   b. update the incident response plan to address system and organizational changes or problems during plan implementation, execution or testing;

   c. communicate incident response plan changes to District personnel with incident handing responsibilities; and

   d. protect the incident response plan from unauthorized disclosure and modification.

5. Incident Response Plan Breaches: The District will include in the incident response plan for breaches involving personally identifiable information:

   a. process to determine if notice to individuals or organization is needed;

   b. assessment process to determine extent of harm, embarrassment, inconvenience, or unfairness to affected individuals and any mechanism to mitigate such harms; and

   c. identification of applicable privacy requirements.

F. Audit and Accountability

1. The District develops, documents, and disseminates to organizational personnel with audit and accountability responsibilities:

   a. agency and system-level audit and accountability policy;

   b. addresses purpose, scope, roles, responsibilities, management commitment, coordination among organization entities, and compliance;

   c. is consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines; and

   d. procedures to facilitate the implementation of the audit and accountability policy and the associated audit and accountability controls.

2. The District reviews and updates the current audit and accountability policy and procedures annually and following any security incidents involving unauthorized access to CJI or systems used to process, store, or transmit CJI.

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3. The District identifies the types of events that the system is capable of logging in support of the audit function and coordinates the event logging function with other organizational entities requiring audit-related information to guide and inform the selection criteria for events to be logged.

4. The District specifies certain event types for logging within the system, provides rationale for the adequacy of the event types selected for logging, and annually reviews and updates the selected event types.

5. The District ensures that audit records contain information that establishes the following:

    a. what type of event occurred;

    b. when the event occurred;

    c. where the event occurred;

    d. source of the event;

    e. outcome of the event; and

    f. identity of any individuals, subjects, or objects/entities associated with the event.

6. The District generates audit records containing the following information:

    a. session, connection, transaction, and activity duration;

    b. source and destination addresses;

    c. object or filename involved; and

    d. number of bytes received and bytes sent (for client-server transactions) in the audit records for audit events identified by type, location, or subject.

7. The District limits personally identifiable information contained in audit records to the minimum PII necessary to achieve the purpose for which it is collected.

8. The District allocates audit log storage capacity to accommodate the collection of audit logs to meet retention requirements.

9. The District alerts organizational personnel with audit and accountability responsibilities and system/network administrators within one (1) hour in the event of an audit logging process failure and restarts all audit logging processes and verifies that systems are logging properly.

10. The District reviews and analyzes system audit records weekly and reports findings of potential or actual inappropriate or unusual activity to those with the relevant responsibilities.

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11. The District adjusts the level of audit record review, analysis, and reporting within the system based on changes in input from law enforcement or intelligence agencies.

12. The District integrates audit record review, analysis, and reporting processes using automated mechanisms.

13. The District analyzes and correlates audit records across different repositories to gain organization-wide situational awareness.

14. The District provides and implements an audit record reduction and report generation capability that both supports on-demand audit record review, analysis, and reporting requirements and after-the-fact investigations or incidents; and does not alter the original content or time ordering of audit records.

G. Access Control Policy

1. The District will develop, document, and disseminate to personnel with access control responsibilities:

   a. Agency-level access control policy that:

      i. addresses purpose, scope, roles, responsibilities, management commitment, coordination among organizational entities, and compliance; and

      ii. is consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines.

   b. Procedures to facilitate implementation of the policy and the associated access controls.

2. The LASO will:

   a. manage the development, documentation, and dissemination of the access control policy and procedures; and

   b. review and update the access control policy annually and following any security breaches.

H. Account Management

1. The District will:

   a. define and document the types of accounts allowed and specifically prohibited for use within the system;

   b. prohibit use of personally-owned information systems, including mobile devices (i.e., bring your own device [BYOD]), and publicly accessible systems for accessing, processing, storing, or transmitting CJI;

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c. assign account managers;

d. require conditions for group and role membership;

e. specify authorized users of the system, group and role membership, and access authorizations (i.e., privileges) and attributes listed for each account;

f. at least annually, review accounts for compliance with account management requirements;

g. establish and implement process for changing shared or group account authenticators (if deployed) when individuals are removed from the group; and

h. align account management processes with personnel termination and transfer processes.

I. Access Enforcement

The District will:

1. enforce approved authorization for logical access to information and system resources will be enforced in accordance with applicable access control policies; and

2. provide automated or manual processes to enable individuals to access elements of their personally identifiable information.

J. Information Flow Enforcement

The District will enforce approved authorizations for controlling the flow of information within the system and between connected systems by preventing CJI from being transmitted unencrypted across the public network, blocking outside traffic that claims to be from within the District, and not passing any web requests to the public network that are not from the District-controlled or internal boundary protection devices.

K. Separation of Duties

The District will:

1. identify and document separation of duties based on specific duties, operations, or information systems, as necessary to mitigate risk to CJI; and

2. define system access authorizations to support separation of duties.

L. Least Privilege

1. The District will allow only authorized accesses for users (or processes acting on behalf of users) that are necessary to accomplish assigned organizational tasks.

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2. The District will:

    a. authorize access for personnel including security administrators, system and network administrators, and other privileged users with access to system control, monitoring, or administration functions (e.g., system administrators, information security personnel, maintainers, system programmers, etc.) to:

        i. established system accounts, configured access authorizations, set events to be audited, set intrusion detection parameters, and other security functions; and

        ii. security-relevant information in hardware, software, and firmware.

    b. require users of system accounts (or roles) with access to privileged security functions or security-relevant information (e.g., audit logs), use non-privileged accounts or roles, when accessing non-security functions;

    c. restrict privileged accounts on the system to privileged users;

    d. review annually the privileges assigned to non-privileged and privileged users to validate the need for such privileges;

    e. reassign or remove privileges, if necessary, to correctly reflect organizational mission and business needs; and

    f. log the execution of privileged functions.

M. Unsuccessful Logon Attempts

The District will enforce a limit of five (5) consecutive invalid logon attempts by a user during a 15-minutes time period, and automatically lock the account or node until released by an administrator when the maximum number of unsuccessful attempts is exceeded.

N. System Use Notification (required when access via logon interfaces with human users)

1. A system use notification message will be displayed to users before granting access to the system that provides privacy and security notices consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines stating that:

    a. users are accessing a restricted information system;

    b. system usage may be monitored, recorded, and subject to audit;

    c. unauthorized use of the system is prohibited and subject to criminal and civil penalties; and

    d. use of the system indicates consent to monitoring and recording.

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2. The notification message or banner will be retained on the screen until users acknowledge the usage conditions and take explicit actions to log on to or further access to the system.

3. For publicly accessible systems, before the District grants further access to publicly accessible systems:

    a. system use information consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines will be displayed;

    b. references, if any, to monitoring, recording, or auditing that are consistent with privacy accommodations for such systems that generally prohibit those activities will be displayed; and.

    c. a description of the authorized users of the system will be included.

O. Device Lock and Session Termination

1. The device lock will conceal information previously visible on the display with a publicly viewable image.

2. Further access to the system will be prevented by initiating a device lock after a maximum of 30 minutes of inactivity.

3. Users must log out when a work period has been completed.

4. Users must initiate a device lock before leaving the system unattended.

5. The device lock will be retained until the user reestablishes access using established identification and authentication procedures.

P. Remote Access

The District:

1. establishes and documents usage restrictions, configuration/connection requirements, and implementation guidance for each type of remote access allowed;

2. authorizes each type of remote access to the system prior to allowing such connections;

3. employs automated mechanisms to monitor and control remote access methods;

4. implements cryptographic mechanisms to protect the confidentiality and integrity of remote access sessions;

5. routes remote access through authorized and managed network access control points;

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6. authorizes the execution of privileged commands and access to security-relevant information via remote access only in a format that provides assessable evidence and for compelling operational needs; and

7. documents the rational for remote access in the security plan for the system.

Q. Wireless Access

The District:

1. establishes configuration requirements, connection requirements, and implementation guidance for each type of wireless access;

2. authorizes each type of wireless access to the system prior to allowing such connections;

3. protects wireless access to the system using authentication of authorized users and agency-controlled devices, and encryption; and

4. disables wireless networking capabilities embedded within system components prior to issuance and deployment when not intended for use.

R. Access Control for Mobile Devices

The District:

1. establishes configuration requirements, connection requirements, and implementation guidance for organization-controlled mobile devices, to include when such devices are outside of controlled areas;

2. authorizes the connection of mobile devices to organizational systems; and

3. employs full-device encryption to protect the confidentiality and integrity of information on full-and limited-feature operating system mobile devices authorized to process, store, or transmit CJI.

S. Use of External Systems

1. The District permits authorized individuals to use an external system to access the system or to process, store, or transmit organization-controlled information only after:

   a. verification of implementation of controls on external system as specified in the District's security and privacy policies and security and privacy plans; or

   b. retention of approved system connection or processing agreements with the organizational entity hosting the external system.

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2. The District restricts the use of District-controlled portable storage devices in external systems including how the devices may be used and under what conditions the devices may be used.

T. Information Sharing

The District:

1. enables authorized users to determine whether access authorizations assigned to a sharing partner match the information's access and use restrictions as defined in an executed information exchange agreement; and

2. employs attribute-based access control or manual processes as defined in information exchange agreements to assist users in making information sharing and collaboration decisions.

U. Identification and Authentication (IA) (CJISSECPOL 5.6)

V. Physical and Environmental Protection (CJISSECPOL 5.9)

W. Systems and Communications Protection (CJISSECPOL 5.10)

X. System and Services Acquisition (CJISSECPOL 5.14)

Y. System and Information Integrity (CJISSECPOL 5.15)

Z. Maintenance (CJISSECPOL 5.16)

AA. Planning (CJISSECPOL 5.17)

BB. Contingency Planning (CJISSECPOL 5.18)

CC. Risk Assessment (CJISSECPOL 5.19)

Legal authority: Criminal Justice Information Services (CJIS) Security Policy 6.0 December 27, 2024

Date adopted: June 25, 2025

Date revised: August 12, 2026

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4206 Employment Contracts

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

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

A. Authority

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

B. General Requirements

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

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

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11. date and employee signature;

12. date and signature of authorized District representative;

13. an appeal process concerning the evaluation process and rating received as required by Revised School Code Sections 1249 (K-12 certified teachers of record) and 1249b (instructional administrators and the Superintendent); and

14. other terms as necessary to serve the District's interests or that are legally required.

C. Specific Requirements

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

1. Superintendent

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

2. Administrators

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

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

3. Non-Instructional Supervisors or Directors

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

4. Professional Staff

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

D. Collective Bargaining Agreements

The Board, with the Superintendent or designee, will determine who will represent the Board in labor negotiations. The designated negotiator(s) may sign tentative agreements during bargaining; however, the final agreement is subject to

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ratification by the Board. Collective bargaining agreements may be reviewed by legal counsel before bargaining begins.

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

Date adopted: June 25, 2025

Date revised:

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4207 Third-Party Contracting

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

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

Legal authority: MCL 380.11a(3)

Date adopted: June 25, 2025

Date revised:

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4208 Applicant and Employee Criminal Arrest, Charge, Conviction

A. Criminal Charge

If an applicant or employee is charged with any felony or crime listed in Revised School Code Section 1535a(1) or 1539b(1), or a substantially similar crime in another jurisdiction, the person must report to MDE and to the Superintendent that the person has been charged with that crime. The person will abide by all reporting requirements in Revised School Code Section 1230d. The reports to MDE and the Superintendent must be made within 3 business days after being charged with the crime. Failure to appropriately report will result in a referral to law enforcement and possible discipline, including discharge.

B. Tenured Teacher Salary Pending Criminal Charge

If criminal charges are pending against a tenured teacher, the Board may act to: (a) suspend the teacher from active performance of duty; (b) proceed on tenure charges filed against the teacher; and (c) place the teacher's salary in an escrow account. Health or life insurance benefits, or both, may be discontinued during the suspension at the Board's option.

Before placing a tenured teacher's salary in an escrow account, the Board must provide the teacher with: (a) notice of tenure charges; (b) an explanation of the District's evidence; and (c) an opportunity to respond to the charges, either in writing or in person.

If an administrative law judge issues a preliminary decision and order to reinstate the teacher or for payment of salary lost by the teacher during the suspension, the Board will release the money in the escrow account to the teacher.

C. Employee Criminal Convictions

An employee convicted of a "listed offense," as defined in MCL 28.722, whether a felony or misdemeanor, will be discharged after appropriate due process. An employee convicted of a felony that is not a listed offense may only continue employment with the written approval of the Superintendent and the Board. An employee convicted of a misdemeanor that is not a listed offense may be discharged, in the Board's discretion, consistent with law and the applicable collective bargaining agreement or individual employment contract.

D. Tenured Teacher Salary Upon Criminal Conviction

If a teacher is convicted of a felony that is not a listed offense or a misdemeanor that is a listed offense, the Board may discontinue the teacher's salary effective on

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the conviction date. If the teacher is convicted of a felony that is a listed offense, the Board will discontinue the teacher's salary effective on the conviction date.

E. This Policy does not limit the Board's or designee's discretion to proceed with employee discipline, including discharge, before completion of any criminal proceedings.

Legal authority: MCL 38.103; MCL 380.1230, 380.1230a, 380.1230d, 380.1230g, 380.1535a(1), 380.1539b(1)

Date adopted: June 25, 2025

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4209 Intentionally Left Blank

Legal Authority:

Date Adopted: June 25, 2025

Date Revised:

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4210 Drug and Alcohol Free Workplace; Tobacco Product Restrictions

A. General

Employees serve as role models to students at school and in the community. Employee substance abuse constitutes a threat to the physical and mental well-being of employees and students and significantly impedes job performance and effectiveness.

The District maintains a drug and alcohol free workplace. In addition, to the extent permitted by law, the District strives to maintain a tobacco product free workplace.

This policy does not prohibit the use of nicotine replacement therapies for smoking cessation, such as Food and Drug Administration approved nicotine gum, patches, or lozenges.

B. Definitions

1. "District premises" means District buildings, facilities, or other District property which is owned, leased, or used for a District purpose or District-owned vehicles or vehicles used for a District purpose.

2. "District purpose or function" means a District-sponsored or District-approved activity, event, function or other activity performed by an employee under the District's jurisdiction, which is within the scope of employment, duties, or job description.

3. "Electronic nicotine delivery system" means any product containing or delivering nicotine, a nicotine analog, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. "Electronic nicotine delivery system" includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, e-hookah, vape pens, mods, and tank systems, regardless of any other product name or descriptor that is used. "Electronic nicotine delivery system" includes any component part of a product, whether marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

4. "Illicit substance" means any consumable alcohol; illegal drugs, including but not limited to those substances defined as "controlled substances" pursuant to federal or state law; marihuana; anabolic steroids, human growth hormones or other performance-enhancing drugs; and substances purported to be illegal, abusive, or performance-enhancing (i.e., "look-alike" drugs). This definition also includes any other substance used by an employee as an intoxicant.

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5. “Imitation tobacco product” means any edible non-tobacco product designed to resemble a commercial tobacco product, or any non-edible non-tobacco product designed to resemble a commercial tobacco product and intended to be used by children as a toy. “Imitation tobacco product” includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.

6. “Reasonable suspicion” means specific, contemporaneous, and articulable observations concerning an employee’s behavior, speech, appearance, or odor that suggests the employee is under the influence of an illicit substance.

7. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, cannabis, or other plant, whether natural or synthetic, that is intended for inhalation. “Smoking” also includes carrying or using an activated electronic nicotine delivery system. “Smoking” does not include the use of traditional or sacred tobacco used by many Native communities for spiritual and medicinal purposes.

8. “Tobacco industry” means manufacturers, distributors, or wholesalers of tobacco products or tobacco-related devices (e.g., Juul, Altria). This includes parent companies and subsidiaries.

9. “Tobacco product or commercial tobacco product” means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes; electronic nicotine delivery systems; cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.

10. “Tobacco-related device” means ashtrays, rolling papers, wraps, or pipes for smoking and any components, parts, or accessories of electronic nicotine delivery systems.

11. “Under the influence” means the use or misuse of an illicit substance or other intoxicant (including over-the-counter and prescription medication) by an employee that in any degree impairs, negatively affects, or tends to deprive that person of any physical or mental capacity normally possessed and required to perform job responsibilities.

12. “Use of tobacco product” means any of the following:

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a. the carrying by a person of a lighted cigar, cigarette, pipe, other lighted smoking device, or electronic nicotine delivery system;

b. the inhaling or chewing of a tobacco product;

c. the placing of a tobacco product within a person's mouth; or

d. the smoking or use of an electronic nicotine delivery system, imitation tobacco product, or other substitute forms of cigarettes, clove cigarettes, or other lighted smoking devices for consuming or inhaling tobacco, nicotine, or any other substance.

C. Standards of Conduct

Employees are prohibited from the following conduct on District premises, at a District function:

1. manufacturing, selling, soliciting, possessing, using (including application, injection, inhalation, or ingestion), dispensing, or distributing any illicit substance;

2. being under the influence as defined in this Policy;

3. misusing over-the-counter and prescription medications;

4. manufacturing, selling, soliciting, dispensing, displaying, promoting, or distributing any tobacco product, tobacco-related device, or imitation tobacco product. This includes products or paraphernalia displaying tobacco industry brand; or

5. using or consuming a tobacco product on District premises or at a District function.

Violating these standards will subject an employee to discipline, including discharge.

It shall be a violation of this Policy for an employee to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry or from any tobacco products shop for use at a District premises or District function. This includes, but is not limited to, donations, money for sponsorship, advertising material, alleged educational materials, promotions, loans, scholarships, or support for equipment, uniforms, sports, or training facilities. It shall also be a violation of this Policy to participate in any type of service funded by the tobacco industry on District premises or at a District function.

If a reasonable suspicion exists that an employee is under the influence, the Superintendent or designee may direct the employee to submit to a drug test or breathalyzer. If the employee refuses, the employee may be subject to discipline, including discharge, based on the District's observations.

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D. It shall not be a violation of this policy:

1. for commercial tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in an instructional or work-related activity in the District school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product;

2. for a person to possess or provide tobacco, tobacco-related devices, imitation tobacco products, or lighters to any other person as part of an indigenous practice used by Native communities for spiritual and medicinal purposes. It shall not be a violation of this policy to use tobacco, tobacco-related devices, initiation tobacco products, or lighters as part of an educational experience related to traditional or sacred tobacco practices that has been approved by administrators;

3. to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a nicotine dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

E. Support

Administrators shall consult with the local public health department or other appropriate health and allied community-based organizations to provide students, staff, and administrators with information and access to support systems, programs, and services to encourage them to abstain from the use of commercial tobacco products. Administrators shall identify and offer evidence-based programs and services for individuals that use commercial tobacco products to support them in complying with this policy.

F. Notice

The District shall provide notice of this policy in staff handbooks, through orientations and employee or staff training, and when offering employment.

G. Reporting Requirements for Transportation Employees Subject to Omnibus Transportation Employee Testing Act

An employee subject to the Omnibus Transportation Employee Testing Act must notify the Superintendent or designee of any criminal drug conviction for a violation occurring in the workplace no later than 5 calendar days after that conviction. Upon receiving notice of an employee's conviction of a criminal drug violation occurring in the workplace, the Board or designee must take appropriate action within 30 calendar days.

Legal authority: 20 USC 7101 et seq.; 41 USC 8101 et seq.; 42 USC 12101 et seq.; Schedules I-V of Chapter 13 of the Controlled Substances Act, 21 USC 812; 29 USC 701 et seq.; MCL 37.1211; Schedules 1-5 of the Michigan

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Uniform Controlled Substances Act, MCL 333.7201 et seq.; MCL 380.11a, 380.601a; MCL 436.1101 et seq.; MCL 750.473.

Date adopted: June 25, 2025

Date revised: August 26, 2026

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4211 Alcohol and Controlled Substances for Transportation Employees Subject to the Omnibus Transportation Employee Testing Act I

Employees subject to the Omnibus Transportation Employee Testing Act, as amended (OTETA), must be mentally and physically alert at all times while on duty. This Policy establishes an alcohol and controlled substances testing program for such District employees (both regular and substitute) who perform safety-sensitive functions as mandated by OTETA.

The Superintendent or designee will comply with OTETA and implement an alcohol and controlled substances testing program consistent with OTETA.

A. Definitions

1. "Controlled Substance" means any drug or substance, the possession or use of which is prohibited under federal or state law, or any drug that is being used illegally (e.g., a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity). For purposes of this Policy, marihuana is a Controlled Substance.

2. "Covered Employee" means an employee (including a substitute) who operates or maintains a commercial motor vehicle in interstate or intrastate commerce and is subject to the commercial driver's license requirements.

3. "Illegal Drug" means any drug or substance, including marihuana, the possession or use of which is unlawful pursuant to federal or state law or local ordinance.

4. "Safety-Sensitive Function" means all tasks associated with the operation or maintenance of District vehicles.

5. "While on Duty" means the time from which the Covered Employee begins to work or is required to be in readiness for work until the time the Covered Employee is relieved from work and all responsibility for performing work.

B. Standards of Conduct

Compliance with conduct standards set forth in Policy 4210, as well as with this Policy's testing procedures, is mandatory. Disciplinary sanctions, including discharge, may be imposed on a Covered Employee for violating this Policy.

Failure to comply with testing procedures by a Covered Employee includes:

1. refusing to take a test, failing to appear to take a test, failing to provide a specimen or a sufficient specimen (absent adequate medical justification),

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failure to remain at the testing site until completion of the testing process, or failure to sign a test consent form;

2. failure to cooperate in the testing process;

3. in the case of direct observation or monitored collection of a Controlled Substances test, failure to permit observation or monitoring of the Covered Employee's provision of a specimen; or

4. engaging in evasive testing actions intended to compromise the validity of the test results, including switching, substituting, adulterating, or otherwise compromising test samples.

C. Authorized Use of Prescription and Over-the-Counter Medication

A Covered Employee using a prescription that has been prescribed for the Covered Employee by a health care provider or an over-the-counter medication is responsible for being aware of any potential effects the medication may have on his/her ability to safely perform his/her duties.

D. Consequences for Violating Standards of Conduct

After determining that a Covered Employee violated 1 or more of the conduct standards for alcohol or Controlled Substances, the Covered Employee will be:

1. immediately removed from any duty which involves the performance of a Safety-Sensitive Function; and

2. subject to discipline, including discharge.

E. Voluntary Requests for Alcohol or Substance Abuse Evaluation, Counseling, or Treatment

A Covered Employee who voluntarily requests to participate in alcohol or substance abuse evaluation, counseling, or treatment through the District before being tested or being requested to be tested will be referred to a substance abuse professional to determine what assistance, if any, the Covered Employee needs in resolving problems associated with alcohol misuse or Controlled Substance use.

A request for evaluation, counseling, or treatment following the performance of a Safety-Sensitive Function will not preclude discipline for substantiated misconduct or other inappropriate behavior. The District will not impose a disciplinary sanction under this Policy solely because a Covered Employee has made a voluntary admission of alcohol or Controlled Substance abuse, consistent with the Policy.

The District will allow a Covered Employee who has self-identified as an abuser of alcohol or another substance sufficient opportunity to seek evaluation and treatment.

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Where a Covered Employee has self-identified, the District will require that employee to undergo return-to-duty testing for alcohol and Controlled Substances and may also require follow-up testing.

The District is not required to pay for voluntary evaluation, counseling, or treatment; or to pay an employee for time spent in a voluntary evaluation, counseling, or treatment program.

F. Testing for Alcohol or Controlled Substances

Alcohol or Controlled Substances testing will be administered as follows:

1. Pre-Employment/Pre-Duty Testing

   Before employment or the first time a Covered Employee performs a Safety-Sensitive Function, he/she must receive from a medical review officer a test result verified as negative. If a pre-employment test is positive or the pre-employment alcohol test result indicates a blood alcohol concentration of 0.02 or greater, the applicant will not be hired.

2. Post-Accident Testing

   As soon as practicable following an accident, but no later than 8 hours (alcohol test) or 32 hours (controlled substances test), testing will be conducted on each Covered Employee involved in the accident if the accident resulted in loss of human life or a citation was issued for a moving traffic violation arising from the accident. A Covered Employee who is subject to post-accident testing must remain readily available for testing or, if not available, will be deemed to have refused to submit to testing.

3. Return-to-Duty Testing

   A Covered Employee may be required to undergo testing with a verified negative result before returning to duty in compliance with OTETA.

4. Follow-Up Testing

   A Covered Employee identified by a substance abuse professional as needing assistance associated with alcohol misuse or use of a controlled substance, and who has returned to duty involving the performance of a safety-sensitive function, is subject to unannounced testing (consisting of at least 6 tests) over the first 12 months after the Covered Employee's return to duty as directed by a substance abuse professional.

5. Reasonable Suspicion Testing

   A Covered Employee will undergo testing as a result of reasonable suspicion that the Covered Employee has violated the conduct standards for alcohol or Controlled Substances based on specific, contemporaneous, articulable observations about the appearance, behavior, speech, or body odors of the

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Covered Employee while, just before, or just after performing a Safety-Sensitive Function.

The supervisor or person who made the reasonable suspicion determination shall not conduct the test on the Covered Employee.

A written record of the observations leading to a reasonable suspicion test must be made and signed by the supervisor or person who made the observations. This record must be made within 24 hours after the observed behavior or before the results of the test are released, whichever is earlier.

6. Random Testing

   Each year, random testing will be used at the rate of 20% (alcohol) and 50% (controlled substances) of the average number of active Covered Employees subject to testing.

G. Recordkeeping

The District will maintain a Covered Employee's alcohol or controlled substance testing records and results separate from the employee's personnel file in a secure location with restricted access. Record retention will be for periods and in a manner required by applicable federal regulation.

H. Confidentiality

Except as expressly authorized by law or regulation, neither the District nor any person or agency contracting with the District for alcohol or controlled substance testing services will release information about a Covered Employee's test results without the Covered Employee's written consent.

I. Dissemination

The Superintendent or designee is responsible for distributing this Policy and other educational materials pertinent to federal regulations to all Covered Employees. These materials will include:

1. the categories and classifications of District employees who are Covered Employees subject to this Policy;

2. the identity of those persons designated by the District to answer questions about this Policy and applicable regulations;

3. information about the Safety-Sensitive Functions performed by Covered Employees to make clear what period of the work day the employee must be in compliance with this Policy and applicable regulations;

4. specific information about conduct prohibited by the Policy and applicable regulations;

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5. identification of the circumstances under which a Covered Employee will be tested for alcohol and/or Controlled Substances;

6. identification of the procedures that will be used to test for alcohol and Controlled Substances, to protect a Covered Employee, to safeguard the validity of test results, and to ensure that those results are attributed to the correct employee, including post-accident information and procedures;

7. a requirement that Covered Employees submit to alcohol and Controlled Substances testing, together with an explanation of what constitutes a refusal to submit to alcohol or Controlled Substances testing and the attendant consequences to the Covered Employee;

8. identification of the consequences for a Covered Employee's violation of this Policy, including removal from performing safety sensitive functions;

9. identification of the consequences for a Covered Employee found to have an alcohol concentration of .02 or greater but less than .04;

10. information about the effects of alcohol and Controlled Substances use on a person's health, including signs and symptoms of alcohol or Controlled Substances abuse and available methods of intervention;

11. the requirement that identified personal information collected and maintained by the District to implement this Policy and applicable regulations will be reported as required by law; and

12. information about additional District Policies (including Policy 4210) on the possession and use of alcohol and Controlled Substances, including the consequences for violation of those Policies. The information will indicate that additional Policies are based upon the District's authority independent of federal regulations requiring alcohol and Controlled Substances testing of Covered Employees.

The Superintendent or designee shall ensure that each Covered Employee signs a statement certifying receipt of this Policy and the above materials.

Legal Authority: 49 USC 31301 et seq., and its promulgated regulations; MCL 257.1849; MCL 380.11a, 380.601a

Date adopted: June 25, 2025

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4212 Employee Assistance Program

The District may require an employee with performance difficulties due to substance abuse, as a condition of continued employment, to receive confidential assistance for a wide range of personal and work-related concerns. Assistance may include participation in a substance abuse assistance or rehabilitation program (Program) consistent with approved leave time, an individual employment contract, Policy, and applicable collective bargaining agreements.

The employee's health benefits plan may cover the cost of enrolling the employee in the Program. If the employee's health benefits plan does not cover the cost, the District will not be responsible for the cost to the extent permitted by law.

Seeking assistance or rehabilitation does not affect the District's authority to implement discipline, including discharge, for inappropriate conduct.

Legal authority: MCL 380.11a(3), 380.601a

Date adopted: June 25, 2025

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4213 Anti-Nepotism

A. General

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

B. Definitions

1. "Nepotism" means favoritism in the workplace based on a relationship with a relative or significant other.

2. "Relative" means a spouse, child, Parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, niece, nephew, or corresponding in-law, step, or adopted relative.

3. "Significant others" means (1) persons engaged to be married, (2) persons involved in a romantic or personal relationship, or (3) persons who are cohabitating.

C. Employment Decisions

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

1. disclose the existence of any relationships subject to this Policy to the Superintendent or designee;

2. avoid conflicts of interest, as defined in Policy 4201, and any appearance of a conflict of interest; and

3. avoid favoritism and any appearance of favoritism.

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

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

Legal authority: MCL 380.11a, 380.601a

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4214 Outside Activities and Employment

A. General

An employee's duties to the District take precedence over other outside obligations while performing District duties or during work hours. An employee may not engage in other activities that adversely impact school employment or operation or that interfere with the employee's duties.

Except as otherwise provided in these Policies, an employee may secure additional employment, participate in business ventures, and serve as a volunteer. Such activities must not interfere with an employee's ability to carry out the employee's responsibilities, to serve as a role model in the community, or adversely impact the District's reputation.

Employees must communicate with a supervisor before engaging in outside activities where a conflict of interest (as defined in Policy 4201) or the appearance of a conflict of interest or impropriety may exist.

B. Conduct Standards

Employees must fulfill their duties without conflict from outside employment or activities. Unless the Superintendent or designee grants written authorization, employees may not engage in the following outside activities:

1. provide private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration;

2. conduct personal business during assigned duty hours;

3. represent, either expressly or by implication, that the District sponsors, sanctions, or endorses a non-District related activity, solicitation, or other endeavor;

4. sell, solicit, or promote the sale of goods or services to students or Parents when the employee's relationship with the District is used to influence the sale or may be reasonably perceived as attempting to influence the sale;

5. sell, solicit, or promote the sale of goods or services to employees over whom the employee has supervisory or managerial responsibilities in a manner that the subordinate employee could reasonably perceive as coercive;

6. use employee, student, or Parent information in connection with the solicitation, sale, or promotion of goods or services or provide that information to any person or entity for any purpose; or

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7. use District personnel, facilities, resources, equipment, technology, property, or funds for personal financial gain or business activity.

C. Intellectual Property

Intellectual property includes written or artistic works, instructional materials, textbooks, curriculum, software, inventions, procedures, ideas, innovations, systems, programs, or other work product created or developed by an employee in the course and scope of performing District employment duties or during work hours, or derivative to District intellectual property, whether published or not. Such intellectual property will be the exclusive property of the District. The District has the sole right to sell, copy, license, assign, or transfer any and all right, title, or interest in and to that intellectual property.

Legal authority: 17 USC 101 et seq.; MCL 15.321 et seq., 15.401 et seq.; MCL 380.11a, 380.601a, 380.1805(1)

Date adopted: June 25, 2025

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4215 District Technology and Acceptable Use

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

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

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

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

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

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

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

Employees must not download unauthorized software or applications.

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

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

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4216 Personal Communications Devices

"Personal communications device" includes employee-owned cell phones, computers, tablets, or any other device that is capable of, but not limited to, text messaging, voice communication, downloading applications, entertainment, navigation, accessing the internet, sending and receiving photos and videos, or producing email. Employee use of personal communications devices during the work day, including school-sponsored activities, and to conduct school-related business, is limited as follows:

A. except in emergencies, an employee's use of a personal communications device shall not interfere with instructional activities or work-related duties. Employees taking an authorized break may use a personal communications device in a manner that does not disrupt the District's operations or violate the confidentiality of students or others;

B. employees shall not use a personal communications device to access inappropriate content or engage in unlawful activities while on duty, on District property, or attending a District-related event;

C. employees must not use a personal communications device to inappropriately communicate with other employees, students, or Parents;

D. employees must ensure that the District's records and files, including confidential student information, are only maintained on District-provided technology and that confidentiality is maintained. District records and files must not be stored on a personal communications device;

E. employees recognize that when a personal communications device accesses the District's network, the employee's use may become subject to the District's Acceptable Use Policy;

F. employees may not use a personal communications device to record communications or images during the work or school day or at a school-sponsored event other than a public performance or sporting event, unless the employee has received permission from the Superintendent or designee. Dissemination of any recording is prohibited unless the Superintendent or designee approves that action in writing; or

G. unauthorized recording of communications or images of students, Parents, co-workers, or non-public meetings is prohibited, unless there is an educational purpose to do so, and may result in discipline, including discharge.

Legal authority: MCL 380.11a(3), 380.601a

Date adopted: June 25, 2025

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4217 Social Media

Employee use of social media while on District property, during work hours, or while using District-owned devices must not interfere with District educational purposes or work performance and must not be used in any manner that violates this Policy, Policy 4201, or federal or state law.

"Social media" refers to any publicly accessible internet-based service that enables a user to share communications, images, or videos with others or participate in social networking. Social media includes blogs and social networking sites.

While using social media on or off duty, an employee must:

A. not engage in criminal activity;

B. make clear that the employee's views or endorsement of political candidates and political parties are their own, not the District's, as applicable;

C. refrain from using a District email address to register on social networks, blogs, or other online tools for personal use;

D. engage in appropriate communications with students, Parents, and District stakeholders and community members;

E. maintain student privacy and not disclose confidential student information;

F. report to the appropriate administrator(s) any behavior or activity which endangers student or staff security, safety, or welfare; and

G. refrain from engaging in behavior that disrupts or adversely impacts the efficacy of the District's operations.

Employee use of social media in violation of this Policy detracts from the District's educational mission, adversely impacts the District, and may result in discipline, including discharge.

Legal authority: MCL 380.11a(3), 380.601a

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4218 Employee Dress and Appearance

Employee attire conveys an important image to students and the community. Employees must maintain professional dress and appearance, including appropriate hygiene, cleanliness, and grooming.

Employees must, at a minimum, dress in accordance with the student dress code.

A. Administrators, Professionals, Paraprofessionals, and Office Employees

   Administrators, professionals, paraprofessionals, and office employees must dress in business casual attire except as otherwise appropriate to their individual assignments. Attire must not distract other employees or students from the learning environment or pose a safety risk. Employees shall not dress in a manner that expresses partisan or political speech unless expressly permitted by law, a collective bargaining agreement, or approved in writing by a building administrator.

   The building administrator may temporarily suspend all or a portion of the dress code when other factors support a lower dress expectation for employees (e.g., designated “casual days” or “spirit days”).

B. Food Service, Custodial, Maintenance, Mechanic, and Transportation Employees

   Subject to any applicable collective bargaining agreement, food service, custodial, maintenance, mechanic, and transportation employees must dress in attire appropriate to the work the employee is performing and will not pose a safety risk to the employee or others.

   Closed-toe shoes are required. Steel-toed shoes may be required for custodians, maintenance, and mechanics. The District reserves the right to require uniform clothing as may be appropriate.

C. Enforcement

   The Superintendent or designee has the discretion to make determinations about appropriate staff dress and appearance. Any violation of this Policy may result in discipline, including discharge.

Legal authority: MCL 380.11a(3), 380.601a

Date adopted: June 25, 2025

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4219 Attendance

Regular, reliable, and in-person attendance is an essential job function for employees, unless the Superintendent or designee approves the absence in writing. Employee absences or tardiness negatively impact the education of students and may impose unnecessary burdens on coworkers. Employees will be held accountable for adhering to their assigned schedule. Any deviation from an employee's assigned schedule must be approved in advance by the employee's supervisor or designee.

Consistent with any applicable collective bargaining agreement or individual employment contract, an employee must report absences as directed by the employee's supervisor or designee. The Superintendent or designee reserves the right to request verification for absences if reasonable grounds exist to believe that an employee is misusing leave, has misrepresented the reason(s) for the employee's absence, or a pattern of absenteeism exists. When possible, leave must be requested in advance per an applicable collective bargaining agreement, individual employment contract, employee handbook, Policy, or law.

An employee who violates this Policy may be subject to discipline, including discharge.

Legal authority: MCL 380.11a(3), 380.601a

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4220 Use or Disposal of District Property

Employees are prohibited from using District property for personal use unless the Superintendent or designee approves the use in advance. Employee use of District property will be consistent with Policies 3304 and 4214.

After use, District property must be immediately returned to the appropriate location or department. The property must be returned in the same condition it was in at the time of acquisition. The employee is responsible for the cost of repair or replacement if the employee negligently or intentionally damages the District's property.

Employees may not dispose of District property without the supervisor's written approval. Employees may not take possession of discarded District property without written approval from the Superintendent or designee.

State law regulates the disposal, removal, or refusal to return District books, papers, or records. Retention and disposal of District books, papers, or records must conform with the State of Michigan's Records Retention and Disposal Schedule for Michigan Public Schools.

An employee who violates this Policy may be subject to discipline, including discharge, and civil and criminal prosecution.

Legal authority: MCL 380.11a(3), 380.601a; MCL 399.811; MCL 750.491

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4221 Employee Speech

As role models, employees must exercise sound judgment in their interactions with students, Parents, and members of the community and maintain a high degree of professionalism and objectivity. Employees must act within the scope of their respective duties and responsibilities.

A. Curriculum, Instruction, and Controversial Topics

During instruction and discussion of controversial issues, employees must follow these guidelines:

1. the issues discussed must be relevant to the curriculum and be part of a planned educational program;

2. students and Parents must have free access to appropriate materials and information for analysis and evaluation of the issues;

3. employees must allow discussion of a variety of viewpoints so long as that discussion does not substantially disrupt the educational environment;

4. the topic and materials used must be within the students' range, knowledge, maturity, and competence;

5. employees must obtain pre-approval from the building principal before instructing students about sensitive or controversial issues;

6. employees must not advocate partisan causes, sectarian religious views, or self-propaganda of any kind during school or school-related functions. Employees may express a personal opinion as long as students are encouraged to reach independent decisions; and

7. if a Parent objects to their student's instructional materials, employees will refer the Parent to Policy 5407 and Form 5407-F.

Employees who are unsure of their obligations must confer with their building principal or supervisor.

B. Speech on Matters of Public Concern

The District respects and supports its employees' right as citizens to exercise free speech in a responsible manner.

Free speech rights are not absolute and are subject to restriction when the employee is acting within the course and scope of their employment.

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When speaking as a citizen on a matter of public concern, an employee must not make written, verbal, online, or nonverbal statements that cause a substantial disruption to the school environment, violate federal or state law, or otherwise violate these Policies. An employee's right as a citizen to comment upon matters of public concern must be balanced against the District's interest in promoting the efficiency of the public services it performs through its employees.

Employees do not speak on behalf of the District or a school unless specifically authorized by the Board or Superintendent.

Legal authority: U.S. CONST. amend. I; Const 1963, art I, § 5

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4222 Unauthorized Work Stoppage and Strikes

Employees are prohibited from engaging in a strike. A strike is the concerted failure to report for duty, the willful absence from a person's position, the stoppage of work, the refusal to perform or volunteer for duties that had been performed in the past, or the abstinence in whole or in part from the full, faithful, and proper performance of the employment duties for the purpose of inducing, influencing, or coercing a change in employment conditions, compensation, or the rights, privileges, or obligations of employment.

Employees who violate this Policy may be subject to discipline, including discharge, and financial penalties under the Public Employment Relations Act.

The District is prohibited from engaging in a lock-out, unless operations have been ceased, in whole or in part, due to a strike in violation of this Policy.

Legal authority: MCL 423.201, 423.202

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4223 Resignation

The Superintendent or designee is authorized to immediately accept an employee's verbal or written resignation on the Board's behalf. When the Superintendent or designee accepts a resignation from an Administrator, Supervisor, Director, Teacher, or Non-Teaching Professional, the Superintendent or designee will notify the Board of the resignation at its next meeting. The Superintendent or designee may notify the Board of Non-Exempt Staff resignations.

The Board may accept a Superintendent's verbal or written resignation.

A resignation is effective on the date of its acceptance or on a subsequent effective date specifically reflected in the offer of resignation and its acceptance.

Except as otherwise provided by law, a resignation is irrevocable upon acceptance.

Employees, other than teachers, must generally provide 30 days' advance written notice before resigning.

Teachers must provide written resignation notice at least 60 days before September 1, unless the Superintendent or designee consents to less advance notice. Otherwise, the Board may revoke the teacher's tenure rights as provided by the Teachers' Tenure Act.

Legal authority: MCL 38.111; MCL 380.11a(3)(d), 380.601a

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4224 Personnel Files and Payroll Information

A. Contents

The District will maintain accurate and up-to-date personnel files. A personnel file will include the physical or electronic records kept by the District that identify an employee, to the extent that the record is used or has been used for, or may affect or be used for, that employee's qualifications for employment, hire, promotion, transfer, compensation, or discipline. Personnel files may be electronically stored, in whole or in part, by the District in a secure manner.

The District will not suppress or remove information about unprofessional conduct from a personnel file as required by Revised School Code Section 1230b, regardless of any contrary term in any applicable collective bargaining agreement, individual employment contract, resignation agreement, severance agreement, or other agreement.

B. Payroll Records

The District will record and maintain the following payroll information for all employees:

1. name and social security number;
2. address, including zip code;
3. birth date;
4. sex;
5. occupation;
6. time and day when work week begins;
7. hours worked each day and work week;
8. hourly pay rate;
9. total daily or weekly straight-time earnings;
10. total overtime earnings for each work week;
11. all additions to or deductions from wages;
12. total wages paid each pay period; and
13. date of payment and pay period covered by the payment.

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C. Employee Review

Employees may request to review their personnel file at a reasonable and mutually agreed upon time, with or without union representation. A central office employee will be present during the review. Employees requesting a copy of the personnel file may be charged a fee.

If there is a disagreement with information contained in a personnel file, the District and the employee may mutually agree to remove or correct that information, unless it concerns substantiated unprofessional conduct. If the District does not agree to remove or amend the information, the employee may submit a written statement explaining the employee's position (not exceeding 5 sheets of 8-1/2" x 11" paper). The written statement will be included if the information is disclosed to a third party.

D. Third Party Disclosure

Personnel file contents may be subject to disclosure under the Freedom of Information Act (FOIA). Certain documents in a personnel file may be subject to mandatory or permissible disclosure exemptions under FOIA. Disclosure of other personnel file information may be specifically prohibited or limited by state and federal statute. Before releasing information in response to a FOIA request for documents within an employee's personnel file, the District will review those documents to identify permissible and mandated disclosure exemptions.

Criminal history checks, unprofessional conduct checks, drug test results, confidential personal references, medical information, and other confidential information will be maintained in a separate, secure file.

Absent an employee's written consent or authorization, the District will not release an employee's discipline records to a third party, pursuant to a FOIA request or otherwise, unless the District has provided the employee with notice via first class mail to the employee's last known address, or another consented form of communication, which will be mailed on or before the day on which the information is released. Discipline more than 4 years old will not be disclosed unless the employee has executed a written release to disclose the records or as otherwise permitted by law, including Revised School Code Section 1230b.

Legal authority: MCL 15.231 et seq.; MCL 380.1230b; MCL 408.931 et seq.; MCL 423.501 et seq.

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4225 Temporary Remote Work

The Board recognizes that in-person work is an essential function of school employment. The Superintendent or designee may, however, permit certain employee positions to work remotely on a temporary basis during a health or safety risk declared by a local, State, or federal governmental authority or in other extraordinary circumstances.

A. When determining whether to permit a position to work remotely in an extraordinary circumstance, the Superintendent or designee may consider the following factors:

   1. The duties of the position;

   2. The need to protect and access confidential student, personnel, and financial information;

   3. The need to supervise, direct, or evaluate students or personnel;

   4. The need to provide direct, physical services to students such as speech, physical, or occupational therapy;

   5. Working conditions outlined in the applicable collective bargaining agreement; and

   6. Other relevant factors as determined by the Superintendent or designee.

B. If the District is providing in-person instruction, the following employees may not work remotely, unless required pursuant to Paragraph C below:

   1. Professional Staff;

   2. Administrators/Supervisors;

   3. Bus drivers;

   4. Secretaries;

   5. Food service employees;

   6. Custodians;

   7. School nurses;

   8. Daycare workers; and

   9. Paraprofessionals.

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C. Notwithstanding anything to the contrary in this Policy, an employee with a disability may request remote work as a reasonable accommodation under Policy 4105.

   Granting a request to perform work remotely shall be considered temporary and does not obligate the District to grant remote work as a continuing reasonable accommodation.

D. This Policy shall not limit the District's ability to determine the method of instruction to students or to provide instruction in the best interest of its students. The Board has the authority to determine whether students will receive instruction in-person, remotely, or through an alternative method.

Legal authority: MCL 380.11a(3); 42 USC § 12101 et seq.

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4226 Intentionally Left Blank

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4228 No Expectation of Privacy

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

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

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4229 Acceptable Use of Generative Artificial Intelligence

Employees may use Generative Artificial Intelligence ("Generative AI") in the school setting in compliance with this Policy and applicable law.

A. Definitions

1. "Generative AI" means the class of AI models that emulate the structure and characteristics of input data in order to generate derived synthetic content. This may include images, videos, audio, text, and other digital content.

2. "AI System" means any data system, software, hardware, application, tool, or utility that operates in whole or in part using AI.

B. Acceptable Use

Employee use of Generative AI must be appropriate for the educational environment and in compliance with all applicable laws, including, but not limited to, the Family Educational Rights and Privacy Act, the Individuals with Disabilities Education Act, and the Children's Internet Protection Act. Employees must also comply with applicable Board Policies when using Generative AI, including, but not limited to, policies on District technology and acceptable use, copyright protection, student records, unlawful harassment, discrimination, and employee ethics.

Employees must thoroughly review AI-generated material to ensure accuracy, relevance, and appropriateness. Employees may not rely solely on Generative AI to deliver instructional or work-related material. Employee use of Generative AI in the classroom must align with the Board-approved curriculum.

C. Training

Employees may receive training on the legal and ethical use of Generative AI and its integration into the curriculum.

D. Violations

Violations of this policy may result in disciplinary action, up to and including discharge.

Legal Authority: 20 USC 1232g; 20 USC 1400 et seq.; 34 CFR 99; 47 CFR 54.520; 88 Fed Reg 75191 (October 30, 2023)

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