The policies and administrative rules of the Board of Education of the School District of the City of Saginaw, Michigan are the result of a combined effort of the professional staff of the Michigan Association of School Boards, the Board of Education and the District's staff.

The staff of MASB wrote the policy and rule models and integrated into those models the valid policies and procedures selected by the District at the time of the first draft. After forwarding the first draft, a MASB staff member, and selected staff members of the District worked in consort to edit all of the proposed policies and rules resulting in preparation of a final draft to be presented to the Board.

A special acknowledgement should go to the Board members, the Superintendent of Schools, the Assistant Superintendent for Instruction and Strategic Planning, and their respective support staff members who spent many hours studying and revising the drafts and revisions to these policies and rules.

Understanding the Policy System

Policies are principles adopted by the Board to chart a course of action. They tell WHAT is wanted and may include WHY and HOW MUCH. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of problems day after day; they should be narrow enough to give the administration clear guidance.

RULES, REGULATIONS OR PROCEDURES are the detailed directions that are developed by the administration and staff to put policy into practice and may or may not be printed/published with the policies themselves. They tell HOW, WHEN, WHERE and BY WHOM things are to be done. They are not adopted by the Board, but, rather, are changed, as needed, by the administration to meet the needs of day-to-day policy enforcement and administration of the schools.

This philosophy was incorporated into the thinking that produced the model and guided the Board and the District's staff in developing the final, adopted policies and review of rules.

One “hard copy” of the bylaws and policies are kept in a binder containing eight sections of policies and, where appropriate, administrative rules. In addition, the District may elect to publish the final manual on the World Wide Web on a website dedicated to the District under the MASB “POWER” Program (Policies On the Web as an Educational Resource) for ease of reference and use.
Preface

These sections are as follows:

- BOARD BYLAWS
  - 2000 — GENERAL SCHOOL ADMINISTRATION
  - 3000 — FISCAL MANAGEMENT
  - 4000 — BUSINESS MANAGEMENT/FACILITIES MANAGEMENT
  - 5000 — HUMAN RESOURCES
  - 7000 — INSTRUCTIONAL PROGRAM
  - 8000 — STUDENTS
  - 9000 — GENERAL PUBLIC & ORGANIZATIONAL RELATIONS

This type of classification system is designed for computer use and adaptation to publication of the manual on the WWW, and conforms to sound principles of information storage and retrieval; to sound principles of school governance; and to the mandates of practicality. The system’s ultimate success or failure will depend on the extent of its day-to-day usefulness as a management tool to facilitate school and Board operations.

Basic to the system is the vocabulary of policy development descriptors. This vocabulary includes more than 1,000 discrete terms, e.g., “Underground Newspapers,” “Psychological Testing,” “Nepotism,” etc. These terms set forth specific issues and concerns for possible school Board action at the policy development level.

The Index

The index, finalized following final Board approval of the manual, is designed to help the user find the subject described in the appropriate policy.

In addition, the index includes many terms not used in the classification system but that are still cross-referenced to official descriptors. Some of these topics are synonyms, e.g., Administrative Regulations/Procedures/Forms; see “Administrative Rules.” Other classifications are included to show where topics might be placed into the system by local classifiers, e.g., Sale of Bonds, see “Borrowing and Debt Service.”

In addition, major descriptors appear in several places in the index. This, again, is to facilitate the user’s search for correct term placement in the system.

When Using This Manual

To use the hard copy of the manual properly, the reader should look up the subject matter in the index and turn to the policy section first. (If published on the WWW via the MASB “POWER” Program, the task of “searching” is done through use of a simple or “advanced” search for ease of reference and retrieval.) The reader should check the table of contents found in the front of each policy section to determine whether the desired subject is cross-referenced to any other policy and to see if the symbols “Cf.,” “Also” or “See” are present. The reader should turn to the numeric code in the appropriate section and read the policy and any applicable rule.
After the reader has done this, he/she should read all cross-references and other similar referrals.

If by chance a policy statement is not found, one of three things has occurred: (1) the Board does not have a policy or rule on the subject; (2) another classification (Cf.) is overriding and should be read to determine the Board’s policy; or (3) the code is consolidated with another code. This latter statement makes it incumbent on the reader to check the index and/or the table of contents before looking for the subject matter.

There will be times when a policy does not have a rule. If this occurs, the reader must assume that the administration felt the policy was self-executing and did not need an implementing rule.

You will note in the hard copy that the numeric code with the policy title always appears in the upper left hand margin and, in addition, is printed in the upper right margin: this will help the reader to “thumb” through the pages and find a particular page much more easily. The reader will also note that multi-paged policies and rules are now numbered which will assist in keeping pages in order. Policy paging is illustrated, for example, as 2550, 2550-2, while the paging for administrative RULES is 2550-R, 2550-R-2. There is no symbol for page one on any policy or rule. Pages of the hard copy of the manual are not numbered sequentially. This is done to avoid the need to renumber the entire manual totally in the event of the addition or deletion of a page.

The reader will also note that the rule, if any, and if published with the policies, follows the policy immediately. The reader will have to be alert to the numeric code to remember if he is reading a policy (2550) or a rule (2550-R). In the event a policy has more than one page, e.g., 2550-2, the rule to 2550, if any, will follow immediately as 2550-R. If there are several pages to a rule, the second page letter code will be 2550-R-2 and will be found in the upper right margin. Reference to these pages will help Board members and staff members turn immediately to the correct page without any trouble or confusion.

State Law and Negotiated Contracts

These policies are designed to contain minimal statutory language or negotiated contract language. They exist in other, separate documents. If the reader is in doubt about the subject being pursued, he/she should ask the Superintendent or some other administrative staff member for guidance. Any District may request MASB policy writers to assist them in the drafting of locally generated new policies or amendments or in the numeric coding and placement of new policy.

Updating Your Policy Book

The District should have one person, usually the Board Secretary, Clerk of the Board or Superintendent, to insert new or changed policy in the “hard copy” Board policy book. It is suggested that this should be done within seven days of Board action on new or changed policy, and the old policy page placed in the historical record copy of Board policy, in the case of hard copies, or insertion into an electronic version of the manual.
Preface

The practice of having several different people adding or deleting pages, or changing electronic records in the District’s policy book increases the possibility of error and thus decreases the efficient use of the policy book.

Symbols

The policy classification system employs these signs and symbols which are explained below.

SN Scope Note — A brief statement used when necessary in order to clarify and/or limit the intended use of a descriptor entry:

Administrative Personnel
SN For school management and supervisory personnel below the District Superintendent level, e.g.,
Also A prefix to a parenthetical code to indicate that the identical term (and similar school Board policy) appears elsewhere in the classification system, e.g., 1370 (Also 9110) Public Participation 9110 (Also 1370) Public Participation
Cf. A prefix used to indicate a cross reference to another policy or rule of similar subject matter, e.g., 4080 (Cf., 8620) Emergency Closings 8620 (Cf., 4080) Emergency Drills
-R An affix to a policy code to indicate that the statement following is an administrative rule for a school Board policy.
See A prefix to a parenthetical number code to indicate the preceding code is consolidated with referenced code in the parentheses, e.g., 2560 (See 2470)

Definitions

1. All LEGAL REF. (Legal References) are placed at the end of the policy, not after the -R or rule portion.
2. LEGAL REF.’s might include:
   a) The Michigan Revised School Code
   b) Laws Relating to Education, February 1990 (or later)
   c) Administrative Rules Relating to Education, November 1989 (or later)
   d) OAG – Attorney General opinions
   e) MCL – Michigan Compiled Law
   f) USCA - U.S. Code Annotated
   g) CFR – Code of Federal Regulations
   h) MDE - Michigan Department of Education Booklets or Guidelines

If published on the WWW under the MASB “POWER” Program, a special “preface” will appear in the on-line version that explains the use of the on-line manual.
BOARD BYLAWS

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Section 1. Legal Status

The official name of the school District shall be The School District of the City of Saginaw, Michigan, and the school District shall be organized and conducted as a general powers school District as provided in the Revised School Code.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a

Section 2. Purpose of Bylaws

The purpose of these bylaws is to set forth the internal rules which provide for the effective and efficient functioning of the Board of Education ('Board') and to govern its operations and business.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a (6)

Section 3. Functions of the Board

The business of the school District shall be governed by the Board which has both direct and oversight responsibilities for the operations of the schools and the education of students. The Board's responsibilities shall include, among other things, duties in the areas of policy making, educational planning and appraisal, employee staffing and evaluation, fiscal management and planning, school operations and functions, public communications and judicial.

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

Approved: December 13, 2006
Revised: March 20, 2013
LEGAL REF: Michigan Constitution, Article VIII; MCL 380.10; 380.11a et seq.; 380.1261, General Powers School Districts
Board Bylaws

Section 4. **Consultants to the Board**

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

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

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

Approved: December 13, 2006
LEGAL REF: MCL 380.11a

Section 5. **Amendment/Suspension of Bylaws**

The Board, by a 2/3 roll call vote of its members, may amend the bylaws or temporarily suspend the operation of the bylaws but such amendment or suspension shall not relieve the Board from complying with applicable law.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a
Board Bylaws

Article II
Board Members

Section 1. Election of Board Members

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

Nominating Petition/Filing Fee

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

Approved: December 13, 2006
LEGAL REF: MCL 168.302; 168.641; 380.11a

Section 2. Term of Office

The term of office of a Board member shall begin on January 1 following his/her election, or immediately upon Board appointment. The term of a Board member, whether elected or appointed, shall end on December 31 the year his/her term expires. An appointed member will serve until December 31 of the year in which appointed, but must stand for election in the next scheduled Board of Education election for any remaining portion of the term.

Approved: December 13, 2006
LEGAL REF: MCL 168.302; 168.641; 380.11a

\(^1\) The “School District Election Coordinator” is the County, City, or Township Clerk as determined by the respective political subdivision and the Board.
Board Bylaws

Section 3. Board Position Vacancies

Board member vacancies shall be filled within thirty (30) days from the effective date of a resignation or other event (except a vacancy occurring by a recall election) which causes a vacancy to exist. The vacancy shall be filled with a legally qualified person who is appointed by a majority vote of the remaining members of the Board at a regular or special meeting of the Board. Persons appointed to fill a vacancy shall file acceptance of the office, including an affidavit of eligibility, with the Secretary of the Board, and shall take the oath of office prescribed by law. The appointee shall hold office until the next annual school election. If a majority of the positions is vacant at the same time, the remaining members shall immediately call a special election to fill the vacancies. Resignations are effective without acceptance or approval by the Board.

When a vacancy on the Board occurs, the following procedures shall be used by the Board in filling the vacancy.

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

(b) The Board shall establish the criteria to be applied in making the appointment;

(c) The Board shall review and screen applications to determine which candidate should be further considered for appointment. Screening by the Board shall be done in public session;

(d) Those candidates screened for further consideration shall be interviewed by the Board in public session; and

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

Approved: December 13, 2006

Board Bylaws

Section 4. Acceptance of Office and Oath

Within 10 days after notification by the Election Coordinator of election to the School Board, each member must sign an “Acceptance of Office” with the Secretary of the School Board and take the oath of office as provided in law. The Secretary of the Board must forward a copy of the Acceptance of Office to the Election Coordinator.

Approved: December 13, 2006
LEGAL REF: MCL 168.309; 600.1440

Section 5. Board Officers

The officers of the Board shall consist of a President, Vice President, Secretary, and Treasurer. The President, Vice President, Secretary, and Treasurer shall be Board members. The term of office shall be for one (1) year. At the option of a majority of the Board, a Board member may be elected to more than one term of office.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a

Section 6. Absence of the Board President or Vice-President

The Board shall see to it that the offices of President and Vice-President are filled on a continuous basis whether the absence is temporary or extended. The Board, therefore, establishes this order of succession in the case of temporary or extended absence of the President or Vice-President.

In the event of a temporary (less the 60 days) or extended (more than 60 days) absence by the President, the Vice-President will assume the duties of the President until such time as the President is able to rejoin the Board. In the event of a temporary or extended absence by the Vice-President, the Treasurer will assume the duties of the Vice-President until such time as the Vice President is able to rejoin the Board. During this period, the Secretary will assume the dual position of Secretary/Treasurer. At such time as either the President or Vice-President rejoins the Board, he or she shall return to his or her elected office to complete the term.

Approved: December 13, 2006
Board Bylaws
Section 7. Duties of Officers

(a) Duties of the President.

- To preside at all meetings of the Board and to act as a decision maker on parliamentary procedure,
- To work cooperatively with the Superintendent in planning agendas for public meetings,
- To sign correspondence as authorized by the Board or required by law,
- To appoint standing, ad hoc and advisory chairs and the members of Board committees,
- To appoint a temporary Secretary, in the absence of the Secretary. The temporary Secretary shall sign the minutes of the public meeting,
- To perform such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of President.

(b) Duties of the Vice-President.

- To preside at Board meetings when the President is not in attendance,
- To succeed to the office of President, when a vacancy in that office occurs, until a successor is appointed by the Board,
- To perform such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of Vice President.

(c) Duties of the Secretary. (At the pleasure of the Board, and as allowable by law, day-to-day duties of the Secretary may be delegated to a member of the administrative staff as appointed by the Superintendent.)

- Serve on the School District Election Coordinating Committee (this duty may be delegated to the Superintendent),
- To act as the clerk at meetings of the Board,
- To record and sign the minutes of meetings, orders, resolutions and other proceedings of the Board in proper record books,
- To prepare reports as required by the State Board,
- To draw and sign orders upon the District’s Treasurer for money to be disbursed by the District,
Board Bylaws
Section 7. Duties of Officers – Cont’d

• To perform such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of Secretary.

(d) Duties of the Treasurer (At the pleasure of the Board, and as allowable by law, day-to-day duties of the Treasurer may be delegated to a member of the administrative staff as appointed by the Superintendent.)

• To have care and custody of all moneys of the District,

• To assure that the District keeps proper books of account,

• To assure that the District keeps an account of interest received from invested school funds, and that interest received is credited to the appropriate fund accounts,

• To assure that funds are paid out for the purposes specified by law, or, in the case of gifts or donations for the purposes for which the money is given or donated, on proper orders signed by the Secretary and countersigned by the Board President,

• To assure that funds of the District are deposited with a bank or banking corporation or trust company designated by the Board in the proportion and manner directed by the Board,

• To assure that orders of the Secretary are paid when lawfully drawn and countersigned by the President out of the money belonging to the fund upon which the orders are drawn,

• To cause a record book to be kept in which money received and disbursed shall be entered, the sources from which money is received, and the person to whom and the objects for which money is paid,

• To cause a written report to be presented the Board at the close of the school year containing a statement of money received during the year and of each disbursement made, and

• To perform other such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of Treasurer.

Approved: December 13, 2006
LEGAL REF: MCL 168.4; 380.1 la; 380.1201
Board Bylaws

Section 8. Removal of a Board Officer

The Board may remove a member from a Board officer position and, upon removal, shall fill the vacancy.

Approved: December 13, 2006
LEGAL REF: MCL 380.1 la

Section 9. Board Committees

(a) The following standing committees of the Board are established to enhance the efficiency and effectiveness of its functioning:

(1) Buildings and grounds
(2) Policy and Curriculum
(3) Human Resources
(4) Finance

(b) The Board may establish other committees from time to time in order to provide the Board with special services and advice, including, but not limited to, such areas as Liaison and Community Relations.

(c) The President of the Board shall appoint the chair and membership of each committee. The term of the assignment shall be one year. All committees are and will be empowered to make recommendations only to the Board as a whole.

(d) Board committees must comply with the relevant portions of the Open Meetings Act.

Approved: December 13, 2006
Board Bylaws

Section 10. Board Member Development Opportunities

The Board recognizes the need for continuing in-service training and education and encourages the participation of all members at these specific categories of activities as a part of their official duties: conferences, workshops, in-service programs, and conventions, at the local, regional, state, and national levels. A Board member’s actual and necessary expenses shall be paid for or reimbursed when the member attends any of these activities.

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

The Superintendent shall keep a calendar of annual conferences, workshops, in-service programs, and conventions that Board members may wish to attend. The Superintendent shall update the calendar with additional in-service programs for Board members, as the programs become known.

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

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

Approved: December 13, 2006
LEGAL REF: MCL 380.11a; 380.1254; 388.1764b
Board Bylaws

Article III
Board Meetings

Section 1. Organizational Meeting

The Board shall hold its organizational meeting in its first meeting in January. The annual organizational meeting shall be called to order by the former year’s President if he/she is still a member of the Board. If not, the former year’s Vice President, followed in order by the Secretary and Treasurer, shall chair the meeting. In the organizational meeting, the Board shall:

- Oath of office,
- Adopt a regular monthly meeting schedule setting forth the dates, times and places of the meetings,
- Shall elect the officers of the Board,
- Implement the conflict of interest policy of the Board, and
- Attend to any other items of business that might be properly before the Board.

Approved: December 13, 2006
Revised: March 20, 2013
LEGAL REF: MCL 380.1 la; 380.1204

Section 2. Regular Meetings

The Board shall hold at least one regular meeting each month. A notice of the regular meeting shall be posted at the entrance to the principal office of the Board and other locations determined appropriate by the Board within ten (10) days of its organizational meeting. If there is a change in the schedule of regular meetings of the Board, there shall be posted within three (3) days after the meeting at which the change is made, a public notice stating the new dates, times and places of its regular meetings.

Approved: December 13, 2006
LEGALREF: MCL 380.11a; 15.261-275
Board Bylaws

Section 3. Special Meetings

Special meetings of the Board may be called by the President of the Board or by two (2) Board members by providing the other Board members a written notice of the date, time, and place of the special meeting. Notice to Board members of such special meetings shall be served by delivering the notice to the Board members personally, or by leaving the notice at each member's residence with a person of the household, or by facsimile or email at least twenty-four (24) hours before the meeting is to take place. The notice may also be served by mail addressed to the member at the member's address on file in the District office, at least seventy-two (72) hours before the meeting is to take place. Service and notice may be by a Board member or by an employee of the District.

Approved: December 13, 2006
LEGAL REF: MCL 380.1 la; 380.1201; 15.261-275

Section 4. Emergency Meetings

The Board may meet in emergency session in the event of severe and imminent threat to the health, safety or welfare of the public, when two-thirds of its members elected to and serving on the Board decide on a roll-call vote that delay would be detrimental to the efforts to lessen or respond to the threat. If the Board determines that there is such severe and imminent threat, the Board may meet in an emergency session without complying with the notice requirements to Board members and the public.

Approved: December 13, 2006
LEGAL REF: MCL 380.1 la; 380.1201; 15.261-275

Section 5. Public Notice

A meeting of the Board shall not be held unless public notice is given as provided herein. Public notice of meetings shall be posted in a conspicuous place in the principal office of the Board and such other places considered appropriate by the Board. Each notice shall contain the name of the Board, the address of the Board, the telephone number of the Board, the time of the meeting, the date of the meeting, the location of the meeting, a statement indicating where the official minutes of the school Board meetings are stored and available for inspection. A public notice of a rescheduled regular or special meeting shall be posted stating the date, time and place of the meeting at least eighteen (18) hours before the meeting. If a meeting of the Board has been recessed for more than thirty-six (36) hours, the meeting shall not be reconvened, unless public notice is given at least eighteen (18) hours before the reconvening of the meeting.

Approved: December 13, 2006
LEGAL REF: MCL 380.1 la; 380.1201; 15.261-275
Section 6. **Closed Sessions**

The Board may meet in closed session for those purposes provided by law and, if required for the particular purpose or purposes of the closed session, following a motion, a second to the motion, and by a 2/3 roll call vote of members elected or appointed and serving. The roll call vote and the purpose or purposes for calling the closed session shall be entered into the minutes at which the vote is taken.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a; 15.261-275
Board Bylaws

Section 7. Minutes of Board Meetings

(a) Open Meetings:

The Board shall keep minutes of each open meeting at which a Board quorum is present for the purpose of deliberating toward or rendering a decision on public policy. The minutes shall reflect at least all of the following: the date of the meeting; the time of the meeting; the place of the meeting; Board members present at the meeting; Board members absent from the meeting; all roll-call votes taken at the meeting; every decision made by the Board at the meeting; and the purpose or purposes for which a closed session is held.

Minutes of all open meetings shall be public records open to public inspection and shall be available at the Board offices of the school District.

Proposed minutes of an open meeting shall be available for public inspection not more than eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be made available for public inspection within five (5) business days after the meeting at which the minutes are approved by the Board. Corrected minutes shall be made available by the next subsequent meeting after the correction. The corrected minutes shall be made available by the next meeting after the meeting to which the minutes refer.

Minutes shall be presented for Board approval in an open meeting and copies shall be sent to all Board members prior to said meeting.

(b) Closed Session:

A separate set of minutes shall be taken by the Secretary or by a person designated as its Secretary by the Board at each closed session. The minutes shall be retained by the Board Secretary, shall not be available to the public and may be disclosed only as required by court order or bylaw. Minutes of closed sessions shall be retained for at least one year and one day after approval of the minutes of the meeting at which the closed session was authorized. Minutes of closed sessions may be destroyed after the expiration of the statutory retention period. The minutes of the closed session shall reflect at least all of the following:

The date of the meeting; the time of the meeting; the place of the meeting; Board members present; Board members absent; and the purpose or purposes of the closed session.

Approved: December 13, 2006
LEGAL REF: MCL 15.269; 380.11a; 380.1201; 380.1202; OAG, 1985-1986, No 6353, p 255 (April 11, 1986)
**Board Bylaws**

**Section 8. Meetings Open to Public**

All meetings of the Board shall be open to the public and shall be held in a place available to the public.

Approved: December 13, 2006  
LEGAL REF: MCL 380.1201; 15.261-275

**Section 9. Public Attendance at Open Meetings**

A person shall not be required, as a condition of attendance at an open meeting of the Board, to register or otherwise provide his/her name or other information or otherwise fulfill a condition of attendance.

A person shall not be excluded from an open meeting of the Board except for a breach of peace actually committed at the meeting.

The right of attendance includes the right to tape record, to videotape, to broadcast live on radio and to telecast live on television, the open meetings of the Board. A person may exercise this right only in a manner that is not disruptive to the Board proceedings.

Approved: December 13, 2006  
LEGAL REF: MCL 15.263(1); 15.268; 380.11a; 380.1808

**Section 10. Public Participation at Open Board Meetings**

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

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

a. The public participation portion of the meeting shall be limited to one-half hour. An exception will be made so that no one's right to address the Board will be denied.

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

Section 10. Public Participation at Open Board Meetings Cont’d

c. Each person wishing to address the Board may identify themselves by name and address. If the person is representing an organization or group, the person should indicate whether the comments or presentation represents the official view of the organization or group.

d. If a delegation is present to address the Board, the delegation may be asked to select up to five representatives to speak on its behalf, for a total of not more than 15 minutes. This request, however, does not mean that any person wishing to address the Board will be denied that opportunity.

e. All written statements should be given to the Board Secretary so that copies may be made available to all Board members. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

f. Individuals addressing the Board should take into consideration the rules of common courtesy. The public participation portion of the meeting cannot be used to make personal attacks against a Board member or District employee that are totally unrelated to the manner in which the Board member or employee performs his or her duties. If the comments constitute a complaint against a Board member or employee, the Board member or employee has a right to request a closed hearing. The Board President or presiding officer has the authority to have security remove an unruly individual from the building.

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

Handling of Complaints

Complaints shall first be considered through proper channels before being considered by the Board. The Board shall not hear complaints at an open meeting about named District personnel unless the named person requests the Board to hear the complaint at an open session.

Approved: December 13, 2006

LEGAL REF: MCL 15.263(1); 15.268; 380.11a; 380.1808; Gault v Battle Creek, 73 F Supp 2d 811 (WD Mich, 1999); Lysogorski v Bridgeport Charter Twp., 662 N.W. 2d 108 (2003)
Section 1. **Quorum and Voting Requirements**

A majority of the Board members elected to, appointed, and serving upon the Board shall constitute a quorum.

A majority of the members elected to, appointed, and serving upon the Board is required to approve a motion unless approval by a different vote is otherwise required by law.

An act of the Board shall not be valid unless made in a public meeting held in compliance with the Open Meetings Act and a proper record is made of the vote.

Approved: December 13, 2006
LEGAL REF: MCL 380.120; MCL 388.1769b

Section 2. **Voting Method**

The Board shall take action by way of motions. No motion may be acted upon until it has been duly supported or seconded by a member of the Board. The vote on all motions shall be by “yes” and “no” and will be taken by a voice vote. A roll call vote will be held when there is a split vote or as otherwise required by law. Following each vote, the President shall announce that the motion passed or failed, and if not a unanimous vote, shall announce the number voting “yes” and the number voting “no.” Each Board member may have the privilege of explaining for the record any vote, be it affirmative or negative at the discretion of the President.

In the rare event that a Board member has a right or obligation to abstain from voting, the Board member may have the privilege of explaining the reason for the abstention at the discretion of the President.

Approved: December 13, 2006
LEGAL REF: MCL 388.1769b

Section 3. **Notice to the Board Members**

A meeting in which all Board members are present, with or without proper notice to the members of the Board, for which proper notice has been given the public in accordance with the Open Meetings Act, shall be considered a legal meeting for the transaction of business.

Approved: December 13, 2006
LEGAL REF: MCL 380.1201
Board Bylaws

Section 4. Agenda

The Superintendent shall distribute to each Board member prior to each meeting appropriate material and written matter concerning items on the agenda. The agenda shall contain the order of business. The Board agenda shall be compiled by the Superintendent in cooperation with the Board President and shall include a period of time when the public may speak to the Board. Other Board members may request items to be placed on the agenda. The Board, by majority vote, may amend, add to or change the order of business of the agenda.

The Superintendent, in conjunction with the President, shall determine whether an issue is an appropriate agenda item for that meeting or a future meeting.

The agenda shall be sent to all Board members at least three (3) calendar days prior to any regular Board meeting. The agenda may include the following information: however, other items and reports may be added as the need arises: the agenda format, including items to be discussed and Board procedure; monthly reports to the Board, financial reports, including monthly listing of bills ready for payment, important correspondence, bid specifications, attendance reports, requests for hearing and other such information.

Approved: December 13, 2006
LEGAL REF: MCL 380.11 a

Section 5. Rules of Order

The Board shall be governed by rules of procedure as adopted by the Board. In no event shall Robert's Rules of Order be adopted by the Board. The purpose of this parliamentary procedure is to ensure the minority has rights that cannot be changed by the majority. The President or presiding officer may, however, use Robert’s Rules of Order as a guideline for the conduct of meetings at his/her discretion.

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

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

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

All formal actions of the Board will be taken by ordinary motions unless a formal resolution is required.
Board Bylaws
Section 5. Rules of Order Cont’d

A motion must be before the Board in order to discuss an agenda item that has been presented by the Board President for consideration.

The following motions will be in order:

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

Approved: December 13, 2006
ARTICLE V
Administration and Public School Academies

Section 2. Review of Administrative Regulations

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

Approved: December 13, 2006
LEGAL REF: MCL 380.11a

Section 3. Administration in Absence of Policy

When action must be taken and no guidelines have been provided for administrative action, the Superintendent shall have the power to act. Such decisions shall be subject to review by the Board at its next regular meeting. It shall be the duty of the Superintendent to notify the Board of such action and to advise the Board for needed policy.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a
Board Bylaws

Section 4. Public School Academies

The Board believes that public school academies can serve a useful function in the education of students. In an effort to foster diversity of educational opportunity without sacrificing quality of education or unnecessary duplication, the Board may enter into a contract with, and charter a public school academy(s), under the guidelines set forth in the contractual agreement and guidelines established by the Superintendent.

Review

The Superintendent has the authority to conduct a periodic review of the operations and finances of an academy and submit a report to the Board.

Contract Limitations

No contracts between the Board and a public school academy shall exceed three years. Contracts may be renewed for an additional time only by mutual written agreement between the Board and the academy.

Audits

The Superintendent has the authority to designate the certified public accountant that shall conduct a financial audit of the academy.

The Superintendent shall recommend approval, modification, amendment, or rejection of all applications for public school academies to the Board.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a; 380.501 et seq.

Article VI

Contracts and Board Member Disclosure Obligations
(See Appendix A, Appendices to Board Bylaws)

Board Member Conflict of Interest, Ethics and Responsibilities
(See Appendix B, Appendices to Board Bylaws)
Board Bylaws

APPENDIX A
CONTRACTS AND BOARD MEMBER DISCLOSURE OBLIGATIONS

1. Except for contracts specified in section 5, below, a Board Member shall comply with the disclosure provisions of Section 2 of this policy in contracts where:

   a. The Board Member is a direct party to any contract between himself/herself and the School District:

   Or

   b. The Board Member, directly or indirectly, solicits, negotiates, re-negotiates, represents a party to, or is an indirect party to, any contract with the School District and (I) any firm, meaning a co-partnership or other unincorporated association, or which he/she is a partner, member, or employee, (ii) any private corporation in which he/she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of $25,000.00 if the stock is listed on a stock exchange or of which he/she is a director, officer, or employee, (iii) any trust of which he/she is a beneficiary or trustee.

2. A Board Member shall promptly disclose any pecuniary interest in the contract to the Board of Education, which disclosure shall be a matter of record in its official proceedings. This disclosure shall be made in the following ways:

   a. If the contract is for emergency repairs or services, the Board Member must promptly disclose any pecuniary interest in the contract which disclosure shall be made a matter of record in the Board's official proceedings.

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

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

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

      Or,

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

APPENDIX A CONT’D

CONTRACTS AND BOARD MEMBER DISCLOSURE OBLIGATIONS

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

3. Except as provided for in Section 4 below, the contract must be approved by a vote of not less than 2/3 of the full membership of the Board of Education in open session without the vote of the Board Member making the disclosure specified in Section 2.

The Board of Education must disclose the following summary information in its official minutes:

a. The name of each party involved in the contract,

b. The terms of the contract, including duration, financial consideration between parties, facilities or services of the School District included in the contract, and the nature and degree of assignment of employee of the school district for fulfillment of the contract, and

c. The nature of the pecuniary interest.

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

5. This policy shall not apply to:

a. Contracts between the School District and another public entity.

b. Contracts awarded to the lowest qualified bidder, other than a Board Member, upon receipt of sealed bids pursuant to a published notice therefor provided such notice does not bar, except as authorized by law, any qualified person, form, corporation, or trust from bidding. Amendments or re-negotiations of a contract or additional payment there under which were not authorized by the contract at the time of award are not excluded from the requirements of Sections 2 through 4 above, and

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

Approved: December 13, 2006
LEGAL REF: MCL 15.321 et seq.
The objectives of this policy are to maintain an impartial administration of the business of the School District and to maintain public confidence in the Board of Education.

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

- Representing his/her opinion as that of the Board of Education or making commitments on behalf of the School District or the Board. No Board Member shall have the power to act in the name of the Board outside Board meetings unless that person has been specifically designated to do so by official Board action.

- The Board shall make the staff and citizens aware that only the Board, not individual members, has the right to take official action for the District.

- Board members may be contacted for discussion of District business or for complaints. The Board Member may listen, but shall not make a commitment on behalf of the Board. The individual Board Member does not, and cannot, speak for the Board or the Superintendent.

- Situations where prejudice, bias, favoritism, or personal gain is a motivating force in his/her conduct.

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

- Benefit financially from confidential information obtained because of the member’s position on the Board of Education.

- Use personnel resources, property, or funds of the School District, except in accordance with prescribed constitutional, statutory, and regulatory procedures, and in accordance with good business procedures and not for personal gain or benefit.

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

- Become employed by the School District, or receive any compensation for services rendered, except compensation for attending meetings as permitted by law.

- No former Board of Education Member shall become employed by the School District until that individual has been out of office for at least one (1) full year from the date of official separation from office.
Board Bylaws

APPENDIX B CONT’D

BOARD MEMBER CONFLICT OF INTEREST, ETHICS, AND RESPONSIBILITIES

- No Board Member shall endorse any organizations, institutions, instructional books or materials, political candidates, etc., on behalf of the District or the Board without the express approval of the full Board.

  Board Members shall:

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

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

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

- Encourage the free expression of opinion by all Board Members, and seek systematic communications between the Board, students, staff, and all elements of the community.

- Work with other Board Members to establish effective policy and to delegate authority for the administration of the schools to the Superintendent.

- Communicate to other Board Members and the Superintendent public reaction to Board policy and district programs.

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

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

  Board Member Responsibilities

  The Board shall transact all business at legally called and noticed meetings.

  If a specific complaint needs attention, the Board Member shall explain to the District’s chain of command for handling complaints or refer the complaint to the Superintendent. The Board Member also shall inform the complainant the process for bringing items to the Board through the Board’s agenda or through the public participation portion of the Board meeting.

Approved: December 13, 2006
Section 2000 – General School Administration

2000—GENERAL SCHOOL ADMINISTRATION

2001 Goals and Objectives
2020 Administrative Organization
2030 Multiracial Understanding
2100 Superintendent of Schools
2110 Superintendent Qualifications
2130 Recruitment
2140 Superintendent Appointment
2150 Compensation and Benefits
2170 Professional Development Opportunities-Superintendent
2200 Consulting Activities (Cf. 5645)
2250 Superintendent Evaluation
2270 Resolution Regarding Employee Resignations
2400 Administrative Personnel
SN For school management and supervisory personnel below
District Superintendent level.
Compensation and Contracts
Qualifications and Duties
Recruitment
Assignment
Temporary Administrators
Personnel
Travel Expense
Orientation
Supervision
2420 Principals
2430 Administrator Evaluation
2440 School Administrator Evaluation
2450 Non-Discrimination and Complaint Procedure
2550 Staff and Student Handbooks
2560 Consultants
2700 Policy Implementation
2750 Administrative Rules (Cf. 1570)
Staff Involvement
Community Involvement
Student Involvement
Rules Adoption
Rules Dissemination
2760 Indemnification - Board Members and Others
2770 Authorization of Worker’s Compensation Settlements
2780 Administration of Medication by School Personnel
Diabetic Emergencies
Management of Students with Asthma in the School Setting
Exercise Induced Asthma Attacks
2790 School Safety Information Policy Implementation
Incidents to be Reported
Community Meetings
2800 Records

SCHOOL DISTRICT OF THE CITY OF SAGINAW
<table>
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<tr>
<th>Code</th>
<th>Description</th>
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<tr>
<td>2810</td>
<td>Public Review and Inspection of Records</td>
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<td></td>
<td>Fees</td>
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<td>Appeals</td>
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<td>2850</td>
<td>Reports</td>
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All school operations will be administered in accordance with the law, the policies established by the Board and the administrative guidelines and procedures.

The purpose of school administration is to help create and foster an environment in which students can learn most effectively. All administrative duties and functions should be appraised in terms of the contribution that is made to better instruction, more effective learning, and the development of worthwhile citizens who have the ability to think and who are capable of using their abilities wisely. One of the most important responsibilities that rest upon the administration is to select teachers who shall discover and develop in students abilities which might otherwise remain dormant.

The Superintendent should possess those qualities of leadership that motivate all members of his/her staff to work for the improvement of the educational program. It is his/her responsibility, under the direction of the Board, to mobilize and coordinate all available resources in the development of an educational program designed to stimulate the best effort in all students.

Approved: December 13, 2006

The legal authority of the Board shall be transmitted through the Superintendent.

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

The organization chart shows lines of primary responsibility. It is designed to be called upon when needed to clarify relationships in case some questions arise. Missing are the dozens of criss-crossing lines of secondary responsibility and of communication and cooperation which characterize the operation the District.

The Superintendent may reorganize lines of authority and revise the organizational chart.

(A copy of the Organizational Chart may be attached as “Appendix A” to Section 2000)
Section 2000 – General School Administration

2030  Multiracial Understanding

The District recognizes that racism is an instructional and societal problem and, therefore, shall strive to create and maintain an atmosphere of mutual understanding and respect among students, employees and the public. This will be reflected through all its programs and practices that shall actively promote cultural awareness, inter-group relations, and the understanding of racial and ethnic groups within the District.

Approved:  December 13, 2006

2100  Superintendent of Schools

The Superintendent shall be the chief administrative head of the District and shall have, under the direction of the Board, general supervision of all of the public schools and of all the personnel and various personnel departments of the District. The Superintendent is responsible for the management of the schools under Board policies and is accountable to the Board.

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

Approved:  December 13, 2006
The Superintendent shall be the chief administrative head of the District and shall have, under the direction of the Board, general supervision of all of the public schools and of all the personnel and various departments of the District. The Superintendent is responsible for the management of the schools under Board policies and is accountable to the Board.

The Superintendent, at his/her discretion, may delegate to other school personnel the exercise of any powers and the discharge of any duties imposed upon the Superintendent by these policies or by vote of the Board. (Cf. Board Bylaws, Article I, Section 3.)

Qualifications

The Superintendent shall have:

- At least the minimum qualifications to serve as a Superintendent of Schools as required by the State of Michigan (MCL 380.1229, 380.1246);
- Earned at least a Bachelor’s Degree from an accredited institution of learning with post-graduate study beyond the Bachelor’s Degree preferred;
- Acquired at least three years of successful experience in the field of education or in private sector management;
- Sufficient credentials to qualify for North Central Association standards for the Superintendency; and
- Shall have established himself/herself as a recognized leader in his/her profession or field, through active participation in a variety of areas.

Functions

The Superintendent, as Chief Executive Officer of the School District, shall be responsible to the Board of Education for the execution of its policies. Implementation of decisions made by the Board concerning the internal operation of the school system shall be delegated to the Superintendent. It shall be the duty and responsibility of the Superintendent to put into practice the educational policies established by the Board of Education in accordance with the General School Laws of the State of Michigan.

The Superintendent shall be the Executive Officer of the Board of Education and shall be responsible to the Board for the execution of its policies. He/she shall attend all Board meetings, except at times when consideration may be given to his own employment or salary, or when excused by the Board President.

It shall be the duty of the Superintendent to see that administrators recommended for employment meet all qualifications established by law and by the Board for the type of position for which recommendation is made.

The general duties of the Superintendent shall include, but not be limited to, those specified in the General School Laws, and the Superintendent is specifically charged with the following responsibilities and authority:

- Supervise and manage all departments of the School District and conduct them in harmony with policies.
- Submit to the proper authorities all records and reports required by law, by the Michigan State Department of Education or by the Board.
Section 2000 – General School Administration

2110 School Superintendent

- Interpret policies to the community and staff.
- Direct preparation of an annual budget for its adoption by the Board.
- Keep the Board well informed on all operations of the School District.
- Exercise leadership in recognizing needed improvement in all phases of the school system and offer constructive proposals for accomplishment.
- Be the Chief Negotiating Officer for the Board of Education under the Michigan Public Employment Relations Act, or recommend to the Board the delegation of this authority to the appropriate responsible assistant or assistants required.
- Recommend the formation of an effective team of negotiators for the Board as required by specific circumstances and legal actions.
- Take immediate action to employ adequate legal counsel as required for the best interests of the District.
- See that administrative guidelines and procedures are prepared concerning area disasters and emergencies.
- Recommend policies to the Board for consideration and adoption.
- Perform other duties as the Board may direct.

Approved: December 13, 2006
LEGAL REF: MCL 380.1229, 380.1246

2130 Recruitment (Cf. 5020)

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

The Board may accept applications from qualified members of the staff and may list the vacancy with placement offices at selected educational institutions.

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

Approved: December 13, 2006
LEGAL REF: MCL 380.1246; 15.268(8f)
Section 2000 – General School Administration

2140 Superintendent Appointment

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

The Superintendent will be offered a written contract for a fixed term to be determined by the Board. The contract's duration shall not exceed five years.

It is the responsibility of the Board President to see that the Superintendent’s contract is properly executed and signed. A copy of the contract shall be on file at the Board office. The contract shall contain a provision excluding the Superintendent from attaining tenure in the administrative position.

Approved: December 13, 2006
LEGAL REF: MCL 15.268(8f); 38.91; 380.1230; 380.1246

2150 Compensation and Benefits

Compensation and benefits of the Superintendent shall be determined annually by the Board and will be based on the Superintendent’s performance in relation to his/her ability to implement, effectively, the mission, goals, policies and budget of the District.

Approved: December 13, 2006
LEGAL REF: MCL 380.1250

2170 Professional Development Opportunities-Superintendent

The Board shall offer the Superintendent encouragement and assistance for his/her professional development. The Board shall encourage him/her to attend educational conferences, seminars, workshops and other professional meetings; visit other school systems; and use other means to keep abreast of modern educational thought and practice.

Approved: December 13, 2006
LEGAL REF: MCL 380.1246(2); 380.1254; 380.1525; OAG, 1979-1980, No 5272, p 365 (February 24, 1978)
Section 2000 – General School Administration

2200 Consulting Activities

The Superintendent shall devote his/her time, skill, labor, and attention to the direction and supervision of the District, and shall not be engaged in any other regular business during the term of his/her employment. By agreement with the Board, the Superintendent may undertake, for remuneration, consultative work, speaking engagements, writing, lecturing, membership and/or office in educational organizations, or other professional duties and obligations.

Approved: December 13, 2006

2250 Superintendent Evaluation

The Board shall evaluate the Superintendent, at least annually, using the criteria and an evaluation process mutually agreed upon by the Board and Superintendent. If mutual agreement cannot be reached, the Board shall proceed with the Superintendent's evaluation using criteria that includes the District’s attainment of the goals adopted by the Board, the Superintendent's completion of personal job goals that have been established, the manner in which day-to-day operations of the District are handled, Board-Superintendent relations, staff and community relations, and the degree to which the Superintendent fulfills the responsibilities set forth in the job description and duties for that position. The criteria and process adopted by the Board should be communicated in advance to the Superintendent.

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

Prior to the final evaluation meeting, individual Board members shall complete their evaluation of the Superintendent for discussion purposes. The Board and Superintendent may meet in closed session, at the option of the Superintendent, for the final evaluation. The Superintendent shall have an opportunity to respond to the Board's final evaluation either orally or in writing at the Superintendent's discretion.

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

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

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

Approved: December 13, 2006

Section 2000 – General School Administration

2270 Resolution Regarding Employee Resignations

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

Approved: December 13, 2006
LEGAL REF: MCL 38.111; 380.1131; 380.1231

2400 Administrative Personnel (Central Office and Building Level)

The Board shall employ such administrative personnel, as the needs of the District require.

Compensation Guides and Contracts

All administrative personnel shall be compensated for their services in conformity with an administrative salary as determined by collective bargaining agreements. If no collective bargaining agreement exists for any given employee group, the Board may determine salaries in such manner as prescribed by law.

An administrator, as defined in Section 1229 of the Revised School Code, hired before December 31, 1992, shall be employed under a written employment contract for a term of two years.

In the month of June of the first year of the contract, the Board shall consider extending the administrator’s term of employment for an additional one year beyond the contract term. If the extension is approved, the administrator will be issued a new, two year contract, which will become effective the succeeding July 1 and the previous contract shall be void.

An administrator, as defined in Section 1229 of the Revised School Code, and hired after December 31, 1992, shall be employed under a written employment contract for a term of one year.

This policy shall not be applicable to the Superintendent of Schools.

Qualifications and Duties

When requested by the Board, the Superintendent shall develop, when appropriate, job descriptions illustrating key duties and functions for administrative positions in the District. Such documents, if developed, shall be filed in the central office.

Recruitment

The Board delegates to the Superintendent the authority to identify and recommend the appointment of qualified individuals to fill vacant administrative positions.
Section 2000 – General School Administration

2400 Administrative Personnel (Central Office and Building Level) 2400-2

Temporary Administrators

The Superintendent is authorized to appoint administrators in an acting capacity in order to assure the smooth and ongoing operation of the District.

Personnel

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

Travel Expense

Travel expenses for administrative staff shall be provided in accordance with collective bargaining agreements and/or Board Policy.

Orientation

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

Supervision

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

Approved: December 13, 2006
LEGAL REF: MCL 38.91; 380.1246

2420 Principals

All building principals shall act as Chief Administrative Officers for the schools to which they are assigned. They shall be responsible to their supervisor and through him/her to the Superintendent.

Principals shall keep their immediate supervisor and the Superintendent informed of activities in their buildings by whatever means the Superintendent deems appropriate.

Approved: December 13, 2006

2430 Administrative Evaluation (Cf. 2250, 5520)

All Administrative Cabinet personnel shall be evaluated in writing by the Superintendent annually. Board discussion on an administrator’s evaluation can be held in either a closed or open Board meeting as decided by the administrator.

Approved: December 13, 2006
LEGAL REF: MCL 15.231-244; 15.268; 380.1229

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

A. Evaluates the school administrator’s job performance at least annually while providing timely and constructive feedback;

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

C. Evaluates a school administrator’s job performance, using multiple rating categories that take into account data on student growth as a significant factor;

For these purposes, student growth shall be measured by national, State, or local assessments and other objective criteria.

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

1. The effectiveness of school administrators, so that they are given ample opportunities for improvement;
2. Promotion, retention, and development of school administrators, including providing relevant coaching, instructional support, or professional development;
3. Whether to grant tenure or full certification to school administrators using rigorous standards and streamlined, transparent, and fair procedures; and
4. Removing ineffective school administrators after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

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

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

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

Evaluation of school principals, as required by the Michigan Department of Education, shall continue to be conducted for principals who are in place through the 2010-11 school year.
At the end of that school year, the superintendent shall report the “Effectiveness Label” from the last evaluation in the form and manner as directed by the Department.

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

Approved: June 19, 2013
LEGAL REF: 380.1249 (as amended)

The administrator in charge of Special Education is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs, and activities. The administrators in charge of elementary education are appointed the Civil Rights Coordinators regarding discrimination complaints made by students (grades Pre-K 5) and/or their parent(s)/guardian(s), and involving sex, race, color, national origin, religion, height, weight, age, or marital status. The administrators in charge of secondary education are appointed the Civil Rights Coordinators regarding discrimination complaints made by students (grades 6 - 12) and/or their parent(s)/guardian(s), and involving sex, race, color, national origin, religion, height, weight, age, or marital status.

The administrator in charge of Human Resources and Labor Relations is appointed the Civil Rights Coordinator regarding all other complaints of discrimination.

In the event the complaint is against the Superintendent of Schools, the Vice-President of the Board of Education is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parents/guardians related to discrimination based on disability/handicap should be directed to:

Mrs. Melinda Carroll, Director of Special Education  
School District of the City of Saginaw, Michigan  
550 Millard St.  
Saginaw, MI 48607-1193  
(989) 399-6500

Inquiries or complaints made by students (grades Pre K through 12) and/or their parent(s)/guardian(s) related to discrimination based on sex, race, color, national origin, religion, height, weight, age, or marital status should be directed to:

Dr. Talisa Dixon, Deputy Superintendent for Teaching and Learning  
School District of the City of Saginaw, Michigan  
550 Millard St.  
Saginaw, MI 48607-1193  
(989) 399-6500
Section 2000 – General School Administration

2450 Non-Discrimination and Complaint Procedure

In the event a complaint is against the Superintendent of Schools, the complaint should be directed to:

The Vice-President of the Board of Education
School District of the City of Saginaw, Michigan
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500

All other inquiries related to discrimination should be directed to:

Dr. Kelley A. Peatross, Assistant Superintendent of Human Resources and Labor Relations
School District of the City of Saginaw, Michigan
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500

The Civil Rights Coordinators, as specified herein, are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will take, then, the following action: First, cause an investigation of the complaint to be commenced. Second, arrange for a meeting to occur with the complainant, which may include School District staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise that will assist in resolving the complaint. Third, complete the investigation of the complaint and provide, in writing, a reply to the complainant. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the Superintendent. In the event the complaint is against the Superintendent, a copy of the determination shall be delivered to the President of the Board of Education. The complainant may appeal the Civil Rights Coordinator’s determination to the Superintendent, or, in the case of a complaint against the Superintendent, to the President of the Board, by so notifying the Superintendent or Board President in writing within the (10) calendar days of the Civil Rights Coordinator’s determination. The Superintendent or Board President may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Board Vice-President or President may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Superintendent.

The Superintendent, or Board President in the case of a complaint against the Superintendent, shall affirm or reverse the Civil Rights Coordinator’s decision and, if warranted, implement the Civil Rights Coordinator’s proposed resolution or a modification thereof. The Superintendent or Board President’s decision shall be final.
Section 2000 – General School Administration

2450  Non-Discrimination and Complaint Procedure (Cf. 5030, 8015) 2450-4

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Approved:  December 13, 2006
Revised:  February 15, 2012
LEGAL REF:  Included in Text

2550  Staff and Student Handbooks 2550

Principal will establish, publish, and issue staff and student handbooks in accordance with Board Policies and Procedures.

The Superintendent shall review all handbooks prior to publication to ensure that the contents conform completely to Board policy and current law.

Approved:  December 13, 2006

2560  Consultants (Cf. 1220) 2560

The administrative and supervisory staff of the District shall encourage the use of professional consultants and other resource persons when such consultative services will be helpful in the improvement of the educational program in the District.

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

All consultants will have a written and filed contract authorized by the Division head.

Approved:  December 13, 2006
Section 2000 – General School Administration

2700 Policy Implementation

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

Failure of any administrative employee to implement the policies of the Board may result in disciplinary action up to and including termination or other action in accordance with procedures set forth in these policies and rules.

Approved: December 13, 2006

2750 Administrative Rules (Cf. 1570)

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

Staff Involvement

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

The Superintendent shall develop procedures utilizing certified and non-certified employees for the ready exchange of ideas regarding the operation of the District. The Superintendent shall carefully consider the advice and/or input given by staff, and shall inform the Board of such counsel in presenting reports of administrative action and in presenting recommendations for Board action. (See also 5140)

Community Involvement

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

Student Involvement

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

Rules Adoption

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

Approved: December 13, 2006
LEGAL REF: MCL 380.11a

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 2000 – General School Administration

2760  Indemnification - Board Members and Others

The District may agree to indemnify, save harmless and defend a current or prior Board member, Superintendent or other administrator from claims, actions, suits (civil or criminal) and judgments caused by his/her action if the action (a) was taken in good faith while in the course of employment, or serving on the Board, and (b) was within the scope of his/her authority.

Approved:  December 13, 2006
LEGAL REF:  MCL 691.1408

2770  Authorization of Worker’s Compensation Settlements

The Superintendent is authorized to enter into employment related settlement agreements, on behalf of the Board, up to a maximum of $50,000 and may enter into settlement agreements in excess of $50,000 only after the Board, or an appropriate Committee of the Board, has considered the settlement strategy for that case. If, in the opinion of the Superintendent, a delay in settlement may have a detrimental financial effect on the School District, the Superintendent may proceed to a settlement agreement in excess of $50,000 without Board or Board Committee consideration. In such cases, the Superintendent will inform the Board promptly of the nature and amount of the settlement.

Approved:  December 13, 2006
This policy is intended to cover all students. It includes students with disabilities who have an Individualized Educational Program (IEP) or Section 504 Plan. The following definition of “medication” is adopted for use in this District: “Medication,” includes prescription, non-prescription, and herbal medications, and includes those taken by mouth, by inhaler, those that are injectable, and those applied as drops to eyes, nose, or medications applied to the skin.

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

Any and all “biohazards” generated, such as, but not limited to: sharps, bandages, gauze, towelettes, and discarded live or attenuated vaccines, due to the administration of medications by school personnel shall be disposed of in accordance with the Michigan Medical Waste Regulatory Act, 1978 PA 368, R 325.1545(10). Students who “self administer” medications shall be responsible for returning any such wastes to their home for disposal. The Superintendent shall be responsible for providing staff members with written procedures to implement this requirement.

Each building shall have a plan for handling medical emergencies.

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

Self-Administration/Self-Possession of Medications

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

A pupil whose parent(s)/guardian(s) and physician provide written permission will be able to self-administer and self-possess his/her own medications. A medication that a pupil possesses must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration.
A pupil’s use shall not be denied if the conditions of written permission and physician direction are met. A building administrator may discontinue a pupil’s right to self-administer and self-possession if there is misuse by the pupil. The denial shall come only after a consultation with the parent(s)/guardian(s). For example, a pupil who requires the use of an inhaler for relief or prevention of asthma symptoms shall be allowed to carry and use the inhaler if there is written approval from the pupil’s physician and parent(s)/guardian(s) on record at the school (as described in the Michigan Revised School Code, Section 380.1179). A pupil who is in possession of an inhaler under the above conditions shall have each of his/her teachers notified of this by the building administrator.

**Diabetic Emergencies**

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

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

If needed, school administrators may have direct communication with the child's health care provider in order to resolve individual problems that may arise because of a child's asthma. All staff shall be informed about the early warning signs of an acute asthma episode and should be aware of emergency procedures and contacts in case a child needs medical assistance. Copies of the “Signs of an Asthma Emergency,” as published by the Michigan Department of Education will be distributed to all staff and shall be posted on appropriate bulletin boards in school buildings.

**Exercise Induced Asthma Attacks**

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

The Superintendent will promulgate rules and guidelines to implement this provision.

**School Staff Training**

All individuals designated or authorized to administer medication are required to receive in-service training on all district policies and procedures related to this responsibility. School staff must be trained by a licensed registered professional nurse, physician, or physician assistant who has knowledge of local school medication policies and procedures.
Storage and Access to Medications

All medication shall be kept in a labeled container as prepared by a pharmacy, physician, or pharmaceutical company with the pupil’s name, the name of the medication, dosage, and the frequency of administration. Medications shall be stored in a school location that is kept locked. However, emergency medications may be stored in an area readily accessible to the individuals designated to administer them. All controlled-substance medications will be counted and recorded upon receipt from the parent(s)/guardian(s). The medication shall be recounted on a regular basis (monthly or bi-weekly) and this count shall be reconciled with the medication administration log/record.

Record Keeping of Medications

A log of medication administration shall be kept in a school office and filed in a pupil’s permanent record at the end of each school year (see sample Medication Administration Daily Log). The individual pupil log shall be kept until one year after the pupil’s graduation from high school.

Approved: December 13, 2006

The Superintendent is hereby designated as the official District Contact Person for receiving information from law enforcement, prosecutors, and courts relative to any matters concerning school crime and violence in the School District of the City of Saginaw. The Superintendent shall see that a file of all incident reports or law enforcement records is kept in accordance with law and the Statewide School Safety Information Policy.

Incidents to be Reported

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

Michigan Statewide Unsafe School Choice Policy

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

Should any school receiving funds under NCLB of 2001 be designated, “persistently dangerous,” as defined by the state policy, the required, “corrective action plan,” shall be prepared and presented to the Board for review and approval. The Superintendent shall also insure that the transfer and notice requirements found in the state policies are implemented, and that the Board is kept informed of any transfers that are made.

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

Community Meetings

It shall be the responsibility of the Superintendent to set appropriate meetings with representatives of the community regarding the implementation of the Statewide School Safety Information Policy and to call an annual meeting to review the effectiveness and review the procedures developed within this District's local School Safety Information Policy. Results of those meetings shall be shared with the Board as requested.

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2 For the purposes of this policy, "law enforcement" means: A regularly employed member of a police force of a city, county, township or village, the Michigan State Police, or a Michigan Indian tribal police force, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state.
Local Agreement to Share School Safety Information

The School District of the City of Saginaw shall endeavor to enter into an agreement with other districts in Saginaw County to share school safety information.

The Superintendent shall contact other school Districts within Saginaw County in an effort to solicit their commitment to such an agreement. The agreement, once reached, shall be brought to the Board for final approval and adoption. (A "Sample Local Agreement" appears in the Statewide School Safety Information Policy document.)

Approved: December 13, 2006
LEGAL REF: MCL 380.1308

2800 Records

The District shall establish and maintain a system of records as required by law. The Superintendent shall establish rules and procedures for the maintenance of District records.

Approved: December 13, 2006
LEGAL REF: MCL 15.231 et seq. (Freedom of Information Act)
The Superintendent shall serve as the FOIA coordinator for all public records maintained at the central office of the District.

The District will charge a fee for a public record search, the necessary copying of a public record for inspection or for providing a copy of a public record. Fees for responding to a FOIA request shall be assessed as follows:

- Actual mailing costs,
- A per page fee will be charged for photocopies based on the actual incremental costs of duplication or publication. The per page charge shall be established periodically by the Business Office,
- The actual costs of duplication or publication of an audio/video tape, electronic or digital document, excluding computer software, photographic film, or print, magnetic or paper tape, or similar writings. If the nature of the duplication or publication necessitates that the School District hire outside contractors, the actual cost of hiring such contractor,
- Labor costs incurred in duplication or publication and mailing shall be assessed at the hourly wage rate of the lowest paid employee of the District capable of retrieving, copying, and mailing the information necessary to comply with the FOIA request,
- Labor costs of search, examination, review and the deletion and separation of exempt from non-exempt information if the failure to charge a fee would result in unrealistically high cost to the District because of the nature of the request in the particular instance. Requests for a public record or series of public records which would take more than one-quarter hour in labor time to search, examine, and review and delete and separate exempt from non-exempt information shall be considered to be an unrealistically high cost to the District. Labor costs will be charged at the hourly rate of the lowest paid employee capable of retrieving the information necessary to comply with the request.

All fees charged by the District will be uniform and not dependent upon the identity of the requesting persons. At the time the request is made, the coordinator shall inform the person making the request of the estimated cost for processing the request. If the estimated cost exceeds fifty dollars ($50.00), the coordinator shall require a good faith deposit of one-half of the estimated fee before processing the request.

At the coordinator’s sole discretion, copies of public records may be furnished without charge or at a reduced charge if the coordinator determines that a waiver or reduction of the fee is in the public interest. A public record search shall be made and a copy of a public record shall be furnished without charge for the first twenty dollars ($20.00) of the fee for each request to an individual who was entitled to information under FOIA and who submits an affidavit stating that the individual is then receiving public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigence.
The Board may require reports from the administrative staff concerning the operation and needs of the District. Such Board requests shall be transmitted through the Superintendent to the appropriate administrator.

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

Dissemination

If reports are given to individual Board members, all other Board members shall be notified of such reports and shall be given the opportunity to receive the report in question.

Approved: December 13, 2006
Section 3000 – Fiscal Management

3000—FISCAL MANAGEMENT

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SCHOOL DISTRICT OF THE CITY OF SAGINAW
### Section 3000 – Fiscal Management

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Section 3000 – Fiscal Management

3025 Budget Objectives

The Board views the budget as one of the keystones in the transformation of educational aims and objectives into a program of instruction. The budget is not a mere listing of probable expenditures and estimated receipts. It is, instead, intended by the Board that the budget:

- Indicate to the people of the District what it costs in dollars and cents to offer a particular type of educational program.
- Ensure the continuance of this educational program for the budgeted period of time.
- Provide information on the educational activities for which public funds are being expended, and as such are regarded as an important public relations instrument.
- Indicate where and when changes in the current operation must be made to realize specific objectives.
- Serve as a means of financial control.
- Provide the Board and administration with the authority to make expenditures within a pattern established by a predetermined educational program.
- Serve as a basis for determining the amount of revenue that must be obtained.
- Serve as an instrument that will facilitate accurate estimates of future expenditures.
- Serve as an instrument by which the Board may study the expenditures of the District by budget categories thus enabling them to better evaluate individual projects.

Approved: December 13, 2006

3050 Budget Planning

It shall be the responsibility of the Superintendent to prepare, prior to June 1 of each year, a tentative budget for the following school year. This tentative budget shall include, by the state accounting code, the anticipated expenditures and receipts for the forthcoming school year. It shall contain as much supporting data as is available. These data shall include: (1) an analysis of the last complete year of operation, (2) a projection of the current year’s fiscal position, (3) essential information necessary for the Board to fully understand the District’s needs for the forthcoming year.

The Board recognizes that the school budgetary process is ongoing, and further recognizes that the budget is the financial forecast of the type of educational program that the District can offer.

Upon receipt of this tentative budget, the Board shall establish a budget calendar which shall include the dates for (1) continued review, (2) public review, and (3) final budget adoption.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 3000 – Fiscal Management

3100 Annual Operating Budget

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

The Superintendent shall have the responsibility that the spending plan of the District does not exceed the budget. The Superintendent is hereby authorized to make expenditures and commitments in accordance with the budget approved by the Board and periodic report to the Board which shows the status of all of the Board's funds in the various state school accounting codes.

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

Hearings and Reviews

The Board shall conduct budget hearings according to state law.

Approved: December 13, 2006
LEGAL REF: MCL 141.411; 141.421a-440a; 211.209-210; 380.1213-1214; 380.1216; 380.1218; 388.1702

3170 Line Item Transfer Authority

The Superintendent is authorized to approve adjustments and/or transfers within line items of the Board adopted operating budget not to exceed $100,000 without Board approval. Such adjustments and/or transfers shall be reported to the Board at the next regular meeting of the Board. Authorization for such adjustments and/or transfers shall be included annually in the general appropriations act.

Approved: December 13, 2006
LEGAL REF: MCL141.421a-440a

3200 State and Federal Funding Proposals and Applications

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

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

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Programs funded by county, state or federal agencies, foundation grants, or other public or private agencies, shall be placed in the same budget categories and accounted for in the same manner as the general fund budget of the District.

The Board shall adopt, publicize and implement these programs through similar budgetary procedures as are used for the general fund budget.

**Carryover Funds**

The Board, in order to foster financial responsibility at the building level, and to ensure that funds allocated by the Board to the individual buildings will be spent in a wise and prudent manner, shall permit unexpended school building funds to be carried over from one year to the next.

Approved: December 13, 2006

**Short Term Loans**

Bids shall be solicited for all short term loans which the Board has authorized, and funds shall be borrowed from the responsible organization offering the most favorable bid. All loans shall conform to the requirements of the State of Michigan.

**Sale of Bonds**

The Board, upon a favorable vote of the people in compliance with state laws, may sell its bonds. Such bonds shall be duly advertised and prepared and sold in conformance with the laws of the State of Michigan.

**Debt Service**

It shall be the responsibility of the administrator in charge of business and finance to maintain all records as to the outstanding bonds and debts encumbered against the District. He/she shall keep this information readily available and report periodically to the Board on the condition of this account.

Approved: December 13, 2006

LEGAL REF: MCL 380.1356
Section 3000 – Fiscal Management

3285 Debt Set Aside Policy

The Board of the School District of the City of Saginaw will review the fiscal position of the District annually and, if finances show the District operating in a surplus, the Board may set aside funds to accelerate the retirement of debt. Official Board Action would take place on an annual basis and would be determined by state and other appropriate sources of funding.

Approved: December 13, 2006

3290 Summer Property Tax Levy

The Board, by passing a resolution in order to actuate this policy, shall impose a summer property tax levy.

This tax shall be levied each summer until specifically revoked by the Board. Each summer property tax levy shall be for one hundred (100%) percent of the District's annual school property taxes unless otherwise dictated by law.

Approved: December 13, 2006

LEGAL REF: MCL 380.1613
Section 3000 – Fiscal Management

3300 Investment of Funds (Cf. 3310)

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

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

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

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

This policy applies to all cash and investments under control of the Board, with the exception of funds related to debt issuance where other agreements or contracts are in effect for those funds.

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

Approved: December 13, 2006
LEGAL REF: MCL 380.622; 380.1221; 380.1223

3310 Reporting of Investment Risks (Cf. 3300)

Although policy 3300 serves to reduce the risks associated with the investment of District dollars, the District may have deposits and investments that are subject to various levels of risk.

Statement No. 40 of the Governmental Accounting Standards Board (GASB) requires that certain deposits and investments of a local government that have the potential to result in losses be disclosed in District financial statements. The administration, in consultation with the District auditor or accounting firm as necessary, shall insure that the District financial statements comply with GASB Statement No. 40.³

The Superintendent may establish appropriate administrative rules to implement this policy.

Approved: December 13, 2006
LEGAL REF: Governmental Accounting Standards Board, Statement No. 40.

³ “This Statement [GASB No. 40] is designed to inform financial statement users about deposit and investment risks that could affect a government’s ability to provide services and meet its obligations as they become due.” Governmental Accounting Standards Board, Statement No. 40.
Section 3000 – Fiscal Management

3340  Fees, Payments and Rentals (Cf. 9250)

Proceeds from fees for building or equipment use or rental shall be credited to the District’s General Fund.

Rental and Leasing of District Real Property

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

Athletic Gate Receipts and Admissions

The Board shall set admission fees to various District athletic activities. These fees shall be reviewed as needed.

Income and Payments from Sales and Service

Students may undertake school supervised projects for private individuals or community groups as part of their learning experience. The facilities and equipment of the District may be used for such activities. All receipts shall be deposited in the general fund and used as a reimbursement for materials and/or to purchase additional supplies and cover expenses of the District.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a; 380.1141

3350  Commercial and Promotional Sponsorship Understandings

The Board recognizes that private sponsorship of programs and activities by commercial firms, businesses, individuals, or organizations can provide valuable enhancement of the educational and other programs offered by the District. For that reason, the District may enter into commercial, promotional, and other private sponsorship arrangements under the terms of this policy and in accord with certain administrative rules, regulations, and conditions as established by the Superintendent.

No sponsorships of any kind by commercial firms, businesses, individuals, or organizations shall be permitted without prior approval of the Board pursuant to the recommendation of the Superintendent.

No initial understanding shall be for more than a two-year term. No renewals shall be for longer than a two-year term.

All agreements or understandings shall be in writing and signed by the Superintendent on behalf of the District after review by District legal counsel. No agreement shall be entered into if the sponsorship involves or gives the appearance of involving, or promotes, in any way, the sale or use of a product or service involving alcohol, tobacco, controlled substances, weapons, contraceptive devices, pornography, any illegal activity, drug paraphernalia, or political advertisement.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a; 380.15

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 3000 – Fiscal Management

3360 Financial Reports

The Board shall require monthly a general fund statement of expenditures and receipts of the general fund budget.

In addition to this report, the Board may require, from time to time, periodic reports as to the status of the other accounts.

It shall, further, be the responsibility of the administrator in charge of the business and finance division of the District to provide an annual financial statement which encompasses the expenditures and receipts of all accounts within the District.

Approved: December 13, 2006

3400 Depository of Funds (Cf. 1300)

At the annual organizational meeting, the Board shall, in accordance with state law, designate, by resolution, the financial institutions\(^4\) in which the funds of the District shall be deposited and the proportion of funds to be deposited in each.\(^5\) The Treasurer shall deposit or cause to be deposited, funds of the District in the institutions as authorized by the Board and in the proportions authorized by the Board.

All income for the operation of the District shall be reported to the Board and shall be deposited immediately to the District’s accounts. Whenever applicable, funds shall be deposited into those accounts where interest can be earned.

Accounts shall be kept up to date and in order, according to standard auditing and state recommended procedures. The administrator in charge of the business and finance division of the District shall be responsible for the accounting of all revenues to the Board.

Approved: December 13, 2006
LEGAL REF: MCL 21.143; 129.12; 129.15; 380.1221-1222

\(^4\) MCL 129.15 includes credit unions as an appropriate place of deposit and uses the term “financial institutions,” not just banks or trust companies.

\(^5\) MCL 380.1221 (1) The treasurer of a board of a school district or board of directors of a public school academy shall deposit the funds of the school district or public school academy in a financial institution or in a joint investment authorized by section 1223. The deposit shall be made in the name of the treasurer as an officer of the school district or public school academy. The board or board of directors shall designate the financial institution or institutions in which the funds of the school district or public school academy shall be deposited. The treasurer shall deposit funds of the school district or public school academy in 1 or more depositories in the proportion and manner determined by the board or board of directors. (Underlining added.)
Section 3000 – Fiscal Management

3405 Electronic Transaction of Funds

The School District of the City of Saginaw, Michigan, through resolution of the Board, shall be a party to an Automated Clearing House (ACH) arrangement. The Superintendent shall be responsible for the District’s ACH agreements, including payment approval, accounting, reporting, and generally for overseeing compliance with the ACH policy. All ACH obligations are to be approved prior to payment.

Internal Accounting

The Superintendent shall be responsible for development and maintenance of appropriate accounting controls to monitor the use of ACH transactions made by the School District of the City of Saginaw, Michigan.

Approved: December 13, 2006
LEGAL REF: MCL 124.301-124.305

3410 Safeguarding of Monies and Equipment

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

Approved: December 13, 2006

3420 Monies in School Buildings

The Superintendent shall establish procedures to permit daily deposit of monies collected which will not require monies to be left in school buildings overnight. The District will not be responsible for monies remaining in school buildings overnight.

Approved: December 13, 2006

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6 “Automated clearing house” or “ACH” - a national and governmental organization that has authority to process electronic payments, including, but not limited to, the national automated clearing house association and the federal reserve system (MCL 124.301(d)).
7 ACH arrangement – the agreement between the originator of the ACH transaction and the receiver of an ACH transaction (MCL 124.301(a)). Under Act 738 of 2002, MCL 124.301, an ACH arrangement is not subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101, or to provisions of law or charter concerning the issuance of debt by a local unit.
8 ACH policy – the procedures and internal controls as determined under this written policy developed and adopted by the Superintendent (MCL 124.301(b)).
9 ACH transaction – an electronic payment, debit, or credit transfer processed through an automated clearinghouse (MCL 124.301(c)).

SCHOOL DISTRICT OF THE CITY OF SAGINAW
**Section 3000 – Fiscal Management**

**3430 Bonded Employees**

The Board shall purchase a blanket or surety bond for school employees. The Board shall prescribe the amount of the bond and the persons to be so bonded.

Approved: December 13, 2006

**3490 Inventories – Fixed and Controlled Assets**

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

**Fixed Asset Accounting System**

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

Approved: December 13, 2006
LEGAL REF: Governmental Accounting Standards Board, Statement No. 34.

**3500 Audits**

The Board shall appoint an auditing firm that shall present an annual report of its findings on all accounts of the District. A firm shall be employed each year and shall submit to the Board its findings upon completion of the audit.

The audit report shall be received and filed by the Board. The management letter and recommendations of the auditor shall be brought to the attention of the Board, along with recommendations of the Superintendent as to the feasibility of implementing the recommendations. The Superintendent shall be responsible for filing the audit reports with all appropriate authorities as prescribed by law or regulation.

Approved: December 13, 2006
LEGAL REF: MCL 388.1618
Section 3000 – Fiscal Management

3520  Fraud Prevention and Investigation (Cf. 3430, 3490, 3500, 5040, 5203, 8700)  

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

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

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

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

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

Approved: December 13, 2006
LEGAL REF: MCL 14.141-145; 15.361-369; 141.421-440a; 141.2101-141.2821; 380.1202; 380.1215; 380.1216; 380.1363; 388.1618

3550  Authorized Signatures (Cf. 1300)  

The Board shall authorize the signatures of those persons who may sign checks upon the various accounts of the District. The Board shall permit the use of an authorized facsimile signature for all check expenditures to facilitate the processing of checks. The Board shall update the names to be used as necessary.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 3000 – Fiscal Management

3570  Petty Cash Accounts

The Board recognizes the need to have small amounts of cash readily available to pay for emergency needs. Petty cash is to be administered following standard accounting principles and in accordance with the Michigan Department of Education requirements for accounting of expenditures. Petty cash is not to take the place of normal purchasing policies and procedures.

Approved: December 13, 2006

3580  Board Member Compensation

Compensation is authorized in advance for the attendance of members of the Board at any regular or special meeting of the Board and at any meetings of standing, ad hoc or advisory committees so attended.

Board members will be compensated for attending meetings.

The Secretary of the Board, at the conclusion of each month, will forward copies of all minutes from each of the Board meetings, regular or special and committee meetings conducted for the month to the Business Office requesting that payment be made to those Board members who are listed in the minutes as being in attendance at the meeting.

Upon receipt of the copies of the minutes, the Business Office will draft a check for each member listed and distribute the payment. Board members may exercise their option to decline payments by sending notification to the Business Office.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a; 691.1409
The Board of Education of the School District of the City of Saginaw believes well-informed Board members are essential to a quality school operation. The Board further acknowledges that lay citizen governance of public schools in Michigan is the basic foundation principle of citizens’ control of their schools. To make informed decisions on the many issues confronting them, Board members must be current and knowledgeable on the many fronts of education.

It is the responsibility of the Superintendent and his/her staff to conduct ongoing in-house information and in-service programs for Board members. It is recognized, however, that many worthwhile conferences and meetings relevant for school Board members are conducted by various education-related associations and organizations. Participation in these outside activities provides an added dimension supporting quality Board member growth and development.

It is further recognized that Board members may be called upon, as part of their responsibilities or official duties, to participate in various school and/or community activities where expenses are incurred and should be assumed by the District.

The following basic policy statements apply:

1. Board member involvement in conferences, in-service activities and training programs is encouraged to develop maximum individual Board member proficiency.
2. Board member participation at school expense in external in-service activities, conferences or other training programs shall be approved by the Board of Education.
3. Expenses related to the following specific categories of duties and functions may be approved as reimbursable expenses:
   a. Educational conferences and business meetings, including registration fees and expenses incurred for attendance at Board approved education-related conferences, seminars, continuing education classes and workshops at the local, state and national levels. Expenses include costs of travel, lodging and meals where these expenses are directly related to attendance at the conference, seminar, class or workshop.
   b. County and regional education-related association or intergovernmental meetings.
   c. Attendance at educational or civic programs and functions where the Board member is designated as the Board's official representative, delegate or spokesperson. (This category does not include political activities of any kind.)
   d. School business travel, air travel at coach rate, automobile mileage at the Internal Revenue Service approved rate per mile, plus tolls, taxi or rental car allowances at current prevailing rates for travel outside the District when necessary to attend a function on this schedule.
   e. Telephone calls directly related to the approved activity or to notify immediate family of arrival and pending departure.
4. The Board of Education must approve, in a public meeting, the following expenses before being incurred:
   a. Payment of Board member expenses authorized in paragraph 3 above,
Section 3000 – Fiscal Management

3590  Board Member Reimbursement of Expenses

b. The reimbursement of a Board member's expenses for an official duty or function not authorized by Paragraph 3 above,
c. The reimbursement of a Board member's expenses for an amount exceeding the amount authorized by Paragraph 3 above.

5. Upon completion of the activity, the Board participant shall file a financial report with the Business Office.

6. Expenses of spouses, other family members, or non-District staff accompanying Board members in discharging their official duties or performing authorized functions are not reimbursable.

Approved:  December 13, 2006
LEGAL REF: MCL 380.11a; 380.1254 129.241 et seq.

3600  Reimbursement of Expenses-Employees (Cf. 3590, 5330)

District personnel who are pre-approved to incur expenses in carrying out their authorized duties shall be reimbursed by the District to the extent approved or as provided in duly negotiated agreements upon submission of an approved voucher and supporting receipts.

Unless individual expenditure rates are set by contract, all individuals will follow the same rates of reimbursement as stipulated for Board members.

Approved:  December 13, 2006
LEGAL REF: MCL 380.1254

SCHOOL DISTRICT OF THE CITY OF SAGINAW
The Board, in recognizing its responsibility to the taxpayers of the District, pledges itself and its employees to the following purchasing procedures:

- **Quality**: Purchase orders and contracts for supplies, equipment, and contractual obligations shall be awarded only to responsible vendors and contractors.
- **Economy**: Competitive prices shall be solicited at the time of purchasing or awarding contracts (where practical) for all materials, supplies and contractual agreements.
- **Availability**: Adequate warehouse facilities and delivery schedules shall be maintained to avoid needless delay in supplying and delivering materials and equipment.
- **Cooperative Purchasing and Warehousing**: Whenever practical, efforts will be made to increase efficiency and cost savings by working with other school Districts and agencies to provide cooperative purchasing and warehousing.
- **No Favoritism**: The District purchasing personnel shall not extend favoritism to any vendors. Each order shall be placed based on quality, price, and delivery, with past service being a factor if all other considerations are equal. All salespeople, regardless of product, shall first receive permission from the central office purchasing agent to contact any student, teacher, or other personnel.
- **No Personal Purchases**: The purchasing department and other school employees purchasing materials and supplies on behalf of the District are prohibited from making any personal purchases through the District.

**Emergency Purchases**

Emergency purchases may be made without using the quotation or bidding process. Such emergencies may arise as a result of an accident or other unforeseen occurrence which could affect the life, health, welfare or safety of the District’s students or employees.

Approved: December 13, 2006

In the event of an emergency such as a power failure, severe cold weather or other such natural disasters, the Superintendent shall have the authority to purchase capital equipment needed to keep the schools of the District open or to reopen the schools. The Board, at a special or regular meeting as soon as possible after the purchase is made, shall approve any such purchases.

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

Approved: December 13, 2006
Section 3000 – Fiscal Management

3630 Quantity Purchasing

The administration shall be authorized to establish procedures to be followed in the requisitioning, purchasing, receiving and paying or all materials, supplies and equipment, and for maintenance and repairs of all school property. The administration shall periodically estimate requirements of standard items or classes of items and make quantity purchases on a bid basis when practical to procure items at the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive all of any item at one time, the total quantity should be bid and staggered delivery dates made a part of the bid specifications.

Approved: December 13, 2006

3650 Cooperative Purchasing (Cf. 3660)

The Superintendent is authorized to consider, and recommend for Board approval, membership in cooperative purchasing organizations that would be of benefit to the District.

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

Approved: December 13, 2006
Section 3000 – Fiscal Management

3660  Bids and Quotation Requirements

All purchases requiring competitive bids shall be made in accordance with current statutes, the creation of bid specifications, and adherence to the District’s bidding procedure.

All bids and supporting documentation shall be retained by the administrator in charge of business and finance for a period of one year after bids have been opened.

Competitive Bids

No purchases shall be made of supplies, materials or equipment in a single transaction costing more than allowed under current law unless competitive bids for those goods and services are obtained and the purchase is approved by the Board.

Bid Specifications

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

Approved:  December 13, 2006
Revised:  December 13, 2006
LEGAL REF:  MCL 380.1267; 380.1274

3680  Prevailing Wage

All contracts of construction projects entered into as a result of competitive bidding shall contain terms that expressly provide that all construction mechanics who are to be engaged in performance of service or work for the District shall receive not less than the wage and fringe benefit rates prevailing in the locality in which the work is to be performed. Upon request, all contracts issued under this policy shall provide that all contractors involved in the project shall furnish proof, satisfactory to the Board, that the prevailing wages and fringe benefits are being paid. Any contractor refusing to comply with this policy shall have its bid removed from the bidding process. All contractors shall be responsible for the compliance of their sub-contractors.

Exemptions

Projects financed through federal funds are exempt from this policy and will comply with the federal Davis-Bacon Act.

Approved:  December 13, 2006
Section 3000 – Fiscal Management

3730 Vendor Relations

Vendors shall make contacts through the District’s Purchasing/Warehouse Manager. Vendors shall not contact other administrators or school employees directly unless such contact is approved or authorized by the Superintendent.

Approved: December 13, 2006

3800 Fund Raising and Student Activity Fund

Soliciting Funds From and By Students

The Board recognizes the existence of many worthwhile community and student activities which require the raising of funds either by the sale of merchandise, tickets, or perhaps direct request for money. Because of the need to safeguard students in the educational program, the Board limits participation of students to those activities which have the approval of the building Principal.

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

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

Only school-sponsored groups may sell or solicit in a school building and then only with the school housing the group, during non-instructional time.

Written parental/guardian permission must be signed and returned to the school before elementary students can sell door-to-door.

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

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

Adult Groups

Community and school support fundraising organizations that are primarily adult, such as booster clubs, PTÀ’s, etc. may contribute to the enrichment of school programs through the contribution of funds and/or items considered to be non-necessities, as long as those contributions have been determined to be consistent with the educational and co-curricular/extra-curricular programs of the District, and approved by the Superintendent through the appropriate building or program administrator. All fundraising projects carried on by these groups shall require approval by the Superintendent.

Approved: December 13, 2006

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3900 Surplus Books, Equipment and Supplies

The Superintendent is authorized to dispose of surplus, obsolete books, equipment and supplies.

Approved: December 13, 2006
LEGAL REF: MCL 380.11a

3950 Surplus Land or Buildings

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

Approved: December 13, 2006
LEGAL REF: MCL 380.11a
### Section 4000 – Business Management/Facilities Management

**4000—BUSINESS MANAGEMENT/FACILITIES MANAGEMENT**

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Section 4000 – Business Management/Facilities Management

4005 Employee Conflict of Interest - Purchases

Employees in a position to influence decisions on purchases shall not have a personal financial interest either directly or indirectly in purchase for the District, or benefit directly or indirectly from any financial transaction, unless that interest has been fully disclosed and the person involved has removed himself/herself from the decision-making process.

Purchases of, or use of District property, materials and manpower, by employees, shall be accomplished in accordance with good business practices, and within the framework of applicable laws, regulations, and Board policies.

The Superintendent and his/her cabinet and any other administrator deemed by the Superintendent to be in a position to influence the purchase of any goods or services, shall periodically sign and file a conflict of interest disclosure document.

Approved: December 13, 2006
LEGAL REF: MCL 15.322-323; 380.1202

4010 Buildings and Grounds Management

All buildings and surrounding property shall be maintained and inspected by the Superintendent on a regular basis which will ensure proper maintenance of all District-owned real property.

Approved: December 13, 2006

4011 Building Closures

BUILDING CLOSURES

It is the policy of the Saginaw Public Schools to provide students with an educational environment that is conducive to learning. In keeping with this objective, the District will close and consolidate schools in a manner that provides students opportunities for high academic achievement and optimally utilizes school facilities to the maximum extent consistent with existing financial constraints.

A. SCHOOL CLOSINGS FOR NON-ACADEMIC REASONS

The Board may close a school for any or all of the following non-academic reason following an opportunity for public hearing:

1. Physical Condition of Building. The physical condition of the school building(s), including the cost to repair safety hazards and make structural changes necessary to ensure compliance with all city, state and federal laws, makes continued operation of the site cost-prohibitive or continued occupancy of the site unsafe or impractical or;

2. Space Utilization Level. The space available at a school or schools in close proximity is not being used in the most efficient, cost-effective manner; or
Section 4000 – Business Management/Facilities Management

4011 Building Closures

3. Alternative Use of School Facilities (Repurposing). The Board may close a school to use its facilities for other programmatic/educational purposes, for support services, to open a new school, or to expand an existing school.

B. SCHOOL CLOSING FOR ACADEMIC REASONS

The Board may decide to close schools that have failed to make adequate progress pursuant to any state or federal law requiring reconstitution, etc., as a means of correcting performance deficiencies following an opportunity for public hearing. The decision to close a school for academic reasons shall be based on a consideration of the availability of “higher performing schools” in close proximity, as determined by the Superintendent. In addition, the following academic performance criteria shall be considered:

The Board may decide to close schools that have failed to make adequate yearly progress.

C. SCHOOL CLOSINGS DUE TO A NEED FOR CHANGE IN EDUCATIONAL FOCUS

The board may determine that a school closure is necessary to address the educational needs of students by affecting any of the following changes at the site:

1. Implementation of new curriculum and/or instructional programs;
2. Extensive reassignment of school facility and staff; or
3. Transformation of educational focus, which may result in significant change in the student population.

The Board will determine the duration of a school’s closure based upon the time needed to implement the changes in educational focus. A school closed may re-open as an entirely new school by a majority vote of the board.

PROCESS FOR CLOSING SCHOOLS

The Superintendent of Saginaw Public Schools may recommend school closings to the Board for any of the reasons stated within this Policy. If the Superintendent proposes to recommend the closing of a school or schools, he/she shall convene a hearing to elicit public comment regarding the proposed action not less than 15 days prior to making a final recommendation to the Board. The Superintendent or a designee shall issue procedures for the conduct of the public hearings to address proposals to close schools.

Before the public hearing, the Superintendent or his/her staff will review pupil enrollment data for the current school year and prepare three-year enrollment projections for all schools affected by the proposed action. In addition, before any school closing is proposed, the Superintendent’s staff shall prepare an impact analysis setting forth:

1. The projected impact (positive and/or negative) and stability of all schools affected by such action (with three-year enrollment projections attached) and on the district’s financial condition;
2. Any projected negative impact on student enrollment; and

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3. Possible alternatives to the proposed action, including maintenance of the status quo, along with the projected impact that each alternative would have on the District’s financial condition and stability of each school affected by such action.

4. The cost and amount of capital improvements made to any school building or facilities under consideration, and increase cost for transporting students, for closure or consolidation.

5. Three-to-Five Year School Closing Plan/List

The enrollment projections, impact analysis and the transcript of the public hearing will be provided to the Board prior to its consideration of a proposed school closing. The Board will review the data and will not approve any action that is inconsistent with the provisions of the plan developed pursuant to modification of a Desegregation Order.

If, after the public hearing, the Superintendent determines to recommend the school closing(s) to the Board, he/she or a designee shall prepare a final board report regarding the school closing based on all pertinent information, including relevant information received at the public hearing. The Board report shall be submitted in a special meeting for informational purposes, two weeks prior to final board action. The Board shall take final action on any recommended school closing 45 days prior to the next school year.

After approval of any school closing(s) by the Board, the Superintendent shall be responsible for the orderly closing of the school(s).

A. REASSIGNMENT OF STUDENTS UPON SCHOOL CLOSINGS

1. When a school is closed for academic reasons, the students will be reassigned to another school in the district that can meet their educational need (including special education and bilingual education).

2. When a school is closed for non-academic reasons or due to a change in educational focus, the students will be reassigned to a school or schools with available space that can meet their educational needs (including special education and bilingual education).

3. Students with disabilities at a neighborhood school closed pursuant to this policy will be placed at the closest school to their home that can implement their Individualized Education Program. Students with disabilities at a non-neighborhood school closed pursuant to this policy will be placed at the neighborhood school or the closest school to their home that can implement their Individualized Education Program.

4. Students may apply for enrollment at a school or schools other than the school to which they are reassigned as provided in paragraph A-C above, subject to space availability and the admissions criteria of school school(s).

5. If a school closing requires that the attendance boundaries of any school receiving students be redrawn, they shall be redrawn pursuant to applicable administrative regulations.
B. REASSIGNMENT OF EMPLOYEES AT CLOSED SCHOOLS

Employees at schools that are closed for any reason shall be reassigned in accordance with state and federal law, and in accordance with provisions of the applicable Collective Bargaining Agreement.

C. PARENT GROUPS AT CLOSED SCHOOLS

Parent Groups at schools that are closed for any reason shall be dissolved when the school closes.

CONSOLIDATION OF SCHOOLS

The Board may decide to consolidate two or more schools by closing one or more schools and reassigning the students to another school within close proximity.

A. CONSIDERATIONS FOR CONSOLIDATION

The Board will consider the following factors in any decision to consolidate schools.

1. **Space Utilization Level**: The Board will consider whether the space available at a school or schools in close proximity to one another is being used in an efficient, cost-effective manner.

2. **Physical Location of the Facility**: The Board will review the condition of the facility, including:
   a. the actual physical condition of the school facility, including the cost to repair any safety hazards and make structural changes necessary to ensure compliance with all city, state and federal laws; the extent to which the physical condition of the facility makes continued operation cost-prohibitive; and
   b. whether the continued occupancy of the facility is unsafe or impractical.

3. **Potential Alternative Use of School Facility or Site**: The Board will consider whether it would be beneficial to use sites designated for consolidation for other programmatic or educational purposes, to open a new school, to expand an existing school or to use the site for other purposes that are consistent with the goals of the Board.

4. **Availability of Space for Consolidation**: The Board will consider whether another school is located within close proximity that has available space, as measured by design capacity. The identification of a school within close proximity includes a review of any natural barriers, safety hazards and the neighborhood conditions.

B. PROCESS FOR CONSOLIDATION

1. The Superintendent may recommend the consolidation of schools to the Board based upon the considerations mentioned above. If the Superintendent proposes to recommend the consolidation of schools, he/she shall provide advance notice to the public of his/her recommendation and shall convene a hearing to elicit public comment regarding the proposed action not less than 15 days prior to making a final
recommendation to the Board. The Superintendent shall be responsibility to oversee the orderly consolidation of any schools for consolidation that the Board approves.

2. To the extent that any consolidation recommended by the Superintendent requires the closure of a school, the Superintendent shall follow the procedures set forth in the above sections and any guidelines promulgated by the Superintendent to implement this policy.

C. REASSIGNMENT OF TEACHERS AND ADMINISTRATORS

Regularly certified and appointed teachers at closed schools whose entire student population is reassigned to an open school will all be reappointed to the receiving school consistent with SPSD staffing formulas. If the Board decides to consolidate a school through the closure of one or more schools, the Superintendent shall retain the discretion to retain, reassign or terminate the principal and administrative staff pursuant to Board policy, the Michigan School Code and any applicable agreements.

D. LOCAL SCHOOL COUNCILS AT CONSOLIDATED SCHOOLS

The local school councils of schools closed through consolidation shall be dissolved when the school closes. If either one or more of the local school councils in schools approved for consolidation are dissolved, an election may be conducted in a timely manner to establish a new local school council that serves the consolidated school.

Approved: November 20, 2013
LEGAL REF: MCL § 380.11a (General Power School District) No Child Left Behind Act, 20 U.S.C. Sec. 6361
The Board may allow the utilization of District buildings and District grounds by properly organized and responsible groups. Such use of any District facility or District grounds, however, shall not interfere with the daily school student routine or any school-sponsored student activity.

Fees and Rental Charges

The rental of school property and use of buildings by outside agencies shall conform to the School District’s building use rules. Receipts from rental of school property shall be deposited in the District’s general fund. Although the Board generally discourages the rental of school equipment, rental of school equipment required for the appropriate use of a particular facility is permitted.

Use of District Facilities for Prayer or Religious Purposes during the School Day

The use of any District facility during the normal school day will not be allowed for prayer or religious purposes. This prohibition against religious use includes the use of District facilities by District personnel, patrons, and churches or any other individual or groups of individuals.

Religious Accommodation in the Use of District Facilities

The use of District facilities or District grounds by community churches may be allowed by the Board on a temporary basis as is afforded community groups elsewhere in this policy.

Federal Compliance

The District will comply with the provisions of the Boy Scouts of America Equal Access Act, and will not discriminate against or deny access to groups protected by the Act. (Cf. 8720)

Lease Arrangements

Any lease arrangement entered into by the Board shall conform to state law. Any such lease, however, shall not exceed one year, but the Board may extend any such lease if good cause is shown by the Board.

Gymnasiums and Cafeterias

The District’s gymnasiums, swimming pools and cafeterias may be rented to community groups only if approved in advance by the Superintendent. All organizations wanting to use these facilities must contact the Superintendent for approval and scheduling.

Buildings and Grounds

Use of the buildings and grounds of the District by individual or outside organizations must be approved by the Superintendent.

Loan of Equipment

The Superintendent may authorize District employees to utilize District-owned equipment when available for school purposes only.
Section 4000 – Business Management/Facilities Management

4012 Use of District Facilities

Services

A school custodian shall be on duty and shall have instructions to see that the building and equipment are properly cared for and used whenever any school facility is used by non-school groups or individuals. Security and cafeteria staff may be required depending on the type of activity being conducted or the facility being used.

District employees on duty in the schools at the time are required to report all irregularities to their respective supervisors.

Approved: December 13, 2006

4015 Insurance Program (Cf. 1190, 1220, 8460)

The Board shall insure District property. Such insurance may be obtained from companies or risk management pooling groups licensed to do business in the state of Michigan. The status of the insurance program in its entirety shall be reviewed periodically by the Superintendent with specific reference to adequacy of coverage, placement of insurance, and services provided by insurance agents, their representatives, associates, or companies. Any recommended changes or improvements shall be brought to Board for action.

Liability Insurance

Liability insurance shall be provided to cover Board members and members of the administrative staff in performance of duties relating to District business and operation.

The Superintendent shall be responsible to develop specifications for all forms of insurance and make recommendations to the Board.

Approved: December 13, 2006
LEGAL REF: MCL 380.1269; 380.1332; 691.1405-1409
Section 4000 – Business Management/Facilities Management

4040 Safety (Cf. 8590)

The District shall strive to provide a safe environment for students, employees and the public.

Warning System (Cf. 4045)

The Board shall seek to cooperate with local government officials, emergency preparedness authorities and other related state agencies to ensure that adequate warning systems in the event of disasters are available for use in the District.

Safety Inspections

The Superintendent, building principals and maintenance personnel shall inspect each attendance center, playgrounds, and playground equipment, boilers, bleachers and other such areas to determine whether said facilities or play areas are in adequate repair and free of harmful defects in accordance with state and federal guidelines.

Approved: December 13, 2006
LEGAL REF: MCL 29.19; 380.1288; R 340.1301-1305

4045 Crisis/Disaster Preparedness

The Board recognizes that crisis situations are inevitable in any organization. A crisis includes, but is not limited to, criminal acts, a disease epidemic, physical injury or death, presence of intruders on school premises, and natural disasters. While the very unexpected nature of a crisis prohibits explicit planning, the Board believes that the District should be prepared to respond quickly and appropriately.

The Superintendent is directed to review our established procedures for crisis preparedness and crisis management on a regular basis. The review should include research into appropriate and effective training; establishment of emergency response plans within each building; consultation and cooperation with community agencies and publication of emergency procedures for situations that can be anticipated.

The plan shall be reviewed by the Board and updated as needed.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 4000 – Business Management/Facilities Management

4050 Environmental Health and Safety

Toxic Hazards and Asbestos

The Superintendent shall appoint a District employee to serve as the designated person who shall carry out the requirements of the Asbestos Hazard Emergency Response Act (AHERA), the Michigan Occupational Safety and Health Act, and the Michigan Right-To-Know Rules and Regulations for the safety of students, staff, and the public and shall attempt to comply with all federal and state statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of District officials, from the presence of asbestos materials used in previous construction, and from other hazardous materials present in the District.

The Superintendent shall develop a specific job description and appoint a person(s) to develop and implement the District's approved asbestos management plan. This shall ensure proper compliance with federal and state laws and the appropriate instruction and in-service of staff and students.

Approved: December 13, 2006
LEGAL REF: MCL 380.623b; 380.1256(1) (2); 380.1274b (Mercury in the schools); 388.864; 408.1001 (Michigan Occupational Safety and Health Act)

4060 Energy Policy

The administrator in charge of facilities has the responsibility to assure that the School District is responsive to energy conservation and he/she shall direct and coordinate efforts to continue to conserve District expenditures on utilities.

Approved: December 13, 2006

4080 Emergency Closings

The Superintendent is authorized to close the schools in case of inclement weather or other emergencies that make it unsafe for students to attend school. The Superintendent may delay the opening of school until such time as it is anticipated conditions are safe.

Approved: December 13, 2006
The building Principals, along with Facility Services, shall develop plans for accommodating the flow of traffic on school roadways, issue traffic regulations, and have responsibility for the assignment of parking areas to staff, students, and visitors to the schools. Convenient parking spaces shall be designated for handicapped persons.

Approved: December 13, 2006

In order to establish sound environmental and ecological oriented attitudes throughout the District, the Board recognizes its obligation to consider environmental values in any decision-making or action the Board proposes to take.

The Board shall cooperate with governmental and community agencies in order to increase the awareness and knowledge of environmental problems and possible solutions.

Approved: December 13, 2006
LEGAL REF: MCL 324.16901-16909; 324.17101-17107

The Board shall attempt, through the entire staff, to ensure that staff members, students, patrons and all property owned by the District are protected at all times from possible damage or injury, outside intrusion or disturbances occurring on school grounds or in school buildings. Security devices and measures, such as, but not limited to, video cameras, motion detectors, metal detectors (stationary or portable) and alarms, may be installed in any or all District buildings, or in District vehicles to protect District personnel, students and property.

Outside lighting and/or video surveillance devices may be installed and maintained at each attendance center to provide illumination and observation of the immediate grounds. An adequate key control system shall be established which will limit access to buildings to authorized personnel and will safeguard against the potential entrance to buildings by unauthorized persons. The District shall cooperate with all law enforcement agencies in enforcing security measures. (See 4120)

Approved: December 13, 2006
The District shall institute an on-going program designed to prevent thefts and vandalism.

Any known or suspected damage to, or unauthorized removal from, school property, equipment or supplies, shall be promptly reported to the Superintendent, along with any information which may assist in its recovery or replacement.

Approved: December 13, 2006
LEGAL REF: MCL 600.2913
The Board shall make duplicating equipment available for administrative and instructional use to the extent that is economically feasible and practical according to the needs of the District.

The copyright laws of the United States make it illegal for anyone to duplicate copyrighted materials without permission. Severe penalties are provided for unauthorized copying of all materials covered by the act unless the copying falls within the bounds of the “fair use,” as set forth in 4250-R.

Inventions and Works of Authorship

All inventions and works of authorship made by persons while acting as employees of the District shall, without additional compensation, become the property of the District.

Inventions and works of authorship covered by this policy include all ideas, designs, discoveries, inventions and works of authorship (including, but not limited to, the development of educational and athletic aids, devices, equipment, textbooks, instructional materials, articles, contributions to publications, computer programs, computer software, and processes) which are related to the objectives, activities or interests of the District or which result from or relate to the subject matter of any work which may be performed by an employee for, on the premises of, at the expense of, or on behalf of the District and which are or have been made, conceived, reduced to practice or authored by the employee, alone or jointly with others, during or after usual business hours either on or off the job, while employed by the District.

The intent of this policy is to protect the rights of the District to ideas, designs, discoveries, inventions, and works of authorship including applying for, obtaining and enforcing patents, copyrights, and software copyrights. It is not intended to discourage creative efforts of the employee.

In the event the District chooses to share its rights with employees, an individual contract will be made with the individual(s) involved, detailing the rights relinquished by the District.

The Superintendent shall inform staff, through regulations, of the guidelines for use of copyright materials.

Copyright Compliance and Computer Software Copyright

The Board shall adhere to the provisions of the U.S. copyright laws regarding the duplication of computer software programs. The Superintendent shall develop appropriate procedures for staff to follow in this area.

Approved: December 13, 2006
LEGAL REF: 17 USCA §101, et seq. (Copyright Act of 1976)
Section 4000 – Business Management/Facilities Management

4300  Student Transportation Management

The Board shall provide arrangements for safe, economical transportation to the students of the District who seek and are eligible for transportation to school. The use of District owned buses and vehicles by the District shall conform to state law. School bus routes shall be established by the Superintendent.

Bus transportation may be provided for students to and from school for those students who qualify. Transportation may be provided by the District for extra-class activities. Students are prohibited from driving privately owned vehicles to District-sponsored activities held during the school day unless specific permission is granted by the student’s parents/guardians and the high school Principal.

Students must observe the rules and regulations developed by the administration governing student transportation. Students will also be subject to the school’s behavior code while riding school buses. The Superintendent may suspend or revoke the transportation privilege of any student who violates any administrative rules or regulations.

All such rules shall be published in the student handbook or copies given to students and parent(s)/guardian(s) at the beginning of the school year.

Bus drivers shall report any violation of said rules to the appropriate administrator who shall take the necessary steps to discipline students according to Board policy. As a disciplinary action for violation of District rules, a student may be refused school bus transportation but required to attend school.

Approved:  December 13, 2006
LEGAL REF:  MCL 257.1801; 380.1321-1322; 380.1333; R 340.1702; R 340.281-282;
Michigan Department of Education Transportation Handbook (Bulletin 431)
Section 4000 – Business Management/Facilities Management

4320 School Vehicles

School buses shall not be loaned, leased or subcontracted to any person, groups of persons or organizations except as allowed by law and upon notice to the Board. (Cf.4365)

No public funds shall be spent by the Board to hire, rent, or lease any form of transportation to be used by any student, school employee, patron, or any organization to transport anyone to or from a religious activity.

End of Route Vehicle Inspection

At the end of every route driven, every bus driver shall do a thorough inspection of the bus, van, or any vehicle used for transporting students for any reason, to be certain that no students or any other passengers remain in the vehicle. It shall be the responsibility of the administration to develop appropriate rules, forms, or records to ensure that this policy is implemented. Any driver failing to adhere to this policy or to the rules established by the administration shall be subject to disciplinary action as determined by the Superintendent.

Licensing of Drivers

Michigan laws and regulations of the Michigan Department of Education set standards for the physical fitness, competence, experience, training, and proper licensing of school bus drivers. The Board directs the Superintendent to ensure that these legal requirements and regulations are complied with strictly.

Revocation of license, inability to secure a proper license, or accumulation of traffic violation points shall serve as sufficient cause for immediate dismissal from employment.

Approved: December 13, 2006
Section 4000 – Business Management/Facilities Management

4365 Special Use of Transportation Services

Transportation service equipment and personnel shall be used primarily to transport to and from school during the day those public and non-public school students eligible for such transportation.

Transportation service equipment and personnel may be used secondarily to provide transportation for field trips for curricular and extracurricular activities, which are part of the educational program.

Transportation equipment and personnel shall not be used for any purpose or activity that is not directly connected with and a part of the regular educational programs within the District. Exceptions may be granted to governmental or community agencies sponsoring approved programs for the community as approved by the Board. Other community groups are prohibited from using school transportation equipment by regulation of the State Board of Education.

The Superintendent shall be authorized to approve the use of buses for field trips for curricular and extracurricular activities upon submission of requests from building administrators, classroom teachers or faculty sponsors of extracurricular activities.

No fees shall be charged for transportation for field trips which are mandatory or which are a part of the regular classroom or curricular program of the schools.

Fees to cover expenses of non-mandatory and non-credit extracurricular field trips may be charged according to rules promulgated by the State Board of Education or as set by the Board.

Only students enrolled in the District and chaperones authorized by the school shall be allowed to ride buses on curricular or extracurricular field trips. The Superintendent may authorize parents/guardians and/or other residents of the community to ride buses to school sponsored activities if sufficient space is available. In all cases, students shall come first.

Use of transportation by governmental agencies sponsoring approved programs for youth in the community may be granted upon the approval of the Superintendent.

Approved: December 13, 2006

LEGAL REF: MCL 257.1865; 257.1867; 380.1332-1333

4430 Personal and Business Transportation Services

The Board recognizes the needs of the District to own or lease vehicles to carry out the instructional program and the business of operating the schools. The Superintendent is authorized to determine the extent to which District owned vehicles may be used for official school business. Such vehicles shall not be used for personal travel unless expressly approved by the Superintendent. Drivers of school owned vehicles shall be properly licensed and issued.

Approved: December 13, 2006
A school lunch and breakfast program shall be made available to all full-time students enrolled in the school District. The Board will ensure that the District complies with USDA regulations as they pertain to competitive food services and the sale of Foods of Minimal Nutritional Value (FMNV).

Daily breakfast and lunch fees shall be recommended to the board by the Superintendent to cover actual costs of providing meals, milk, and accessories, including supervision, less the amount of food and financial assistance received from federal, state, and other sources for meals or milk.

Free and reduced price breakfasts and lunches shall be provided to eligible students according to standards as prescribed by the U.S. Department of Agriculture. The Superintendent shall make provisions to ensure that information contained in the application for eligibility is kept confidential, and that students receiving free or reduced price breakfasts, lunches, or milk are not discriminated against.

The control of students using the cafeteria shall be the responsibility of the building Principal.

Dealing with Food Allergic Students

The Superintendent shall direct the person in charge of food service programs to work closely with parent(s)/guardian(s) to assure that the dietary needs of food-allergic students are taken into consideration in menu planning for the District’s food service programs.

Legal Reference:
- MCL 380.1272-1272d; 42 USC 1779(b); 7 CFR 210.11; 7 CFR 220.12
- The Food Allergy & Anaphylaxis Network’s (FAAN) School Food Allergy Program.
Whenever a new District facility is approved by the Board, immediate steps will be taken to name the facility. The Board may name existing facilities after a staff or community member after one year following a person’s leaving the District through retirement or the person’s death. The person being nominated should be someone who had dedicated themselves to a lifelong pursuit of advancing educational excellence through their dedication to the students of the school District.

**Naming a New Facility**

The naming of a new school facility is to be handled through the Board appointment of a committee consisting of at least one Board member, two members from the community, a student, a teacher, and an administrator. The committee shall solicit and consider names for the facility and submit a list of not less than three recommended names to the full Board for their consideration. The Board should make the final selection from a list submitted by the committee. Every effort should be made to name a new facility prior to the beginning of construction. That timetable should be established in at attempt to accomplish this objective. In general, the Board should refrain from naming a facility after an individual who is living or who has been deceased less than one year. The Board should not be influenced in its decision by personal bias or favoritism, political pressure, temporary popularity, or highly emotional situations in choosing names for school facilities or portions thereof.

**Naming a Space in Honor of a Past Employee or Community Member**

When naming portions of a facility or a specific room after a former staff member who is retired a minimum of one year from District service or a distinguished community member, the Board will receive proposals from interested staff or community members. The proposal would need to outline the individual’s accomplishments in promoting educational excellence in their career or contact with students of Saginaw Public Schools. The Board Buildings and Grounds committee is to receive the proposals and to review said proposals and deliberate over the naming of a space within a facility or a specific room a minimum of three times before the committee makes a final decision to make a recommendation to the full Board for adoption.

The Board of Education reserves the right to remove an individual’s name for the space designation for anyone who might be found to have disgraced or in any way brought unnecessary adverse criticism to the District due to their actions. Such action would be taken by the committee in recommending such action to the full Board in public session. The Board is to receive the recommendation from the committee and must deliberate the committee’s recommendation over a minimum of two separate meetings before said action would be finalized.

Approved: December 13, 2006
In order to be selected as the successful bidder to construct or renovate buildings in the School District of the City of Saginaw, construction firms must be exemplary in their construction techniques and business practices. The purpose of this policy is to assure the Board that the District’s construction and renovation projects utilize the specified materials and equipment, and employ qualified team members. The Board can refuse to hire any contractor who does not meet the requirements of this policy.

The Board may reject any bid proposals that, in the Board’s opinion or findings, contain inaccurate information.

The Board’s criteria in selecting a contractor(s) for school construction projects shall be determined from the lowest qualified bid(s) on the construction project(s) that meet the requirements of law, this policy, and the administrative rules for this policy developed by the Superintendent. The School Board reserves the right to accept or reject a bid or combination of bids. The criteria and procedures for rejecting a bid or combination of bids shall be included in the construction bid documents, as appropriate to the type of work for which bids are solicited, and, as permitted by law, by the School Board’s construction manager, and/or design professionals.

The Superintendent shall promulgate appropriate administrative rules to implement this policy.

Approved: December 13, 2006

The Board shall strive to rotate its employment of qualified local architects, engineers, or construction managers for District construction projects in accordance with previous practice, subject to considerations and the particular needs of the project, as determined by the Board.

Approved: December 13, 2006
LEGAL REF: MCL 388.851-855a

10 School districts have significant discretion in awarding contracts, even when they are required to seek competitive bids, and this discretion allows school district to award a contract to a bidder other than the lowest monetary bidder so long as they have a reasonable and rational basis for such an award.

Michigan Courts have held that only the public, and not the disappointed bidders, has standing to object to the awarding of a contract. Heaney General Contracting, Inc. v Clinton Community Schools Board of Education, 2000 Mich App Lexis 405 (unpublished); G.P. Graham Construction Co. v Chesaning Union Schools, 2002 Mich App Lexis 695 (unpublished); Malan Construction Corp. v Board of County Road Commissioners, 187 F Supp 937 (ED Mich 1960). The reservation of the right to reject any and all bids, as contained in the competitive bid statutes for school districts, gives the public authority power to award the contract to any bidder and to reject the others, even though the one securing the contract is not the lowest bidder, provided the public authority acted in good faith in the exercise on an honest discretion. Leavy v City of Jackson, 247 Mich 447 (1929.).
Section 4000 – Business Management/Facilities Management

4800 Educational Specifications

The Superintendent shall assume the responsibility of working with staff to determine educational specifications for all new or renovated construction. These specifications shall be approved by the Board and then discussed in conferences with the architect.

1. Information concerning the plan of the school organization and estimated enrollment in the proposed building,
2. A description of the proposed curriculum and the teaching methods and techniques to be employed,
3. A schedule of space requirements, including the indications of relative locations of various spaces,
4. A desired layout of special areas and the equipment needed for such areas,
5. An outline of mechanical features and special finishes desired,
6. A description of standard codes and regulations (school District, city, county, and state) affecting the particular planning, and
7. Any other details, which may be needed or recommended relative to the specific project.

Approved: December 13, 2006

4890 Supervision of Construction (Cf. 4770)

Supervision of construction projects shall be primarily the responsibility of the architect and the Superintendent, or designee assigned by the Superintendent as project manager, who shall be responsible to follow closely the progress of the construction project.

Change Orders

After a contract is accepted, all change orders shall be brought to the Buildings and Grounds Committee and the Board for approval, except that the Superintendent is authorized to approve minor changes of an emergency nature of $10,000.00 or 10% of the contract or less when “on the spot” decisions must be made.

Change orders shall be accompanied by justification by the architect and/or the Superintendent when being presented to the Buildings and Grounds Committee.

Approved: December 13, 2006

4900 Fair Employment Clause

Any contract to which the Board or District is a party shall contain a covenant by the contractor, and the subcontractors of the contractor, not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, or handicap/disability. A breach of this covenant may be regarded as a material breach of the contract in the discretion of the Board.

Approved: December 13, 2006

LEGAL REF: MCL 37.1101-1606 (Person’s with Disabilities Civil Rights Act); 37.2101-2804 (Elliott-Larsen Civil Rights Act)

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 4000 – Business Management/Facilities Management

4910 Affidavits and Guarantees (Cf. 4770)

All contractors shall submit proof of their coverage of liability and workers compensation insurance as required by Michigan law to the administrator in charge of business and finance. All bids on construction projects shall stipulate that the contractor shall provide proof of liability coverages in an amount satisfactory to the District and Workers Compensation Insurance for its employees.

For projects greater than $250,000, the general contractor shall provide a performance bond equal to at least 10 percent of the contract amount to protect the District from the failure of the contractor or contractors to perform the terms and conditions of the contract.

The architect shall assume the responsibility that all product guarantees, warranties and workmanship guarantees for materials and performance of services are duly executed and that signed documents are delivered to the District.

Approved:  December 13, 2006

LEGAL REF:  MCL 129.201-212 (Contractor’s Bond for Public Buildings or Works); 418.101, et seq. (Worker’s Disability Compensation Act)

4970 Public Dedication of New Facilities

The Board may sponsor open houses or dedication programs for new facilities appropriate to the nature and type of the facility.

The Superintendent shall assume the responsibility for recommending to the Board appropriate dedication programs or activities. The Superintendent shall work with the appropriate administrator, staff, students, and parents/guardians in planning such program or activity, once it has been approved.

Approved:  December 13, 2006

4975 Dedication Plaques

A dedication plaque shall be placed in each building. Upon each plaque shall be placed the names of Board members who were holding office at the time the construction contracts were awarded, the name of the Superintendent, the architect, engineer, or construction manager, and the major contractors.

Approved:  December 13, 2006
Section 5000 – Human Resources

5000—HUMAN RESOURCES

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### Section 5000 – Human Resources

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#### Appendices

- **Appendix A**  Prohibited Contracts and Employee Disclosure Obligations
- **Appendix B**  Examples of Sexual Harassment
- **Appendix C**  Accepted Alternatives to Corporal Punishment
The goals of the human resources policies set forth in this policy and rule section are to create the best possible educational climate for the students of the District. To this end, these human resources policies are designed to prevent misunderstanding by District personnel concerning their duties and privileges.

Therefore, the District depends upon all of its employees, both certified and non-certified, to achieve the aims and goals of the District. All employees shall be competent and their actions, attitudes and decisions shall lend themselves to the accomplishment of the goals of the District.

This section of the Board's policies shall be in accordance with the laws of the State of Michigan and with the various collective bargaining and written employment agreements entered into between the Board and its employees. The Board reserves the right to adopt such policies as may be necessary from time to time not in conflict with such agreements.

Approved:

All employees shall follow the policies duly adopted by the Board.

Failure of any employee to follow the policies of the Board will result in disciplinary action up to and including discharge.

Approved: December 13, 2006

The Board shall be an equal opportunity employer. The objective of the Board is to attract and retain individuals qualified and/or trainable for the positions in the system by virtue of job-related standards of education, training, experience, and personal qualifications.

Approved: December 13, 2006

LEGAL REF: 42 USCA 2000e-8, 2000e-12; 44 USCA 3501 et seq.; 42 USCA 12117 (The Equal Employment Opportunities Act); 29 USCA §§627, 630 (Age Discrimination in Employment Act); 42 USCA §1981 et seq. (Civil Rights Act); 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §2000e, et seq. (Title VII of the Civil Rights Act); 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); MCL 37.1101-1607 (Person’s with Disabilities Civil Rights Act); 37.2101-2804 (Elliott-Larsen Civil Rights Act); Michigan Constitution Article I, §2
Section 5000 – Human Resources

5025 Multiracial Understanding

The District recognizes that racism is an institutional and societal problem and, therefore, shall strive to create and maintain an atmosphere of mutual understanding and respect among students, employees, and the public. This will be reflected through all its programs and practices that shall actively promote cultural awareness, inter-group relations, and the understanding of racial and ethnic groups within the District.

Approved: December 13, 2006
Revised: May 16, 2012

5030 Non-Discrimination and Complaint Procedure (Cf. 2450, 8015)


The administrator in charge of Special Education is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs and activities. The administrators in charge of Elementary Education are appointed the Civil Rights Coordinators regarding discrimination complaints made by students (grades Pre-K through 5) and/or their parent(s)/guardian(s), and involving sex, race, color, national origin, religion, height, weight, age, or marital status.

The administrator in charge of the Human Resources and Labor Relations Division is appointed the Civil Rights Coordinator regarding all other complaints of discrimination except for any complaints that might be filed against the Superintendent of Schools. In the event the complaint is against the Superintendent of Schools, the Vice-President of the Board of Education is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parents/guardians related to discrimination based on disability/handicap should be directed to:

Mrs. Melinda Carroll, Director of Special Education
Saginaw Board of Education
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500
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5030 Non-Discrimination and Complaint Procedure (Cf. 2450, 8015) 5030-2

Inquiries or complaints made by elementary students (grades Pre-K through 5) and/or their parent(s)/guardian(s) related to discrimination on the basis of sex, race, color, national origin, religion, height, weight or marital status should be directed to:

Dr. Talisa Dixon, Deputy Superintendent for Teaching and Learning
Saginaw Board of Education
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500

All other inquiries related to discrimination, with the exception of complaints against the Superintendent of Schools, should be directed to:

Dr. Kelley A. Peatross, Assistant Superintendent of Human Resources and Labor Relations
Saginaw Board of Education
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500

In the event a complaint is against the Superintendent of Schools, the complaint should be directed to:

The Vice-President of the Board of Education
Saginaw Board of Education
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500

The Civil Rights Coordinators are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will, then, take the following action: First, cause an investigation of the complaint to be commenced. Second, arrange for a meeting to occur with the complainant that may include School District staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise that will assist in resolving the complaint. Third, complete the investigation of the complaint and provide, in writing, a reply to the complainant.

If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the School District’s Superintendent. In the event the complaint is against the Superintendent, a copy of the determination shall be delivered to the President of the Board of Education. The complainant may appeal the Civil Rights Coordinator’s determination to the Superintendent or, in the case of a complaint against the Superintendent, to the President of the Board, by so notifying the Superintendent or Board President in writing within the (10) calendar days of the Civil Rights Coordinator’s determination. The Superintendent or Board President may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Board Vice-President or President may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Superintendent.

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The Superintendent, or Board President in the case of a complaint against the Superintendent, shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the Civil Rights Coordinator’s proposed resolution or a modification thereof. The Superintendent or Board President's decision shall be final.

If the complainant is not satisfied with the Civil Rights Coordinator’s written decision, he/she may appeal to the Office for Civil Rights, Department of Education, Washington, D.C. 20202 by so notifying the Superintendent or Board President in writing within the (10) calendar days of the Civil Rights Coordinator’s determination. The Superintendent or Board President may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Superintendent or Board President shall affirm or reverse the Civil Rights Coordinator’s decision and, if warranted, implement the Civil Rights Coordinator’s proposed resolution or a modification thereof. The Superintendent or Board President’s decision shall be final.

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Approved: December 13, 2006
Revised: February 15, 2012
LEGAL REF: Included in text.
Section 5000 – Human Resources

5035 Discriminatory Harassment of Employees or Applicants

Discriminatory harassment of School District elected officials, employees, or applicants for employment by Board of Education Members, School District employees, vendors, contractors or other doing business with the School District, students, parents, guardians, invitees, volunteers or guests will not be tolerated.

Discriminatory harassment includes unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to an individual’s sex, race, color, national origin, age, religion, height, weight, marital status or handicap/disability when:

- Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, to obtain employment; or
- Submission to, or rejection of, such conduct or communication by an employee/applicant is used as a factor in decisions affecting such employee/applicant’s employment; or
- Such conduct or communication has the purpose or effect of substantially interfering with an employee’s employment, or creating an intimidating, hostile, or offensive employment environment, or otherwise adversely affects an employee’s employment opportunities.

Any employee or applicant who believes that he or she has suffered harassment shall immediately report the incident(s) to:

The Administrator in Charge of Human Resources and Labor Relations
Saginaw Board of Education
550 Millard St.
Saginaw, Michigan 48607-1193
(989) 399-6500

The School District guarantees that an employee or applicant for employment, reporting an incident of discriminatory harassment will not suffer any form of reprisal.

In determining whether the alleged conduct constitutes discrimination or harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incident(s) occurred will be investigated. The Administrator in charge of Human Resources and Labor Relations has the responsibility of investigating complaints of discriminatory harassment of employees or applicants. In cases where the alleged harassment involves a member of the Board of Education, the School District will appoint outside legal counsel to investigate the complaint. The results of an investigation and any action taken thereon will be communicated to the complaining person.

In the event the complaint is against the Superintendent, the Vice-President of the Board shall be automatically designated as the recipient and investigator for such complaints. The Vice-President of the Board may elect to employ District legal counsel or other qualified, independent investigators to assist him/her in the investigation, at his/her sole discretion. The Vice-President’s findings and determination shall be delivered to the President of the Board.

In the event the complaint is against the administrator in charge of Human Resources and Labor Relations, the complaint shall be sent to the Superintendent.

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5035 Discriminatory Harassment of Employees or Applicants

The School District considers discriminatory harassment based on religion, race, color, national origin, age, sex, height, weight, marital status, handicap, or disability to be a major offense, which will result in disciplinary action of the offender. Disciplinary action against a School District employee may include termination of employment. Disciplinary action against a student may include expulsion.

Notification

Notice of this policy will be circulated periodically to all school buildings and departments within the District, and incorporated in teacher, student and parent/guardian handbooks. All new hires of the District will be required to review and sign off on this policy and its related complaint procedure.

Training sessions on this policy and the prevention of discriminatory harassment shall be held periodically for all Board members, administrators, teachers, and employees of the District. In addition, students will have available as part of their curriculum and instructional program, sessions on this policy and the prevention of student-on-student sexual harassment.

See Appendix A of this section for examples of sexual harassment.

Approved: December 13, 2006

LEGAL REF: MCL 37.2101 et seq., (Elliott-Larsen Civil Rights Act); 380.11a; 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments)

5040 Retaliation and Whistle-Blowing

Employees are encouraged to report suspected illegal activity to appropriate School District administrators, or the Board of Education. The Board of Education will not tolerate any form of reprisal, retaliation, or discrimination against:

- Any employee, or applicant for employment, because he/she opposed any practice that he/she reasonably believed to be made unlawful by federal or state laws prohibiting employment discrimination on the basis of sex, race, color, national origin, age, religion, height, weight, marital status, handicap or disability,

- Any employee, or applicant for employment, because he/she filed a charge, testified, assisted or participated, in any manner, in an investigation, proceeding or hearing under federal or state laws prohibiting employment discrimination on the basis of sex, race, color, national origin, age, religion, height, weight, marital status, handicap or disability or because he/she reported a suspected violation of such laws according to this policy, or

- Any employee or applicant because he/she reported, or was about to report, a suspected violation of any federal, state or local law or regulation to a public body (unless the employee knew that the report was false) or because he/she was requested by a public body to participate in an investigation, hearing or inquiry held by that public body or a court.
Section 5000 – Human Resources

5040 Retaliation and Whistle-Blowing

An employee or applicant for employment who believes that he/she has suffered reprisal, retaliation, or discrimination in violation of this policy shall report the incident(s) to the Administrator in Charge of Human Resources and Labor Relations. The Board of Education guarantees that no employee or applicant for employment who makes such a report will suffer any form of reprisal, retaliation, or discrimination for making the report.

The Board of Education considers violations of this policy to be a major offense that will result in disciplinary action against the offender, regardless of the offender’s position within the School District.

Approved: December 13, 2006

5140 Policies and Rules Development Involvement

In the development of human resources policies, rules and regulations, which are not mandatory subjects of negotiations under the Public Employee Relations Act, the Board shall, to the fullest extent possible, utilize and involve the employees of the District with respect to their ideas, comments, and criticisms.

Approved: December 13, 2006

5160 Qualifications and Duties

A job description for each classification of employees shall be developed by the Superintendent in cooperation with District Administration and its employees. Such job descriptions shall be on file in the Human Resources Department and made available on the District website.

Approved: December 13, 2006
Revised: March 21, 2012

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5170 Recruitment

The Superintendent shall have the authority to establish a procedure for the recruitment of highly qualified personnel to staff the schools. The Superintendent may request building Principals and other staff members to assist in this effort.

Identity and Employment Status

All potential employees of the District shall verify their identity and employment status to the Superintendent.

The Superintendent shall maintain a file on all of the District’s employees hired after November 6, 1986, proving that each employee has verified his or her identity, employment status, U.S. citizenship, or legal alien status to the Superintendent’s satisfaction. Evidence to be used to verify identity, employment status, U.S. citizenship, or legal alien status should include at least two of the following documents, one of which contains a current photo of the employee: U.S. birth certificate, social security card, and a current driver’s license; a state or military identification card; or one of the following: U.S. passport, certificate of U.S. citizenship, certificate of naturalization, unexpired foreign passport, or resident alien card.

Non-Discrimination (Cf. 5020, 5030, 5035)

The Board shall not discriminate in its policies and practices with respect to compensation, terms or conditions of employment because of such individual’s race, color, religion, sex, national origin, height, weight, age, marital status, political belief, disability, or handicap which does not impair an individual’s ability to perform adequately in that individual’s particular position or activity.

The Superintendent shall have in place all appropriate procedures relative to the Americans with Disabilities Act. This statement of non-discrimination shall be published and disseminated to all students, parents, guardians, employees, applicants and the public in a manner determined by the Superintendent.

Title I Compliance

The Superintendent shall insure that the District complies with the provisions of Title I, the Elementary Secondary Education Act (ESEA). Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Notice of professional qualifications shall be provided to parents/guardians of students in Title I schools and staffing pattern reviews as required by law shall be conducted annually.

Approved: December 13, 2006
Revised: December 19, 2012
LEGAL REF: 42 USCA §1981 et seq. (Civil Rights Act); 42 USCA 2000e-8, 2000e-12; 44 USCA 3501 et seq.; 42 USCA 12117 (The Equal Employment Opportunities Act); 42 USCA §2000e, et seq. (Title VII of the Civil Rights Act); 20 USCA §1681; 34 CFR § 106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 42 USCA 12116 (The Americans with Disabilities Act); MCL 37.1101-1607 (Person’s with Disabilities Civil Rights Act); 37.2101-2804 (Elliott-Larsen Civil Rights Act); 20 USCA 6311(h)(6)(A) (No Child Left Behind Act)
Criminal History Checks

Upon an offer of initial employment by the Board or upon learning that an individual has been assigned to regularly and continuously work under contract in any of the District’s schools, the individual shall have undergone both a criminal history and records check performed by the State Police and FBI. The results shall have been received before the individual is employed unless, under the guidelines in current law, the person may be employed prior to the results being received.

No later than July 1, 2008, the Board shall have requested both a criminal history and records check through the State Police and the FBI for all individuals, as of January 1, 2006, employed by the District or assigned to regularly and continuously work under contract in any of the District’s schools.

Only those persons who have been offered a position or contract by the Board and/or Superintendent must undergo a criminal history and records check, not all applicants.

No individual shall be employed, in any capacity, who has been convicted of a listed offense under the Michigan Sex Offenders Registration Act. An individual shall not be employed, in any capacity, who has been convicted of a felony, unless the Superintendent and the Board specifically approve the work assignment in writing.

If the District obtains notice from an authoritative source that an individual has been convicted of a listed offense, the individual shall not be employed, in any capacity, or allowed to regularly and continuously work under contract in any of the District’s schools.

If the District is notified or learns that a teacher employed with the District has been convicted of a crime listed in MCL 380.1535a(1)-(2), the Superintendent or Board President shall notify the Superintendent of Public Instruction within 15 days after learning of the conviction.

A listed offense includes any of the following:

1. Accosting or soliciting a child for immoral purposes (MCL 750.145a-c);
2. Sodomy if the victim is an individual less than 18 years of age (MCL 750.158);
3. A third or subsequent violation of any combination of the following:
   a. Being engaged in indecent or obscene conduct in a public place (MCL 750.167(1)(f))
   b. Indecent exposure (MCL 750.335a)
   c. A local ordinance of a municipality substantially corresponding to the above;
4. Except for a juvenile disposition or adjudication, gross indecency between males, females, or between a male and female, if the victim was under 18 years of age (MCL 750.338-338b);
5. Kidnapping (MCL 750.349);
6. Kidnapping under age 14 (MCL 750.350);
7. Soliciting and accosting (MCL 750.448);
8. Pandering (MCL 750.455);
9. 1st, 2nd, 3rd and 4th degree criminal sexual assault, and second or subsequent offenses (MCL 520b-e);
10. Assault with intent to commit criminal sexual assault (MCL 750.520g);
11. Sexually delinquent persons (MCL 750.10a);
12. The attempt or conspiracy to commit any of the above offenses;
13. Any other violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age; and (Continued next page)
14. Any offense substantially similar to the above offenses under a law of the United States, any state, or any country under tribal or military law.

MCL 380.1535a(1) includes a conviction for any felony and any of the following misdemeanors: 1) criminal sexual conduct in the fourth degree or an attempt to commit criminal sexual conduct in the fourth degree; 2) child abuse in the third or fourth degree, or any attempt to commit child abuse in the third or fourth degree; 3) a misdemeanor involving cruelty, torture, or indecent exposure involving a child; 4) a misdemeanor violation of Section 7410 of the Public
Criminal history and records checks shall be used for employment purposes only. No Board member or employee shall disclose the report or its content, except a felony conviction or a misdemeanor conviction involving sexual or physical abuse, to any person other than those directly involved in evaluating the applicant’s qualifications for employment.\textsuperscript{13}

**Background Checks - Employment History - Unprofessional Conduct**

Upon an offer of initial employment by the Board, all persons shall have undergone an unprofessional conduct background check. A staff person may be hired prior to the results of the unprofessional conduct background check following the guidelines in current law.

The Superintendent will promulgate appropriate administrative rules regarding the procedures to be followed in obtaining criminal history and background checks.

Approved: December 13, 2006

LEGAL REF: MCL 380.1230; 380.1230a; 380.1230b; 380.1230c; 380.1535a(9)

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Health Code (concerning distribution of marijuana to minors near school property); 5) a violation of section 115, 141a, 145a, 335a, or 359 of the Michigan Penal Code (concerning breaking and entering; consumption or possession of alcohol by minors, or controlled substances at social gatherings; soliciting a child for immoral purposes; indecent exposure; and damage to vacant buildings); or a misdemeanor violation of section 81, 81a, or 145d of the Michigan Penal Code (including assault and battery; domestic assault; assault and infliction of serious injury; and using the Internet to commit a crime against a minor); 6) a misdemeanor violation of Section 701 of the Michigan Liquor Control Act (concerning the prohibition of liquor sales to minors); 7) any misdemeanor that is a listed offense; and 8) a violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States – as amended by 2005 PA 130.

MCL 380.1535a(2) includes the following offenses:

- a) Criminal sexual conduct in any degree, assault with the intent to commit criminal sexual conduct, or an attempt to commit criminal sexual conduct in any degree;
- b) Felonious assault on a child\textsuperscript{12}, child abuse in the first degree, or an attempt to commit child abuse in the first degree;
- c) Cruelty, torture, or indecent exposure involving a child;
- d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i), 7410, or 7416 of the Public Health Code (concerning unlawful manufacture, delivery, or possession of controlled substances or controlled substance analogues; distribution of marijuana to minors near school property; and recruiting or inducing a minor to commit a felony);
- e) A violation of section 83, 89, 91, 145a-c, 316-17, 350, 448, 455, or 529 of the Michigan Penal Code (concerning assault with intent to commit murder or to steal while armed; attempt to murder; consumption or possession of alcohol by minors, or controlled substances at social gatherings; first and second degree murder; armed robbery; and using the Internet when committing a crime against a minor);
- f) A violation of section 158 of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning crimes against nature or sodomy);
- g) Except for a juvenile disposition or adjudication, a violation of section 338, 338a, or 338b of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning gross indecency between males, females, and between males and females);
- h) A violation of section 349 of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning kidnapping);
- i) An offense committed by a person who was, at the time of the offense, a sexually delinquent person – any person whose sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of consequences or the recognized rights of others, or by the use of force upon another person in attempting sex relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against children under the age of 16;
- j) An attempt or conspiracy to commit an offense listed in (a) or (e-i);
- k) A violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States; Any crime listed in 1535(1), if the superintendent of public instruction determines the public health, safety or welfare requires emergency action based on the circumstances underlying the conviction.

\textsuperscript{13} Any person that violates this policy may be found guilty of a crime.
Section 5000 – Human Resources

5180 Unauthorized Release of Information

Employees of the District may have ongoing opportunities to access confidential information or records that are only available to the public on a limited review basis. Much of the information processed by District employees is confidential, and law governs its release; for example, driver record and vehicle registration information, confidential student records, criminal history background check information, information obtained pursuant to Family Independence Agency intervention, and professional misconduct background checks.

It is the policy of the Board that employees are prohibited from divulging information contained in the records and files of the District, except to other, authorized employees who may need such information in connection with their duties and to authorized persons in accordance with law, District policies, and administrative rules.

If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information unless authorized by his/her supervisor or otherwise required to release the information under law or court order. In all cases, the employee’s immediate supervisor shall be informed, immediately, of any requests.

Any employee who inappropriately releases information, or uses confidential information obtained in the course of his/her employment with the District for personal reasons or private gain, will be disciplined in accordance with Board policies, collective bargaining agreements, and District procedures. Disciplinary action may include severe penalties, up to, and including, discharge.

The District shall apply the requirements set forth in this policy, equally, to any data processing Subcontractor employed. Data processing Subcontractors shall be required to adopt this, or a similar policy, regarding their own employees as a condition of their contractual agreement with the District.

The Superintendent shall promulgate appropriate administrative rules to help assure the confidentiality of records and, particularly, those records obtained through electronic means.

Approved: December 13, 2006
LEGAL REF: Federal Driver Privacy Protection Act of 1994 (18 USC 2721 et seq.); MCL 257.208c - 208d; MCL 257.903; MCL 380.1230
Pursuant to both state and federal law, it is the policy of this School District to protect the confidentiality of social security numbers. No person shall knowingly disclose, transfer, or unlawfully use the social security number of any employee, student, or other individual.

The Superintendent shall establish rules and regulations to implement this policy. The Superintendent shall ensure that:

1. The confidentiality of social security numbers is maintained to the extent practicable;
2. The unlawful disclosure of social security numbers is prohibited;
3. Access to information or documents containing social security numbers is limited; and
4. Documents containing social security numbers are disposed of properly.

This policy and its rules shall be published in the appropriate handbooks, manuals, and other similar documents. The published document(s) may also be made available electronically.

Persons who violate this policy, or the rules that implement it, may be subject to disciplinary action up to and including suspension or expulsion for students and termination for employees.

Approved: December 13, 2006
LEGAL REF: MCL 445.81 et seq.; 18 USC 1028; 5 USC 552a (The Privacy Act of 1974)

The Board supports the concept of professional development for staff, and to this end, may authorize funding for various activities in its budget. Additionally, the Board encourages staff to continue to improve their competence through participation in in-service growth programs, attendance at professional institutions, and through formal graduate studies. The Board shall make efforts to provide opportunities to encourage this growth. Personal development opportunities shall follow any guidelines found in the current negotiated master contract(s).

In-Service Education

The Superintendent, in consultation with various groups of the District’s staff, shall develop programs of in-service education that will promote the continuous development, improvement and on-the job performance of its personnel.

Technology

The Board requires that any staff member who uses a computer or an advanced piece of technological hardware or software be provided in-service training in its utilization.

Approved: December 13, 2006
Revised: March 21, 2012
LEGAL REF: MCL 380.1254; 380.1525; 380.1526; 388.1695
All employees have the responsibility to become familiar with, and abide by, the laws of the state of Michigan as they affect their work, the policies and decisions of the Board, and the administrative regulations designed to implement them. All employees shall be expected to carry out their assigned duties, support and enforce Board policies and administrative regulations, submit required reports, protect District property, oversee students, and contribute to the education and development of the District's students.

All employees shall obey the rules and decisions of their supervisors.

Federal Compliance

All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of the actions they may take to maintain order, discipline, and an appropriate educational environment. Training will be provided that defines approved actions, and informs employees that they may be liable for harm when they engage in criminal, grossly negligent or reckless conduct, or act with flagrant indifference to the rights and safety of another person who suffers harm as a result. The Superintendent will develop rules that prescribe the circumstances under which the District administration and/or parents/guardians are to be notified of actions taken, any written documentation of actions taken that is necessary, and other appropriate procedures including staff training.

Staff Appearance

Staff dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.

Approved: December 13, 2006
LEGAL REF: NCLB
Section 5000 – Human Resources

5203 Use of District Equipment, Supplies and Materials (Cf. 9250)

Permission must be gained from the appropriate building Principal or immediate supervisor before any District equipment, supplies or materials may be removed from school grounds.

The building Principal or immediate supervisor may authorize staff members to utilize District-owned equipment, supplies, and materials to develop software and associated documents outside of their work assignment, provided the development of the software is in the best interests of the District. Staff using District equipment, supplies, materials, and software shall be in compliance with all copyright laws. Staff members authorized to use District equipment assigned to them for use off school grounds (such as, but not limited to, laptop computers, cellular telephones, printers or the like) shall assume responsibility for said equipment. Unless specifically authorized otherwise, all such equipment issued to teachers or administrators shall be returned to the District at the end of their annual work year.

In no case shall employees be authorized to borrow, remove, or utilize District equipment, materials, or supplies in connection with any outside employment or any other personal interest. Violations of this policy will result in disciplinary action up to and including discharge and/or the filing of criminal charges.14

Approved: December 13, 2006

LEGAL REF: MCL 19.141; MCL 750.362

14 MCL 19.141 Care, preservation, and protection of state buildings and property. The Department of Education, among others named in the act, may prescribe rules and regulations for the care, preservation, and protection of buildings and property dedicated and appropriated to the public use and the control and conduct of those coming upon the property. The act authorizes those having control over property and buildings to file a misdemeanor complaint against those who misuse the property. MCL 750.362 - Larceny by conversion. Any person to whom any money, goods or other property, which may be the subject of larceny, shall have been delivered, who shall embezzle or fraudulently convert to his own use, or shall secrete with the intent to embezzle, or fraudulently use such goods, money or other property, or any part thereof, shall be deemed by so doing to have committed the crime of larceny and shall be punished as provided under the Michigan Penal Code. (Underlining added.)

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Possessing, Transporting or Transmitting Dangerous Weapons (Cf. 8300)

No person shall possess, transport or transmit a dangerous weapon on school District property, property used by the school District for a school-related purpose, or in a motor vehicle used for a school District-related purpose unless: (a) Prior permission has been granted by the Superintendent, (b) The person is an on-duty law enforcement officer or, if off duty, the officer is otherwise required by the law enforcement agency to carry a weapon; or (c) as otherwise allowed by law.¹⁵

A dangerous weapon, within the meaning of this policy, shall include, by way of description, such things as a firearm, knife, black jack, baton, iron bar, brass knuckles, martial arts devices, and incendiary and/or explosive devices. Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame, or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device.¹⁶ Any person, including a student, who violates this policy, will be reported to law enforcement authorities. Employees who violate this policy will be severely disciplined, up to and including discharge.

The Board policy prohibiting students from possessing dangerous weapons is contained in the Student Code of Conduct. The District, pursuant to state law, shall expel students who violate the weapons laws and rules unless one of the statutory exceptions is established.¹⁷ To comply with federal law, any such exception shall be reduced to writing.

Approved: December 13, 2006
LEGAL REF: MCL 380.1311; 750.237a; 18 USCA 921; 20 USCA 7151 (No Child Left Behind Act)

¹⁵ 28.425o. added Premises on which carrying concealed weapon prohibited; violation. Sec. 5o. (1) An individual licensed under this act to carry a concealed pistol, or who is exempt from licensure under section 12a(f), shall not carry a concealed pistol on the premises of any of the following: (a) A school or school property except that a parent or legal guardian of a student of the school is not precluded from carrying a concealed pistol while in a vehicle on school property, if he or she is dropping the student off at the school or picking up the child from the school. As used in this section, “school” and “school property” mean those terms as defined in section 237a of the Michigan penal code, 1931 PA 328, MCL 750.237a.

¹⁶ Pursuant to federal law, the term destructive device means: any explosive, incendiary, or poison gas: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any or the devices described in the preceding clauses.

¹⁷ To establish a statutory exception, state law requires clear and convincing evidence that: 1) The object or instrument possessed by the pupil was not possessed by the pupil for use as a weapon, or for direct or indirect delivery to another person for use as a weapon, or 2) the weapon was not knowingly possessed by the pupil, or 3) the pupil did not know or have reason to know that the object or instrument possessed by the pupil constituted a dangerous weapon, or 4) the weapon was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.
The Board recognizes the need to provide for the orderly resolution of disagreements or complaints arising out of alleged misapplication of a Board policy. Such disagreements or complaints should be resolved at the lowest possible administrative level. The Superintendent shall assure the procedures may be utilized without fear of reprisal.

The procedure established for resolution of grievances in the master contracts negotiated with recognized employee organizations shall apply only to grievances as defined by the particular agreement.

This policy covers any item not covered by a negotiated master contract or subject to negotiations under the Public Employee Relations Act and does not apply to any complaints based upon alleged discriminatory practices.

Approved: December 13, 2006

All District employees are expected to maintain relationships with members of the student body, which are conducive to an effective educational environment. All District employees are responsible for the regulation of student conduct.

**Threats to Students**

Any District employee who threatens to inflict, inflicts, or causes to be inflicted, deliberate physical pain by any means to any student, may be disciplined according to provisions which may be found in the current negotiated master contract or as prescribed by the Board.

Employees found to be in violation of this policy by the Board may be subject to: a letter of reprimand, probation, suspension, and/or termination of employment.

Approved: December 13, 2006
LEGAL REF: MCL 380.1312
This policy is intended to cover all students. It includes students with disabilities who have an Individualized Educational Program (IEP) or Section 504 Plan. The following definition of “medication” is adopted for use in this District: “Medication,” includes prescription, non-prescription, and herbal medications, and includes those taken by mouth, by inhaler, those that are injectable, and those applied as drops to eyes, nose, or medications applied to the skin.

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

Any and all “biohazards” generated, such as, but not limited to: sharps, bandages, gauze, towelettes, and discarded live or attenuated vaccines, due to the administration of medications by school personnel shall be disposed of in accordance with the Michigan Medical Waste Regulatory Act, 1978 PA 368, R 325.1545(10). Students who “self administer” medications shall be responsible for returning any such wastes to their home for disposal. The Superintendent shall be responsible for providing staff members with written procedures to implement this requirement.

Each building shall have a plan for handling medical emergencies.

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

Self-Administration/Self-Possession of Medications

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

A pupil whose parent(s)/guardian(s) and physician provide written permission will be able to self-administer and self-possess his/her own medications. A medication that a pupil possesses must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration. A pupil’s use shall not be denied if the conditions of written permission and physician direction are met. A building administrator may discontinue a pupil’s right to self-administer and self-possession if there is misuse by the pupil.
The denial shall come only after a consultation with the parent(s)/guardian(s). For example, a pupil who requires the use of an inhaler for relief or prevention of asthma symptoms shall be allowed to carry and use the inhaler if there is written approval from the pupil’s physician and parent(s)/guardian(s) on record at the school (as described in the Michigan Revised School Code, Section 380.1179). A pupil who is in possession of an inhaler under the above conditions shall have each of his/her teachers notified of this by the building administrator.

**Diabetic Emergencies**

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

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

If needed, school administrators may have direct communication with the child's health care provider in order to resolve individual problems that may arise because of a child's asthma. All staff shall be informed about the early warning signs of an acute asthma episode and should be aware of emergency procedures and contacts in case a child needs medical assistance. Copies of the "Signs of an Asthma Emergency," as published by the Michigan Department of Education will be distributed to all staff and shall be posted on appropriate bulletin boards in school buildings.

**Exercise Induced Asthma Attacks**

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

The Superintendent will promulgate rules and guidelines to implement this provision.

**School Staff Training**

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

**Storage and Access to Medications**

All medication shall be kept in a labeled container as prepared by a pharmacy, physician, or pharmaceutical company with the pupil’s name, the name of the medication, dosage, and the frequency of administration. Medications shall be stored in a school location that is kept locked. However, emergency medications may be stored in an area readily accessible to the individuals designated to administer them. All controlled-substance medications will be counted and recorded upon receipt from the parent(s)/guardian(s).
Section 5000 – Human Resources

5222 Administration of Medications by School Personnel

The medication shall be recounted on a regular basis (monthly or bi-weekly) and this count shall be reconciled with the medication administration log/record.

Record Keeping of Medications

A log of medication administration shall be kept in a school office and filed in a pupil’s permanent record at the end of each school year (see sample Medication Administration Daily Log). The individual pupil log shall be kept until one year after the pupil’s graduation from high school.

Approved: December 13, 2006

5225 Corporal Punishment (Cf. 8300)

No employee shall inflict, or cause to be inflicted, corporal punishment upon any pupil under any circumstances. Corporal punishment means the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline.

An employee may use reasonable physical force upon a pupil as necessary to maintain order and control in a school, or school related setting, for the purpose of providing an environment conductive to safety and learning. In maintaining that order and control, the employee may use physical force upon a pupil as may be necessary:

• To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of District functions within a school or at a school related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts.
• For self-defense or the defense of another.
• To prevent a pupil from inflicting harm on himself or herself.
• To quell a disturbance that threatens physical injury to any person.
• To obtain possession of a weapon or other dangerous object upon or within the control of a pupil.
• To protect property.

Any employee who violates this policy shall be subject to discipline up to and including discharge.

See Appendix C to Section 4000 for a list of alternatives to the use of corporal punishment.

Approved: December 13, 2006
Section 5000 – Human Resources

5228 Mistreatment of Students (Cf. 5220, 8260, 8270)

Employees shall use reasonable efforts to protect a student from conditions harmful to learning or to the student’s health and safety. Employees shall not abuse a student physically or verbally or mistreat a student, including the use of verbal or other forms of communication, to curse, vilify or degrade a student or to threaten a student with physical harm or the use of corporal punishment, nor shall employees intentionally expose a student to unnecessary embarrassment or disparagement. Employees shall not use their employment position to gain private advantage from a student. Employees shall not disclose information about a student, which information was obtained in the course of their employment, except for a proper business purpose, educational health or safety reasons, or as required by law or an administrator.

Employees are responsible for the prevention and/or correction of bullying of students by other students. Said prevention and/or correction shall be within the guidelines of Board Policy and applicable laws.

All employees are responsible for the regulation of student conduct.

Approved: December 13, 2006
Section 5000 – Human Resources

Any school administrator, school counselor, or teacher of the District who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect will immediately report, or cause a report to be made, to the local Department of Human Services (DHS).\(^\text{18}\)

School employees will not contact the child’s family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to determine or prove that the child has been abused or neglected.

Access to Students on School Premises (Cf. 8140, 9570)

The building Principal is authorized to act in loco parentis to protect the interests of the student when a student is to be interviewed by DHS representatives on school premises. The District recognizes, however, that the DHS may, lawfully, interview a child alleged to have been abused without the presence of the building Principal or other school personnel. However, in appropriate cases, the Principal may request that he or she, or a designated representative, be present during the interview.

Cooperation between School and Agencies

Elementary and secondary schools, DHS, and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. To the extent that safety and practical consideration allow, it is the preference of the District that law enforcement officers on school premises to investigate a report of suspected child abuse or neglect should not be in uniform. Administrators shall make this District preference known to law enforcement officers and ask for their cooperation.

Approved: December 13, 2006
LEGAL REF: MCL 722.621-638; Commonwealth v Allen, 980 S.W. 2d 278 (Ky., 1998)

\(^\text{18}\) Reasonable Cause exists where the facts and circumstances within a person’s knowledge and of which he/she has reasonably trustworthy information are sufficient to warrant a man of reasonable caution in the belief that abuse/neglect has or is occurring.
The objectives of this conflict of interest policy are to maintain an impartial administration of the business of the School District and to maintain public confidence in the School District.

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

- Situations where prejudice, bias, favoritism or personal gain is a motivating force in his/her conduct or situations which have the appearance of impropriety.
- Disclosure or release confidential information (Cf. 5180), not otherwise available to members of the public, in advance of the time prescribed for the release; provided, however, that this provision shall not prevent an employee from divulging or releasing confidential information regarding suspected violations of law.
- Benefiting financially from confidential information obtained by reason of his/her position.
- Using human resources, property or funds of the School District, except judiciously and in accordance with good business practices and administrative procedures, and not for personal gain or benefit.
- Soliciting or accepting a gift or loan of money, goods, services or other things of value which tends to influence, or has the appearance of influencing, the manner in which the employee performs his/her duties.
- Engaging in or accepting employment or rendering services for a private or private entity when that employment or service is incompatible or in conflict with the discharge of the employee’s work duties, or when that employment may tend to impair his/her independence of judgment or action in the performance of work duties.
- Engaging in any other employment or in any private business during the hours necessary to fulfill the duties of the School District position.
- Making personal sales of supplies, materials, services or equipment to students or using his/her position to influence such sales.
- Soliciting students to attend non-School District sponsored camps, travel trips, special schools, tutoring or other activities through which the employee will realize financial gain or advantage without approval of the Superintendent of Schools and a written “Disclaimer Statement” to the student and parent(s)/guardian(s) stating that the School District is not sponsoring, endorsing or otherwise participating in any way with the student activity.

Approved: December 13, 2006
LEGAL REF: MCL 15.321 – 323
Section 5000 – Human Resources

5235 Nepotism

Relatives of Board members and relatives of employees of the District may be hired if their qualifications are equal to other applicants in the sole judgment of the Superintendent or designee(s). However, in no event will a relative be allowed to supervise the work of a relative. In the event such situations arise following employment, one of the employees will be transferred, if possible, to another area or department to eliminate the problem or potential problem.

A person is a “relative” for purposes of this policy if the person is a spouse, child, parent, guardian, grandparent, or sibling, of a Board member or employee.

Approved: December 13, 2006
LEGAL REF: MCL 37.2102

5245 Political Activities

Staff members who intend to become candidates for political office are asked to notify the Superintendent within five days of the date on which the declaration of candidacy is filed to discuss the compatibility of the office regarding continued employment with the District.

Approved: December 13, 2006
LEGAL REF: MCL 15.401-407

5300 Human Resources Records

One, official human resources file shall be maintained by the District for each employee excluding temporary, casual, and summer or student employees. Human resources files kept by the District concerning employees shall be kept in a secured location and be under the custodianship of the Superintendent or designee. Personnel files of employees who have left the District shall be similarly kept, but in an inactive file for a period of time to be determined by the District in compliance with applicable law.

The Board may have access to human resources files of employees when such access is deemed necessary by the Board in the employee-employer relationship. Individual Board members shall not have access to human resources files or records except as may be allowed by law and accorded to any other citizen.

Approved: December 13, 2006
LEGAL REF: MCL 15.231 et seq.; 423.501-512

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 5000 – Human Resources

5330  Travel Expenses (Cf. 1168, 3600)

The Board shall provide reimbursement for qualified expenses incurred in travel related to the performance and duties of the District's employees when approved in advance by the Superintendent.

Approved:  December 13, 2006

5340  Staff Health and Safety (Cf. 5370)

The Board shall attempt to ensure staff health, safety, and protection during working hours.

The Board shall comply with the provisions of the federal and Michigan Occupational Safety and Health Act as they apply regarding the employee’s right to know of hazardous conditions or materials. The Superintendent shall develop appropriate procedures for informing staff.

Approved:  December 13, 2006
LEGAL REF:  Michigan Constitution Article VIII, §3; MCL 408.1001-1094 (Michigan Occupational Safety and Health Act)

5345  Staff Smoking and Tobacco Products

No employee, at any time, shall smoke, chew or otherwise use tobacco on School District property, on property under the control of the School District, or in School District vehicles.

District employees shall not smoke or use tobacco products when they are involved with students or when supervising student activities whether on or off District property.

Approved:  December 13, 2006
LEGAL REF:  MCL 750.473
Alcohol and Drug Abuse

Our most important resource is our children. These children spend a significant portion of their lives in a school setting. Their education is of paramount concern. The District is, therefore, committed to creating an optimal learning environment for the students. Employees who abuse alcohol and/or drugs prevent the School District from achieving this environment. In addition, the District has a vital interest in maintaining a safe and healthy working environment for all of its employees and efficiency and productivity in all of its operations.

Because of the growing concerns regarding the use of alcohol and drugs, and their potential impact with respect to the educational process, student safety and employee safety, health, efficiency and productivity, this policy regarding use of alcohol and drugs has been adopted and is based on these several important principles.

• The use, possession, sale, or other activities involving illegal drugs and abuse of other controlled substances or alcohol is inconsistent with law abiding behavior expected of all citizens.
• School District employees are role models for students and, as such, employees should demonstrate exemplary behavior.
• All employees must be alert and in full possession of all faculties whenever they are on District property.
• While individual employees have the right to make choices regarding the use of alcohol and drugs, they must accept responsibility for these choices and they are subject to disciplinary action, including discharge, for violation of this policy.
• Employees should seek treatment, counseling and/or rehabilitation for abuse of alcohol or drugs or use of unlawful drugs before their performance deteriorates to a point where discipline may be required.

The Board of Education encourages employees who are experiencing problems with alcohol and/or drug abuse to voluntarily seek assistance for such problems through available treatment, counseling and/or rehabilitation programs. The confidentiality of all records for any employees who seek assistance through such programs will be maintained. Furthermore, the employee's decision to seek such assistance will not be used as a basis for disciplinary action or be used against the employee for any disciplinary proceedings.

The Board of Education has established the following specific policies regarding the use, possession, concealment, manufacture, distribution, dispensation and sale of alcohol and drugs. “Unlawful drugs” includes, also, a controlled substance without a valid prescription:

• All employees must be free from unlawful drugs, and the effects of drugs and alcohol during scheduled working hours and when they report for work or attend a School District activity or event. Employees shall not possess unlawful drugs or alcohol on school property, including vehicles, or at School District activities or events.
• The manufacture, distribution, dispensation, possession, concealment, use or sale of unlawful drugs, or other controlled substances, is strictly prohibited and the employee may be referred for prosecution.
The unlawful possession, use, sale, manufacture, distribution or dispensation of alcohol or drugs while on the District's property, work site, or at a School District activity or event, is strictly prohibited and the employee may also be referred for prosecution.

- As a condition of continued employment, all employees shall report any convictions under a criminal drug statute for a violation occurring in the work place within five (5) days after such conviction.

A violation of the prohibitions listed above shall be grounds for discharge. Conviction on any criminal drug statute is, also, grounds for discharge.

Pursuant to the provisions of law, the District shall expand its Drug-Free Awareness Program to assist its employees to understand and avoid the perils of drug and alcohol abuse. The School District will continue to use this program in an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace. The Drug-Free Awareness Program will inform employees about:

- The dangers of drug and alcohol abuse in the workplace;
- The School District's work rule regarding the use of drugs and alcohol;
- The availability of drug and alcohol treatment, counseling and rehabilitation programs; and,
- The penalties that may be imposed upon employees, in addition to the penalties provided herein, for drug and/or alcohol violations.

If an employee, who has not violated this policy and who is not otherwise subject to disciplinary action, voluntarily admits that he/she has a drug and/or alcohol abuse problem, the Administration will meet with the employee to discuss the various treatments, counseling and rehabilitation options that are available. These options may include, at the discretion of the Superintendent of Schools, allowing the employee to continue working while he/she is receiving out-patient treatment, counseling or rehabilitation in a recognized out-patient drug and/or alcohol abuse program; or placing an employee on a leave of absence while he/she is receiving treatment, counseling or rehabilitation in an in-patient, out-patient drug and/or alcohol abuse program.

A current list of available drug counseling, rehabilitation and employee assistance programs will be developed in consultation with the School District's labor organizations and such lists shall be maintained for employee referrals.

Employee Alcohol and Drug Testing

It is the policy of the Board to comply with the provisions of the Omnibus Transportation Employees Testing Act of 1991 and the Regulations promulgated under that Act. In this regard, effective January 1, 1995, the District will implement pre-employment, post-accident, reasonable suspicion, random, return-to-duty and follow-up alcohol and controlled substance testing on those individuals, including casual, intermittent or occasional employees, who operate commercial motor vehicles on behalf of the District.
Section 5000 – Human Resources

5350 Drug-Free Workplace

All individuals who operate a commercial motor vehicle are covered by this policy, whether they are full-time, regularly employed drivers, lease drivers or independent owner-operated contractors directly employed by or under lease to the District or who operate a commercial motor vehicle at the direction of, or with the consent of the District. Covered employees will be provided the requisite educational materials regarding the implementation and application of this policy, and all required training will be provided.

An employee covered by the federal regulations may not refuse to take a required test.

Any employee who tests positive for a controlled substance under this policy, or who tests at a .01 alcohol concentration level, or higher, is subject to immediate discharge.

This policy shall be published annually in the District's faculty and staff handbooks.

Approved: December 13, 2006
LEGAL REF: 49 CFR §40.1 (Omnibus Transportation Employee Testing Act); 49 CFR 382.601 (Anti-Substance Abuse Act)

5357 Family and Medical Leave

The District’s policies, practices and procedures with respect to leaves of absence qualifying under the Family Medical and Leave Act shall be administered not in conflict with the act.

Approved: December 13, 2006
LEGAL REF: 29 CFR 825.200 (Family and Medical Leave Act of 1993)
Upon receipt of an application from a person for the position of school bus driver, the District shall request from the Department of State Police a background check to determine whether the person was ever convicted of any of the following offenses:

(a) Criminal sexual conduct in any degree.
(b) Assault with intent to commit criminal sexual conduct.
(c) An attempt to commit criminal sexual conduct in any degree.
(d) Felonious assault on a child, child abuse, or cruelty, torture, or indecent exposure involving a child.
(e) A violation of section 145c of the Michigan penal code, 1931 PA 328, MCL 750.145c. 19

The District application form for the position of school bus driver shall make note on the application form in a prominent place that all applicants will be required to undergo a criminal history background check. Any applicant objecting to having the District seek a criminal history background check shall not be considered and their application form shall not be accepted or filed.

If actually employed as a school bus driver either full or part-time, the bus driver shall fall under all laws and conditions concerning criminal history background checks as set forth in policy 5175.

Costs of all criminal background checks shall be borne by the applicant or employee.

Approved: December 13, 2006
LEGAL REF: MCL 257.1853

19 MCL 750.145c: Child sexually abusive activity or material; possession of child sexually abusive material.
Section 5000 – Human Resources

5370 Communicable Diseases - Staff and Students (Cf. 8510) 5370

In order to minimize the spread of contagious diseases among students and staff, the District will cooperate, fully, with the Saginaw County Health Department to enforce adherence to the Michigan Health Code for the prevention, control, and containment of communicable diseases.

A decision to close schools due to communicable disease outbreaks shall be made by the Superintendent in consultation with the Saginaw County Health Department medical staff and/or for review to the review team.

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the District’s policies.¹

Approved: December 13, 2006

5410 Professional Staff Contracts (Cf. 2400) 5410

The Superintendent is authorized to sign teacher and administrator contracts on behalf of the Board. All provisions of individual contracts shall comply with applicable negotiated master agreements. Should the Superintendent decide to delegate his/her signing authority to other District administrators, said administrators shall be notified of this authority in writing annually.

Compensation and Benefits (Cf. 2400)

Provisions of this section are generally covered in the negotiated master agreement and/or staff contract.

Approved: December 13, 2006
LEGAL REF: MCL 380.1224; 380.1231

¹ A student with a contagious disease is probably a “handicapped individual” under Section 504 of the Rehabilitation Act (29 U.S.C. § 794(a). See Thomas v Atascadero Unified School District, 662 F. Supp.376 (C.D. Cal 1986) (a child with Aids was a “handicapped person” under Section 504.

Students with contagious diseases may also qualify for special education under the Individuals with Disabilities Education Act (20. U.S.C. § 1400 et seq.)

Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. Community High School District 155 v Denz, 463 N.E.2nd 998 (2nd Dist. 1984).

Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, legal counsel should be consulted.
Section 5000 – Human Resources

5430 Hiring (Cf. 5020)

The Board has the legal responsibility of approving the staffing levels for all categories of District personnel. In addition, they are responsible for the formal approval of all teacher and administrative contracts. Once the Board through the budget adoption process has approved staffing levels, the Board delegates to the Superintendent the authority to recruit, screen, select, and recommend the employment of all staff members to fill the positions approved in the budget, and to sign employment contracts on the Board’s behalf. In carrying out this responsibility, the Superintendent shall involve appropriate administrative and/or non-certified staff members as needed and use special criteria developed by the Board and/or staff.

Approved: December 13, 2006
LEGAL REF: MCL 380.601(a) (1) (d), MCL 380.1229 and MCL 380.1231

5500 Professional Staff Evaluation

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

E. Evaluates the employee’s job performance at least annually while providing timely and constructive feedback;

F. Establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth; and

G. Evaluates an employee’s job performance, using multiple rating categories that take into account data on student growth as a significant factor;

For these purposes, student growth shall be measured by national, State, or local assessments and other objective criteria.

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

5. The effectiveness of employees, so that they are given ample opportunities for improvement;
6. Promotion, retention, and development of employees, including providing relevant coaching, instructional support, or professional development;
7. Whether to grant tenure or full certification, or both, to employees, using rigorous standards and streamlined, transparent, and fair procedures; and
8. Removing ineffective tenured and untenured employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional
5500 Professional Staff Evaluation

staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

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

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

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

Approved: June 19, 2013
LEGAL REF: MCL 38.71 et seq.; MCL 280.1248, MCL 380.1249 (as amended), MCL 38.83a; MCL 3893, as amended by Public Acts 100, 101, and 102, effective July 19, 2011

5510 Layoff and Recall of Professional Staff

Teacher layoff and recall decisions shall be made based on the goal of retaining effective teachers within the District. Therefore, when conducting a staffing or program reduction, recalling from a staffing or program reduction, making any other personnel decision resulting in the elimination of a position, hiring after a staffing or program reduction, or making any other personnel determination related to such decision, the Board of Education of the School District of the City of Saginaw, directs the Superintendent of Schools and administrative staff to ensure that all such decisions are based on the retention of effective teachers.

Teacher effectiveness shall be measured by:

1. The teacher’s individual performance, which shall be the majority factor used in making such decisions. Individual performance shall be measured by a composite of the teacher’s ratings on the annual year-end performance evaluation; evidence of student growth, which shall be the predominant factor; the teacher’s pedagogical skills; the teacher’s management of the classroom; and the teacher’s attendance and disciplinary record, if any.
2. Significant, relevant accomplishments and contributions above normal expectations of the teacher’s peer group and a demonstrated record of exceptional performance.
3. Relevant special training (beyond District requirements) and the demonstrated integration of that training into instruction in a meaningful way.
4. Such other factors as may be identified by the Superintendent or designee provided such factors are consistent with the above factors.

All factors shall be construed and applied in a manner consistent with Section 380.1248 of the Michigan Revised School Code, as it may be amended from time to time.

Teachers rated as ineffective under the District’s performance evaluation system shall not be given preference over a teacher who is evaluated as minimally effective, effective or highly effective. In rare cases, with the written approval and rationale of the Superintendent of Schools, an ineffective teacher may be retained due to unique certification and/or highly qualified status.

Teachers rated as minimally effective shall not be given preference over a teacher who is evaluated as effective or highly effective, provided that there are teachers certified and highly qualified to perform the remaining work, without creating an undue disruption to the other teaching assignments or educational continuity, in the opinion of the Superintendent or designee.

Probationary teachers rated as effective or highly effective shall not be displaced by a teacher on continuing tenure solely because the other teacher has continuing tenure.

In the event that a personnel decision within the scope of this policy involves two (2) or more teachers, and all of the above factors, as well as any other job related factors identified by the Superintendent or designee are equal, then length of service or tenure status may be considered as the final tiebreaker.

The Board, the District, the Superintendent of Schools and each member of the administrative staff shall not make personnel decisions involving teachers within the scope of this policy, using length of service or tenure status as the primary or determining factors, except only in the limited circumstances stated within this policy and its implementing regulations.

The development and content of policies and procedures relating to decisions concerning the layoff and recall of teachers (as defined within MCL 423.215(3)(k)) shall not be the subject of any terms and conditions within a collective bargaining agreement between the District and a collective bargaining agreement of the teachers who are covered by this policy.

For purposes of this policy, “teachers” include individuals whose employment is regulated by the Tenure Act, individuals with teaching certificates (as defined by the Teacher Certification Code) who are assigned to positions within the District for which the Michigan Department of Education (MDE) requires a teaching certificate. Individuals who may posses a teaching certificated, but are assigned to a position for which such a certificate is not required, are not subject to this policy or its implementing regulations (e.g., school social workers, school psychologists, school nurses, occupational therapists, etc.).

The Superintendent of Schools or designee shall develop administrative procedures to support this policy.

Approved: July 17, 2013
LEGAL REF: Public Act 102 of 2011; Section 380.1248 of the Michigan Revised School Code, Public Employment Relations Act (PERA, as amended (MCL 423.215), 2011 Public Act 103 Amendment to Section 15 PERA (MCL 423.215 (3)(k))
5520  Prohibited Subjects of Bargaining

The Board has sole authority to make decisions regarding the prohibited subjects identified in Section 15 of the Public Employment Relations Act (PERA), as amended, MCL 423.215. Consistent with Board Policy 2100, the Board delegates to the Superintendent the authority to implement the statutory decision making responsibility as contained in the 2011 Public Act 103 amendment to Section 15: 7, 8, 9, 10, 11, and 12 of PERA, MCL 423.215.

Approved:  August 21, 2013
LEGAL REF:  Public Employment Relations Act (PERA, as amended (MCL 423.215), 2011 Public Act 103 Amendment to Section 15 (PERA (MCL 423.215)

5540  Suspension and/or Dismissal of Professional Staff

The Board may discipline, or proceed with charges to dismiss or demote, any probationary teacher, or recommend dismissal of any tenured teacher or administrator upon recommendation by the Superintendent in accordance with the Michigan Tenure Act and/or within the provisions of law and/or the current negotiated master contract.

The Superintendent or building Principal shall make written recommendations to the Board concerning an employee on probation that, in his/her judgment should be considered for dismissal or to proceed on charges against any tenured teacher being considered for a recommendation for dismissal.

Any action for non-renewal of the Superintendent’s contract or the contract of any Assistant Superintendent, Principal, Assistant Principal, Guidance Director, and other administrators who do not assume tenure in that position shall be under the provisions of law. (MCL 380.1229)

The Superintendent is authorized by the Board to suspend from active duty any teacher against whom formal charges are anticipated being filed or have already been filed, until a decision is rendered or unless the Board acts to reinstate said teacher.

Teacher Convictions

Generally, if a teacher is suspended, the teacher’s salary shall continue during the suspension. However, if a teacher is suspended and

- The teacher is convicted of a felony that is not a listed offense or a misdemeanor that is a listed offense, upon the Board’s discretion, the teacher’s salary may be discontinued upon the date of conviction.  

20 A listed offense includes any of the following:
  1) Accosting or soliciting a child for immoral purposes (MCL 750.145a-c);
  2) Sodomy if the victim is an individual less than 18 years of age (MCL 750.158);
  3) A third or subsequent violation of any combination of the following:
     a. Being engaged in indecent or obscene conduct in a public place (MCL 750.167(1)(f))
     b. Indecent exposure (MCL 750.335a)
     c. A local ordinance of a municipality substantially corresponding to the above;
  4) Except for a juvenile disposition or adjudication, gross indecency between males, females, or between a male and female, if the victim was under 18 years of age (MCL 750.338-338b);
Section 5000 – Human Resources

5540  Suspension and/or Dismissal of Professional Staff

- The teacher is convicted of a felony that is a listed offense, the Board shall be
discontinue the teacher’s salary upon the date of conviction.
- The teacher pleads guilty, no contest, or is convicted of a crime listed in MCL
380.1535a(2), the Board shall discontinue the teacher’s salary.21

Under such circumstances, all discontinued wages shall be held in an escrow
account until the Superintendent of Public Instruction makes a final
determination of whether or not to suspend or revoke the individual’s teaching
certificate. If the individual’s teaching certificate is suspended or revoked, all
wages will be forfeited. If the individual’s teaching certificate is not suspended or
revoked, the individual shall be paid all withheld wages without interest. Should
a person’s conviction be reversed on appeal, that person shall be treated in a
manner consistent with applicable law.

5) Kidnapping (MCL 750.349);
6) Kidnapping under age 14 (MCL 750.350);
7) Soliciting and accosting (MCL 750.448);
8) Pandering (MCL 750.455);
9) 1st, 2nd, 3rd and 4th degree criminal sexual assault, and second or subsequent offenses (MCL 520b-e);
10) Assault with intent to commit criminal sexual assault (MCL 750.520g);
11) Sexually delinquent persons (MCL 750.10a);
12) The attempt or conspiracy to commit any of the above offenses;
13) Any other violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a
sexual offense against an individual who is less than 18 years of age; and (Continued next page)
14) Any offense substantially similar to the above offenses under a law of the United States, any state, or any
country or under tribal or military law.

21 MCL 380.1535a(2) includes the following offenses:
a) Criminal sexual conduct in any degree, assault with the intent to commit criminal sexual conduct, or an
attempt to commit criminal sexual conduct in any degree;
b) Felonious assault on a child21, child abuse in the first degree, or an attempt to commit child abuse in the first
degree;
c) Cruelty, torture, or indecent exposure involving a child;
d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i), 7410, or 7416 of the Public Health Code (concerning
unlawful manufacture, delivery, or possession of controlled substances or controlled substance analogues;
distribution of marijuana to minors near school property; and recruiting or inducing a minor to commit a
felony);
e) A violation of section 83, 89, 91, 145a-c, 316-17, 350, 448, 455, or 529 of the Michigan Penal Code
(concerning assault with intent to commit murder or to steal while armed; attempt to murder; consumption or
possession of alcohol by minors, or controlled substances at social gatherings; first and second degree
murder; armed robbery; and using the Internet when committing a crime against a minor);
f) A violation of section 158 of the Michigan Penal Code if the victim was an individual less than 18 years of
age (concerning crimes against nature or sodomy);
g) Except for a juvenile disposition or adjudication, a violation of section 338, 338a, or 338b of the Michigan
Penal Code if the victim was an individual less than 18 years of age (concerning gross indecency between
males, females, and between males and females);
h) A violation of section 349 of the Michigan Penal Code if the victim was an individual less than 18 years of
age (concerning kidnapping);
i) An offense committed by a person who was, at the time of the offense, a sexually delinquent person – any
person whose sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of
consequences or the recognized rights of others, or by the use of force upon another person in attempting sex
relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against
children under the age of 16;
j) An attempt or conspiracy to commit an offense listed in (a) or (e-i);
k) A violation of a substantially similar law of another state, of a political subdivision of this state or another
state, or of the United States; Any crime listed in 1535(1), if the superintendent of public instruction
determines the public health, safety or welfare requires emergency action based on the circumstances
underlying the conviction.

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 5000 – Human Resources

5540 Suspension and/or Dismissal of Professional Staff

Reporting Crimes and Convictions

All District employees shall disclose criminal charges or convictions to the Superintendent as prescribed by law.

Failure to report being charged or convicted of a crime may result in dismissal.

The Superintendent will promulgate appropriate administrative rules regarding the procedures to be followed in the event of any complaints or criminal charges being filed against members of the professional staff.

Approved: December 13, 2006
LEGAL REF: MCL 38.71-121; 380.1229; 380.1230d; 380.1535a; 380.1539b
The Board authorizes and directs the Superintendent, and his/her designee(s), to accept all employee resignations on behalf of the District. Those persons, whom the Superintendent may wish to designate as being authorized to accept resignations, shall be so notified in writing by the Superintendent. Upon acceptance, resignations shall be irrevocable.

Approved: December 13, 2006
LEGAL REF: MCL 38.71-121

Employees shall not be permitted to engage in any outside employment, job, business, or business venture involving profit or payment to the employee, or that provides the employee any personal gain whatsoever that, by its nature or duration, will impair the effectiveness of their service to the District.

In addition, such employment, business, business venture, job, or other outside interest or responsibility shall not reflect on the District detrimentally, raise a question of conflict of interest, establish or imply any District sponsorship or responsibility, or require, or imply the use of the name of the District, District logos or insignia, or any District facilities, property, or equipment.

Employees are prohibited from soliciting District students during school hours or by using school employees, facilities, equipment, records, or supplies, to promote or advertise non-School District sponsored camps, travel trips, special schools, tutoring services, or other activities through which the employee will realize financial gain or advantage. If students of the District are solicited through advertising outside the school and off school premises, but it is obvious that the activity or event is aimed at students of the District primarily, the employee will provide a written “Disclaimer Statement” to any District student and their parent(s)/guardian(s). The “Disclaimer Statement” shall state clearly that the School District is not sponsoring, approving, endorsing or otherwise participating in any way with the student activity.

Approved: December 13, 2006
LEGAL REF: MCL 15.401

Substitute teachers shall be obtained to provide for a level of instruction commensurate with the regular teacher’s performance as nearly as practicable. All substitutes shall be duly certified as provided for under current State Department of Education rules. The Board shall establish, as needed, a daily compensation rate for substitute employees.

Approved: December 13, 2006
LEGAL REF: MCL 380.1236; 421.42; 421.50; OAG, 1985-1986, No 6360, p 283 (May 13, 1986)
Section 5000 – Human Resources

5695 Prohibited Contracts and Employee Disclosure Obligations

(See Appendix A to Section 5000)

Approved: December 13, 2006

5710 Compensation Guides and Contracts

No public funds will be spent by the Board in the form of wages or salary for any school employee to sponsor any religious activity. No public funds will be spent by the Board to pay any expenses of any student or school employee to attend any religious activity or conference.

Approved: December 13, 2006

5725 Qualifications and Duties

A job description for each classification of non-certified employees shall be developed by the Superintendent in cooperation with District Administration and its employees. Such job descriptions shall be on file in the Human Resources Department and made available on the District’s website.

Approved: December 13, 2006
Revised: March 21, 2012

5750 Part-Time and Substitute Non-Certified Staff

The Superintendent is authorized to employ part-time and/or substitute non-certified employees under the provisions of the current negotiated master contract(s).

The Superintendent shall be responsible to establish procedures for arranging substitutes in case of non-certified absences.

Salary for support staff substitutes shall be according to rates established annually by the Board upon recommendation of the Superintendent or as may be provided in the current negotiated master contract(s).

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 5000 – Human Resources

5800  Evaluation of Non-Certified Staff

Evaluation shall be based on the achievement of results specified in the employee’s position description and on specific goals and objectives as per master agreement.

Approved: December 13, 2006
LEGAL REF: MCL 15.268; 380.1250

5830  Employment for an Indefinite Term (At-Will Employees)

It shall be the policy of the District that, unless an employee is covered by a collective bargaining agreement or a written employment contract providing to the contrary, all employment with the District shall be employment at will. This means an employee does not have a contractual obligation to the District, and the Board and District do not have a contractual obligation to the employee. Therefore, employees have the right to terminate their employment relationship with the District at any time for any reason or no reason, and the District has the same reciprocal right to terminate the employment relationship at any time and for any reason or no reason. Any oral or written statement by a Board of Education member, District administrator or supervisor contrary to this policy shall be invalid and not binding on the District. Any prior written Board or District policy or any current written statement contained in any employee handbook, manual, etc., contrary to this policy shall be invalid and not binding on the District.

Approved: December 13, 2006
APPENDIX TO SECTION 5000

APPENDIX A

PROHIBITED CONTRACTS AND EMPLOYEE DISCLOSURE OBLIGATIONS

1. Except for contracts specified in section 5 below, an employee who is paid for working more than an average of 25 hours per week by the School District shall:
   • Not be party to any contract between himself/herself and the School District.

2. An employee who is paid for working more than an average of 25 hours per week by the school District shall not:
   • Directly or indirectly, solicit, negotiate, re-negotiate, represent a party to, or be an indirect party to, any contract between the School District and (i) any firm, meaning a co-partnership or other unincorporated association, of which he/she is a partner, member or employee, (ii) any private corporation in which he/she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of $25,000.00 if the stock is listed on a stock exchange or of which he/she is a director, officer, or employee, (iii) any trust of which he/she is a beneficiary or trustee.

3. An employee who is paid for working an average of 25 hours per week or less by the School District shall comply with the disclosure provisions of this section 3 in contracts described in subsection 1a. and 2a. of this policy. He/She shall promptly disclose any pecuniary interest in the contract to the Board of Education, which disclosure shall be a matter of record in its official proceedings. This disclosure shall be made in the following ways:
   • If the contract is for emergency repairs or services, the employee must promptly disclose any pecuniary interest in the contract which disclosure shall be made a matter of record in its official proceedings.
   • If the employee will directly benefit from a School District contract in an amount less than $250.00 and less than 5% of the public costs of the contract, the employee must disclose his/her pecuniary interest in the contract by filing a sworn affidavit with the School Board.
   • If the employee will benefit by $250.00 or more, or 5% or more of the public cost of the contract, his/her pecuniary interest must be disclosed in one of two ways:
     1. By notifying, in writing, the President of the Board of his/her interest at least seven calendar days before the meeting at which a decision regarding the contract will be made. The disclosure shall be made public in the same manner as a public meeting notice; or
2. By disclosing his/her interest in the contract at a Board Meeting. Under this option, the Board may not vote on the relevant contract until at least seven calendar days after the meeting at which the disclosure is made.

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

4. Contracts identified in Section 3 must be approved by a vote of not less than 2/3 of the full membership of the Board of Education in open session.

The Board of Education must disclose the following summary information in its official minutes:

- The name of each party involved in the contract,
- The terms of the contract, including duration, financial consideration between parties, facilities or services of the School District included in the contract, and the nature and degree of assignment of employee of the School District for fulfillment of the contract, and
- The nature of any pecuniary interest.

5. This policy shall not apply to:

- Contracts between the School District and another public entity,
- Contracts awarded to the lowest qualified bidder, other than an employee, upon receipt of sealed bids pursuant to a published notice therefore provided such notice does not bar, except as authorized by law, any qualified person, firm, corporation or trust from bidding. Amendments or re-negotiations of a contract or additional payments there under which were not authorized by the contract at the time of award are not excluded from the requirements of sections 2 through 3 above,
- Contracts for public utility services where the rates therefore are regulated by the state or federal government, and
- Individual employee employment contracts and collective bargaining agreements.

Approved: December 13, 2006
LEGAL REF: MCL 15.321 et seq., as amended by 1997 PA 145; 1979/80 AGO No. 5803
Sexual harassment, may include, but is not limited to, the following:

- Verbal harassment or abuse,
- Pressure for sexual activity,
- Repeated remarks with sexual or demeaning implications,
- Unwelcome touching,
- Sexual jokes, posters, cartoons, etc., and
- Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

In addition, any form of retaliation against the complainant or witness is in itself a form of sexual harassment.
Accepted alternatives to corporal punishment are:

• Involve students in the development of positively stated classroom rules, which relate to clear educational purposes. Submit these rules to the building Principal for approval.

• Involve students in the development of consequences for misconduct.

• Post a list of rules in a conspicuous area of the classroom in order to make students aware of appropriate behavior and the teacher’s expectations.

• Send a letter containing classroom rules to parents/guardians. Request that they sign the letter and return it to school for confirmation.

• When students act in accordance with classroom rules, provide positive recognition and implement consequences when a student’s behavior is disruptive.

• Since consequences lose effectiveness when they are too punitive, implement consequences with patience and avoid punishing every infraction.

• Enforce rules in a pleasant, firm manner, with neither sternness nor anger.

• Use rewards frequently, but intermittently, so that students will be positively reinforced without expecting a reward each time they behave well.

• Teach appropriate language for youngsters to express their feelings.

• Implement modalities on behavior management such as assertive discipline, behavior modification, etc.

• Help youngsters see cause and effect relationships between inappropriate behavior and the need to respect rights of others as per the Michigan Health Model.

• Implement rights and responsibilities fairly and consistently.

• Establish classroom privileges.

• When students misbehave, classroom privileges may be denied.

• Avoid disrupting the class when implementing consequences for student misconduct and select private moments to advise a student about his/her punishment.

• Follow the building’s procedures for dealing with disruptive students relative to referring these students to the office for due process or to another appropriate place.

SCHOOL DISTRICT OF THE CITY OF SAGINAW
• Establish before, during and after school detention when feasible.

• Use a time-out area or space in the classroom for young students.

• Confer with parents (e.g., by telephone, written communication, conferences, etc.) relative to a youngster’s general pattern of inappropriate behavior.

• Hold conferences with parent(s) and student(s) when the youngster’s misconduct is disruptive.

• Follow through with instructions from the Principal relative to the Student Code of Conduct. Public Act 521 and the District’s Alternatives to Corporal Punishment.

• Remember to incorporate discipline rather than simply to impose penalties for misconduct. Teach appropriate student conduct.
### Section 7000 – Instructional Program

**7000—INSTRUCTIONAL PROGRAM**

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SN Includes the full range of programs designed to meet the individual needs of the great majority of students and beginning with pre-primary areas of instruction and extending beyond education, conservation education, occupational education, co-curricular activities and the standard academic areas of instruction are regarded here as component elements of the Basic Program.
Section 7000 – Instructional Program

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7250 Adult/Community Education Program
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7354 Technology
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7360 Computer Network
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7400 Instructional Materials and Media Centers
   Objectives
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7420 Inspection by Parents or Guardians of Instructional Material
7463 Use of Commercially Produced Electronic Recording Media
7480 Resource Speakers
7485 Community Resources
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7490 Field Trips
7500 Guidance Program
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7560 Grading Systems
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## Section 7000 – Instructional Program

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| 7950    | Schools of Choice |
Section 7000 – Instructional Program

7025  Objectives of the Instructional Program

The Board believes that the District must be actively concerned with the mental, physical, emotional and social development of all students. The District shall, in cooperation with the homes, churches, mass media, community agencies and business/industry partnerships, work to develop each student's capacities, so that each will become a responsible citizen in his/her community with the ability to make his/her best contribution to our democratic society, and will be prepared for employment and post secondary education.

Approved: December 13, 2006

7030  Strategic Plan

The District’s Strategic Plan for School Improvement shall serve as the primary guide for instruction and curriculum.

Approved: December 13, 2006

7035  Management of Instruction

The Board supports the concept that teachers need an efficient, user-friendly technology structure to assist them in monitoring instruction and student learning. To that end, the Board, under the direction of the Superintendent, will invest in the appropriate hardware and software, as funds permit, to give professional staff the instructional management tools and training to meet this need.

Approved: December 13, 2006

7040  Days and Hours of Instruction

The number of days and hours of student instruction shall be determined annually by the Board in compliance with State law.

The Board recognizes that adjustments in both the number of hours of instruction and the school calendar may be necessary due to individual student needs, factors beyond local control, or other reasons which are in the best interests of the District. It shall be the Superintendent's responsibility to approve variations in an individual student's hours of attendance and to act on matters deemed as emergencies and in the best interest of the District. Other variations in the school day or school year may be approved.

Approved: December 13, 2006

LEGAL REF: MCL 380.1284

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The administration, through collaboration with the certified staff, and appropriate community advisory groups, shall develop a comprehensive curriculum Pre-K-12 which is based on valid educational research and which encompasses a philosophy of education compatible with the needs of the students, the resources of the District, and the State of Michigan. This comprehensive curriculum will be the required basis for instruction and learning for all teachers and students.

The administration shall evaluate the curriculum of the District in view of the Board’s goals and objectives on a periodic basis. The findings, conclusions, and recommendations of the staff shall be communicated to the Board.

**Technology**

The Board supports the use of computers and related technology to enhance classroom instruction. The use of computers and related technology should enhance the educational opportunities for all students, improve the management and delivery of instruction to all students, and support other uses of technology in the Board approved curriculum.

**Resources**

The administration is encouraged to utilize any available resource in the development of a comprehensive curriculum.

**Distance Learning**

The administration is encouraged to explore the possibilities of various "distance learning" instructional tools to enhance the curricular offerings of the District including, but not limited to: Teleconferencing, web based instruction, satellite transmissions, and interactive CD-ROM's. Any such distance learning efforts will be appropriately piloted before being incorporated into the curriculum on a regular basis.

**Personnel** (Cf. 2560, 1220)

The Board encourages the use of District personnel as well as resource personnel from outside the District in the development of comprehensive curriculum and related materials.

**Materials**

The Board recommends that the administration utilize and develop materials, which will aid in the development of curriculum to be approved by the Board for use in the District.

**Financial** (Cf. 3200)

The Board encourages the Superintendent to investigate, continuously, the availability of external funding sources to defray expenses incurred in the development of a District-wide curriculum.
Section 7000 – Instructional Program

Planning

The Board advocates a policy of continuous curriculum study. The Superintendent is encouraged to utilize resource personnel in a manner consistent with Board policies. The Superintendent is also encouraged to use District stakeholders and students in a manner consistent with these policies.

The Superintendent shall have the responsibility to organize the certified staff in appropriate committees to plan, study, modify, change, or develop a District-wide curriculum.

Research

The administration shall develop and implement a research and evaluation program, which will provide the Board with data to be used in the development of curriculum areas. The use of research findings of other agencies, departments, colleges, and universities is encouraged by the Board.

Federal Compliance

To comply with the provisions of the No Child Left Behind Act, the Superintendent will inform the professional staff of the federal and state requirements concerning sex education and the prohibitions and restrictions concerning distribution of contraceptives or materials that encourage sexual activities. The District will comply with federal guidelines concerning age appropriate sex education.

Limited English Proficient

The Superintendent will ensure that any programs for limited English proficient (LEP) students have a primary goal of mainstreaming those students into the regular classrooms, and that those programs emphasize English language instruction.

Pilot Projects/Programs

The use of pilot projects is encouraged by the Board before district-wide implementation of any curriculum area is initiated.

All instructional material, including teacher’s manuals, films, tapes, or other supplementary instructional material which will be used in connection with any research or experimentation program or project, shall be available for inspection by the parent(s)/guardian(s) of the student engaged in such program or project. For the purpose of this policy, research or experimentation program or project means any program or project in any applicable program designed to explore or develop new unproved teaching methods or techniques.

Pilot Project Evaluation

Before any pilot project proposal is submitted to the Board for approval, an evaluation format shall be developed and included with the pilot project. (Cf. 7700; 8940 et seq.)
Section 7000 – Instructional Program

Curriculum Adoption

No course of study shall be eliminated or new course added without approval of the Board, nor shall any basic alteration or reduction of a course of study be made without such approval.

All courses approved by the Board shall include descriptions, objectives, teaching strategies, learning activities, assessments, and a course syllabus. The teaching and testing of students shall align with approved course objectives. Student instructional strategies shall take into consideration the potential, learning style and special needs of each student.

The Board advocates the use of technology and technological applications in order to meet the objectives of curriculum alignment.

Approved: December 13, 2006
Revised: March 21, 2012
LEGAL REF: 20 USCA 7906 (NCLB); MCL 380.1282

7052 Multicultural Education

The District’s learning environment shall reflect diverse cultural traditions and contributions so that students may develop a broader knowledge base and have a sense of respect for and tolerance of culturally diverse peoples, their customs and historic legacy.

Approved: December 13, 2006
Section 7000 – Instructional Program

7060  Curriculum Guides and Course Syllabi

The Board approves the curriculum that is designed to accomplish the mission and goals of the District. Every subject area shall have a written curriculum guide that sets forth the courses, standards, and grade and/or phase level benchmarks that all students are expected to achieve and demonstrate. Every classroom teacher shall provide course syllabi aligned with the District Pacing Guide as a communication tool for students and parents/guardians, which establishes the course expectations and requirements.

Approved:  December 13, 2006
LEGAL REF:  MCL 380.1282

7070  Kindergarten

A program of Kindergarten education shall be provided for all lawfully eligible children of the District.

Approved:  December 13, 2006
The District shall establish and continuously work to improve the core curriculum or basic program for the District.

**Elementary Program**

The District’s elementary configuration is defined as grades Pre-K – 6 and Pre-K – 9.

**Core Curriculum**

The core curriculum in the District’s elementary school(s) or Center Programs is comprised of the following subject areas:

- English/Language Arts
- Mathematics
- Science
- Computer Education
- Vocational-Technical
- Social Studies
- Technology
- Career Awareness
- World Language
- Visual, Performing & Applied Arts

The District’s instructional program will identify, continually improve, and be aligned to the Core Content Standards of the State of Michigan, including the grade and phase level benchmarks (including Student Achievement Standards), for the District’s elementary students. These Student Achievement Standards will be compatible with the District’s educational mission, the District’s goals and established performance objectives. Student Achievement Standards include academic standards and life long learning standards.

**Student Achievement Standards Evaluation**

The Superintendent, or designee, shall develop an evaluation process to measure the attainment of Student Achievement Standards and performance objectives.

**Middle School**

The District’s middle school grades are established as grades 6-8.

**Core Curriculum**

The core curriculum in the District’s middle schools and/or center programs is comprised of the following subject areas:

- English/Language Arts
- Science
- Technology
- Vocational/Technical
- Mathematics
- Social Studies
- Career Exploration
- World Language
- Visual, Performing & Applied Arts

**Student Achievement Standards**

The District’s instructional program will identify, continually improve, and be aligned to the Core Content Standards of the State of Michigan, including the grade and phase level benchmarks (including Student Achievement Standards), for the District’s middle school students.
Section 7000 – Instructional Program

These Student Achievement Standards will be compatible with the District’s educational mission, the District’s goals and established performance objectives. Student Achievement Standards include academic standards and life long learning standards.

Student Achievement Standards Evaluation

The Superintendent, or designee, shall develop an evaluation process to measure the attainment of Student Achievement Standards and performance objectives.

Senior High School

The District’s senior high school grades are established as grades 9-12.

Core Curriculum

The core curriculum in the District’s senior high schools, alternative schools, and/or center programs is comprised of the following subject areas:

- English/Language Arts
- Science
- Technology
- Vocational/Technical
- Visual, Performing & Applied Arts
- Mathematics
- Social Studies
- Career Preparation
- World Language

Standards of Student Achievement

The District’s instructional program will identify, continually improve, and be aligned to the Core Content Standards of the State of Michigan, including the grade and phase level benchmarks (including Student Achievement Standards), for the District’s high school graduates. These Student Achievement Standards will be compatible with the District’s educational mission, the District’s goals and established performance objectives. Student Achievement Standards include academic standards and life-long learning standards.

Student Achievement Standards Evaluation

The Superintendent, or designee, shall develop an evaluation process to measure the attainment of Student Achievement Standards and performance objectives.

Co-curricular Activities

Co-curricular activities should be used as a means of developing a wholesome attitude and good human relations, as well as knowledge and skills. The Board supports such co-curricular activities and may attempt to make them available on a voluntary basis to all students. The purpose of such activities shall be compatible with the Board's curriculum goals, District and school mission, and Student Achievement Standards.

Each school, under the direction of the Principal and subject to approval by the Superintendent, may place a co-curricular activities program, suited to the needs of the students, in that particular building. Parents/Guardians, students, and faculty should be utilized in determining the type and range of activities to be offered.
Participation in co-curricular activities is considered a privilege, carrying with it the responsibility all students have for meeting the Standards of Student Achievement, as well as the Building Code of Conduct. Failure on the part of any student to meet these responsibilities renders him/her liable to suspension from representing the school, participating in the activity, and/or holding class organizational office.

The building level administrators, subject to approval by the Superintendent, shall be responsible for the organization of all student activities and shall provide adequate supervision, administer student finances, and approve all student activities with the assistance of delegated members of the faculty.

In planning the program of activities, the Superintendent and staff shall take into consideration the breadth of activities offered through other community organizations.

All new co-curricular activities and organizations shall be approved by the building Principal and/or Superintendent. Activities that may require the expenditure of general school funds shall require Board approval.

All co-curricular activities and organizations shall be published and distributed by each building annually.

Evaluation

Each co-curricular activity shall be evaluated by the building Principal to determine if its purposes are being fulfilled and if it is meeting the needs of the students of that particular building.

Approved: December 13, 2006
Revised: July 18, 2012
LEGAL REF: 257.811; 380.1151-1153; 380.1155; 380.1157; 380.1166; 380.1169-1170; 380.1278; 380.1282; 380.1289; 380.1316; 380.1502; 380.1506; 380.1507; 388.1761; 380.1804; 380.1806; 380.1813 (Homebound and Hospitalized); R 325.1-52; 325.898; 325.1491 and 388.301-399; OAG, 1977-1978, No 5291, p 420 (April 12, 1978); OAG, 1979-1980, No 5659, p 648 (February 28, 1980)

The Board recognizes that the parent or legal guardian of a pupil, or the pupil him/herself if emancipate or of majority age, may request a Personal Curriculum for the pupil that modifies certain Michigan Merit standards requirements under subsection (1) or section 1278a(1)(a) of the Revised School Code. The Personal Curriculum, if requested, cannot provide for anything less than the minimum 18 credits that the student must earn under the Michigan Merit Curriculum in order to be issued a diploma. The definition of what shall constitute a “credit” under the Personal Curriculum shall rest with the Superintendent and be transmitted to the Board for their information.

The Personal Curriculum, if requested, shall incorporate as much of the subject area content expectations of the Michigan merit standard required under law as is practicable for the pupil. It shall establish measurable goals that the pupil must achieve while enrolled in high school and shall provide a method to evaluate whether the pupil achieved these goals; and shall
Section 7000 – Instructional Program

be aligned with the pupils educational development plan (EDP) or individual educational development plan (IEDP).

The Superintendent is charged with the responsibility to provide for and meet requests for a Personal Curriculum, including the formulation of the District’s definition of the “cut scores” for each subject area,\(^2\) and shall follow all Michigan Department of Education requirements and guidelines pertaining thereto.

Approved: March 21, 2012

\(^2\) All schools will determine their requirements for student proficiency in the subject area content expectations. Schools using their own Secondary Credit Assessments will need to verify to themselves that the assessments used produce reliable and valid information, are aligned to and cover the content expectations for the credit area, and that the cut score they select is valid for the assessment. (MDE “High School Graduation Requirements – Frequently Asked Questions” – Online document.) The document can be assessed via the following URL: http://www.michigan.gov/documents/mde/FAQ_Entire_Document_12.07.217841_7.pdf

7120 Curriculum Alignment

The Board recognizes the need to have its approved curriculum aligned with instructional materials, media, textbooks and technology in order to positively affect student learning and to verify locally identified assessment standards and objectives.

Approved: December 13, 2006

7122 Educational and Career Development

As specified in the Strategic Plan, the District will implement a comprehensive Educational and Career Development Process that includes:

- Grades Pre-K – 5 - Career Awareness
- Grades 6 -8 - Career Exploration
- Grades 9 – 10 - Career Planning
- Grades 11 – 12 - Career Preparation

All students in grade 9 will be required to select a career major from one of the following career pathways:

- Arts and Communication
- Business Services Technology
- Health Services
- Education and Human Services
- Technical and Engineering Systems
- Environmental Technology

A student's academic program in grades 11 and 12 will be based upon his/her Selected Career Major.

Approved: December 13, 2006
Section 7000 – Instructional Program

7125 Federal Program Administration

Federally funded programs are a vital and necessary adjunct to the educational program of the District's schools.

Title I Programs

The Board shall ensure that the District's Title I programs operate in accordance with federal laws and conditions. The Superintendent is responsible for administering the District's Title I programs; assessing the educational needs of all students, particularly the needs of educationally deprived children, developing appropriate communication channels between all parties, developing in-service training for parent(s)/guardian(s) and staff, and developing appropriate evaluation procedures. The requirements of the No Child Left Behind Act shall be followed, and rules and regulations promulgated to ensure that the District is in compliance.

Approved: December 13, 2006
LEGAL REF: 20 USCA 6316, 20 USCA 6318 (No Child Left Behind Act)

7130 Comprehensive Health Education

The Superintendent shall continue the District’s Comprehensive Health Education Program for all students. The program shall involve the School Health Education Advisory Committee as needed.

Approved: December 13, 2006

7140 Dropout Prevention Program

The Board endorses special efforts geared to the early identification of potential dropouts, the prevention of such dropouts and the retrieval of students who have dropped out.

Approved: December 13, 2006
LEGAL REF: MCL 380.1204a

7150 Alternative School Programs

The District may approve the establishment of alternatives to the regular school program periodically. Such alternatives may include, but will not necessarily be limited to; program improvements developed by the staff of individual schools or specially designed schools.

All proposals for alternative school programs shall be presented by the Superintendent to the Board for its consideration and action.

Approved: December 13, 2006
LEGAL REF: MCL 380.1282; 380.1596; 380.1301; OAG, 1985-1986, No 6271, p 13 (February 7, 1985)
Section 7000 – Instructional Program

7160  Educational Services under Section 504 of the Rehabilitation Act of 1973

The Board, in accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, is committed to providing a free, appropriate public education to each qualified handicapped students within its jurisdiction, regardless of the nature or severity of the handicap.

The District's Administrative Procedures establish the means by which the District may meet this commitment. The District may, as an alternative or in combination with its Administrative Procedures, follow the provisions established for identification, evaluation, and placement of students under the Individuals with Disabilities in Education Act, (IDEA).

This Board Policy and the Administrative Procedures have been developed and adopted for the purpose of complying with the District's educational services obligations under Section 504 of the Rehabilitation Act of 1973 and its implementing regulations and they are not designed nor intended, nor should they be construed, to grant broader rights or remedies. The Board Policy and Administrative Procedures do not, and should not be construed to, create rights or remedies enforceable in contract or by law other than Rehabilitation Act of 1973, Board Policy, and Administrative Procedure.

Approved: December 13, 2006
LEGAL REF: Rehabilitation Act of 1973, Section 504; Education for All Handicapped Children Act of 1975; MCL 380.4(2), 380.6(7); 380.1311; 380.1702; 380.1703; 380.1711; 380.1739(1); 380.1751; 380.1766; State Board of Education Regulations; R 340.1701-1809

7165  At-Risk Students

The Superintendent shall investigate and recommend programs that will address the needs of at-risk students.

Approved: December 13, 2006
LEGAL REF: MCL 388.1631a

7175  Parent(s)/Guardian(s) Involvement Policy (Cf. 7170)

State of Michigan Parent/Guardian Involvement Initiative

The Board strongly encourages and welcomes the involvement of parent(s)/guardian(s) in all of the District’s educational programs. It is recognized and appreciated that parents/guardians are the “first teachers” of their children, and that their interest and involvement in the education of their children should not diminish once their child enters the schools of the District. Accordingly, the Board directs, by the adoption of this policy, that the administration shall design a program/plan that will encourage parent(s)/guardian(s) participation that may include, but not be limited to: The development and review of instructional materials; input on the ways that the District may better provide parent(s)/guardian(s) with information concerning current laws, regulations, and instructional programs; and District offerings of training programs to instruct parent(s)/guardian(s) how to become more involved in their child's educational programs.

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Pursuant to state law, the Superintendent shall provide a copy of the District’s Parent/Guardian Involvement plan to all parent(s)/guardian(s).

**District Plan**

In accordance with the requirement of the Elementary Secondary Education Act, the Saginaw Board of Education encourages parent(s)/guardian(s) participation in all school programs. Parent(s)/Guardian(s) shall be offered substantial and meaningful opportunities to participate in the education of their children by this policy.

The Board directs that the following actions be implemented by the administration to insure compliance with state and federal law and to invite parent(s)/guardian(s) to become involved highly in the education of their children:

- The involvement of parent(s)/guardian(s) in the planning, implementation, evaluation, and improvement of District programs/services through participation on building School Quality Teams,

**7175 Parent(s)/Guardian(s) Involvement Policy (Cf. 7170)**

- Invitations to parent(s)/guardian(s) to attend at least one annual meeting, with additional meeting opportunities being available as needed, designed to provide information about programs and services, and to solicit parent(s)/guardian(s) suggestions on program development, planning, evaluation and operation,
- Assistance to parent(s)/guardian(s) in understanding Title I and other District programs including the providing of information in a language understandable to the parent(s)/guardian(s) if practicable,
- Parent(s)/Guardian(s) notification of Title I student selection and criteria for selection,
- Information regarding child's achievement and progress,
- A provision for input by staff at regularly scheduled parent/guardian-teacher conferences and any additional communication as requested by the staff or parent(s)/guardian(s),
- Opportunities to enhance parent(s)/guardian(s) capacity to work with children in the home on school learning,
- Professional development opportunities for teachers and staff to enhance their understanding of effective parent(s)/guardian(s) involvement strategies,
- Ongoing communication between school and parent(s)/guardian(s), and
- Other appropriate activities (i.e. Family Math Nights, parent(s)/guardian(s) sessions, science, theatre, etc.)

**Written Plans/Policies**

22 MCL 380.1294 (1) No later than January 1, 2005, the Board of a school District or intermediate school District, or the Board of Directors of a public school academy shall adopt and implement a parent/guardian involvement plan designed to encourage parent/guardian participation. (2) The Board or Board of Directors shall provide a copy of the parent/guardian involvement plan to the parent/guardian of each pupil. The Board of Directors may provide the copy of the policy by including the policy in its student handbook or a similar publication that is distributed to all pupils and parents/guardians. (3) The Board or Board of Directors shall provide a copy of the parent involvement plan to the department upon request by the department.
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The School District of the City of Saginaw, as a recipient of Title I funds, hereby adopts the following policy statement regarding the development of a District-wide plan for parent(s)/guardian(s) involvement in the development of a Title I plan. Individual buildings may personalize the District plan to meet the particular needs of their school, subject to review by the Superintendent. The Board directs the administration to:

- Involve parent(s)/guardian(s) in the development of the plan,
- Develop a plan that provides for the involvement of parent(s)/guardian(s) in the Title I activities of the school,
- Provide the necessary technical, research, staff and administrative support to schools in the planning and implementing of effective parent(s)/guardian(s) involvement activities to improve student academic achievement and school performance,
- To integrate and coordinate the plans/policies for parent(s)/guardian(s) involvement in Title I programs with parent(s)/guardian(s) involvement in other programs, including but not limited to Head Start,
- To review and evaluate the District’s plan annually and to share the results of that review and evaluation with the Board,
- To assure that the policy/plan contains a compact that outlines how parent(s)/guardian(s), the school staff and students will share the responsibility of improved student achievement, and
- To distribute the District plan to parent(s)/guardian(s) of participating children and to the local community.

Migrant Education Program (MEP) Parent(s)/Guardian(s) Involvement

Parent(s)/Guardian(s) of students in the MEP will be involved in, and regularly consulted, about the development, implementation, operation, and evaluation of the program.

Limited English Proficiency (LEP) Parent(s)/Guardian(s) Involvement

In accordance with federal law, parent(s)/guardian(s) of LEP students will be provided notice regarding their child’s placement in and information about the District’s LEP program. Parent(s)/Guardian(s) will be notified about their rights regarding program content and participation including the right to choose among programs if alternatives are available. The notice must also include an explanation of the value of the program in terms of academic development, mastery of English, and the achievement of promotion and graduation standards. The notice will also include an explanation of the right to remove the child from an LEP program and to place the child in the regular program. The notice must be in a format that families can comprehend and, if possible, in a language that is understood by the family.

Approved: December 13, 2006
Revised: December 19, 2012
LEGAL REF: 20 USCA 6318 (No Child Left Behind Act); MCL 380.1294 (PA 107 of 2004); 380.1295; MDE Recommended Parent/Guardian Involvement Policy, June 2004.
Section 7000 – Instructional Program

Upon the recommendation of the Superintendent, subject to approval by the Board, the District may offer an approved driver education course for students between the ages of 14 years 9 months and 15 years 6 months as funding permits. The course, if offered, will meet all instructional standards set forth by the Michigan State Department of Education and shall include classroom instruction, behind-the-wheel instruction, and observation in an automobile under the supervision of a qualified or licensed instructor. Enrollment in the course, if offered, shall be open to students enrolled in the high school grades of public, parochial, and private schools as well as resident out-of-school youth.

The Superintendent shall be responsible for developing administrative guidelines for the operation of the driver education program, which shall be consistent with Board policies and not conflict in any way with the administration of the regular school sessions of the District.

Approved: December 13, 2006
LEGAL REF: MCL 257.811

7200 Partnerships (Cf. 9720)

The Board may enter into partnerships between the District, and the schools of the District, and business and/or educational institutions for the mutual benefit of the students, professional staff, and outside organizations. Such partnerships may include, but are not limited to: adopt-a-school programs, workplace learning, articulation agreements, collaborative research programs, or the provision of equipment. Partnership agreements should ensure an awareness of the use of technology in the workplace.

Approved: December 13, 2006
The Board recognizes the educational importance of many programs and activities organized under the sponsorship of the District, which, although related to the regular curriculum, are carried on outside of the structure of classroom instruction. Examples of such programs are interscholastic athletics, school publications, and student clubs.

The Board encourages and supports such activities within a balanced conception of the total program based on the Student Achievement Standards and the varying needs of students. Priorities in regard to such programs must be determined in accordance with the District, objectives and the community's ability to provide the necessary resources, as well as by the availability of staff members to provide competent instruction and leadership.

Extra class activities will be presented for Board approval when fiscal implications and program priorities are at issue, or when the nature of the activity is such that it may be considered by the Board to be unrelated to or inconsistent with the regular curriculum.

All student organizations must be reviewed annually by the building principal to assure that they are consistent with Board policies and administrative guidelines and procedures.

Approved: December 13, 2006

A program of interscholastic athletics is encouraged as an integral part of the total program of physical education.

The interscholastic athletics program is designed for those students who have a particular interest, ability and desire to invest the time and energy required for competition with other schools and for competition for membership on those teams representing the District’s middle and senior high schools.

Approved: December 13, 2006
LEGAL REF: MCL 380.1289; OAG, 1977-1978, No 4795, p 190 (August 11, 1977); OAG, 1985-1986, No 6352, p 252 (April 8, 1986); and rules and regulations as published by the Michigan High School Athletic Association
The Board believes that learning is a continuous process and that adult education is important to the development and enrichment of individuals and the community. The core courses offered for credit toward a high school diploma, as well as those that will supplement and broaden personal educational goals, compose the adult education program.

Courses not supported in full from state or federal funds may be financed through the collection of registration fees.

Students of all ages enrolling in any adult education class shall abide by the policies established by the Board, administrative guidelines and procedures, and applicable laws.

Approved: December 13, 2006
Section 7000 – Instructional Program

7350  Instructional Resources  7350

In accordance with Michigan School Laws, primary instructional resources used in the District shall be adopted by the Board.

The Superintendent shall be responsible, with the advice of the professional staff, to recommend to the Board primary instructional resources for adoption. The Board shall make every effort to implement those recommendations.

Insofar as possible, all instructional materials should present balanced views concerning the international, national and local issues and problems of our times to best ensure that students accomplish the District Standards for Student Achievement for the course and/or grade.

The Superintendent shall develop administrative rules outlining a procedure to select instructional materials that meet the above criteria. This process shall include a review of available material by instructional staff members and may include participation by parents/guardians and other community members. The recommendations resulting from each review will be given thorough consideration.

Any citizen who objects to the final selection of instructional materials made by the Board should follow the procedures outlined in the District’s procedure on public complaints.

Technology

The Superintendent shall develop a plan that coordinates the purchase of technological equipment for the District. Such plan shall provide for equipment or hardware, software compatibility, and future applications.

The Superintendent shall provide for appropriate staff in-service training on the utilization of technological equipment and uses of equipment and software relative to the instructional program and administrative applications.

Approved: December 13, 2006
LEGAL REF: MCL 380.1421-1422; R 390.1105(2)

7352  Racism and Sexism in Instructional Resources  7352

In the selection of textbooks and other educational materials for the District, those materials that demonstrate role equality of the sexes, minorities and ethnic groups in social settings and work experiences, visibly apparent in illustration in the content of teaching materials, will receive first priority. It is understood that the above criteria will be considered in conjunction with other appropriate textbook and materials selection criteria.

Approved: December 13, 2006
Data Management

The Superintendent shall establish procedures that ensure the security, safety, and confidentiality of District data. Access to District data, in any form, including use of the database by student, staff and volunteers, shall be limited in accordance with the Board policies on District and student records.

Education and Instruction

The Superintendent shall ensure that all staff and students are informed and instructed on the ethical uses of data and computer technology.

Approved: December 13, 2006
LEGAL REF: MCL 15.231 et seq.
Section 7000 – Instructional Program

Electronic mail in personal accounts will not generally be inspected by school officials without the consent of the sender or a recipient, except as required to investigate complaints which allege a violation of the District's rules and policies. Student electronic mail and electronic storage space which does not contain material made public by the student shall be subject to the District’s policy and rules on student records.

System Integrity

The Superintendent shall designate person(s) trained in computer technology at the District level to implement the District's rules and regulations and to provide computer support for students and staff and Board Members. The Superintendent's designee for technology shall employ hardware and software security to ensure the integrity of the system and to prevent unauthorized access to District and school records.

Network Use

The Superintendent shall develop rules and procedures for computer and network use, and shall see to it that rules are published annually for students, parents, staff, and Board members.

The District's computer and network use rules shall be consistent with the following requirements.

- Users may not use District equipment to perform or solicit the performance of any activity, which is prohibited by law, contrary to law, or to solicit others to break any law.
- Users may not use the District system to transmit or publish information that violates or infringes upon the rights of any other person that is abusive, obscene, or sexually offensive. The District computer equipment shall not be used for commercial purposes for financial gain, or solicitation without approval from the Superintendent.
- Except with prior authorization from a system administrator or the owner of the record in question, users may not access or attempt to access the records or files of other users or of the District, modify nor delete, alter, or otherwise interfere with the integrity of computer-based information or resources.
- Users may not make any attempt to harm or destroy data of any user or any system on the network, including using port scanners, creating or sending computer viruses, Trojan horses, worms, or similar computer code.
- Users may not use the electronic mail facility to send unsolicited, bulk, chain, harassing, anonymous, or other messages which are an annoyance to the recipient or which may cause a degradation of system performance.
- Users may not use vulgarity, obscenity, or swearing in messages or electronic postings, or send e-mail/message "flames" or other attacks.
- Users may not copy, send, or distribute any copyrighted software, work or other material illegally.
- Users may not use the network facility to access or bring into the school environment, any material that is inconsistent with the educational goals of the District, including but not limited racially offensive, illegal, or that aids or advocates illegal activity other than non-violent civil disobedience.
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Limiting Access

The administration may make use of technology that attempts to block access by individual users to networked computers, data, or services that provide content, which, in the opinion of the administration, is not in keeping with the educational aims of the District. Complaints about content of networked information, or access to blocked sites shall be handled in accord with the District’s policy and procedures.

The Superintendent will develop rules concerning library Internet access in compliance with state law.

Approved: December 13, 2006
LEGAL REF: MCL 397.606

Filtering Software (Cf. 4510)

The Superintendent shall be responsible for directing appropriate District technology staff to bring all computers used by children into full compliance with all federal requirements regarding Internet filtering software.

Student Internet activities will by monitored by the District to ensure compliance with state and federal requirements. Each District computer with Internet access shall have a filtering device or software program that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors.

Approved: December 13, 2006
LEGAL REF: H.R. 4577, December 2000 Omnibus Spending Bill; 47 U.S.C. Section 254(h)

Instructional Program Prohibitions

A student shall not be required to take part in any instructional survey, analysis, or evaluation that discloses information that is protected under federal law, unless the District receives prior consent from a student over 18 years of age, or prior written consent from a parent or guardian of a student less than 18 years of age.

The District shall give students notice of their rights under this policy.

Approved: December 13, 2006
LEGAL REF: 20 USCA §1232g (Family Educational Rights & Privacy Act of 1974 [FERPA])
Section 7000 – Instructional Program

The primary functions of the media centers are to process and circulate materials and equipment through an orderly procedure and to provide reference and other services to students and faculty.

Efforts are made so that the collection reflects the broad interests represented in the curriculum, complemented by enrichment materials in a variety of forms. To meet recommended standards, the administration and Board support the development of a collection adequate to meet curricular needs of the students.

Objectives

The objectives for the person in charge of the District's media center(s) are as follows:

- To participate effectively in the school program that will endeavor to meet the needs of students, teachers and stakeholders of the District,
- To stimulate and guide students in their reading, viewing and listening so that they will become skillful and discriminating users of various types of media,
- To provide an opportunity through media center experiences so that students will be able to develop helpful interests, to make satisfactory personal adjustment and to acquire desirable social attitudes,
- To work with teachers in the selection and use of media that will contribute to the teaching program,
- To make available consultant services that will provide for the improvement of learning, instruction and the use of media resources and equipment,
- To provide appropriate equipment so that students and teachers will be able to make efficient use of media, and
- To cooperate with teachers and administrators in programs that will promote the professional growth of the school staff.

Criteria for the Development of Media Center Materials

Collection Development

The media collection should be developed systematically so that it is well balanced in coverage of subjects, types of materials and variety of content.

Selection Criteria

Materials will be chosen to support and supplement the curriculum, to promote wise use of leisure time, to develop literary discrimination and appreciation and to encourage students to become productive citizens.

Materials will be chosen on various reading levels presenting different points of view concerning the problems and issues of the times.

Books and other instructional materials will be either evaluated before purchase through direct examination, or by consulting reputable, unbiased, professionally prepared selection tools approved by the District.
Section 7000 – Instructional Program

7400 Instructional Materials and Media Center

Accuracy, artistic quality, format, and authoritativenss will all be considered before making purchases of materials.

Staff Libraries

A professional library may be maintained in the office of the Curriculum Director.

The Superintendent, in conjunction with building Principals, will ascertain the titles of professional magazines, books, pamphlets and other such literature that may be placed in the professional library of a building.

Review Committee for User Complaints Concerning Instructional Materials

The Board shall establish a review process to handle complaints from users concerning instructional materials. (Cf. 9450)

Approved: December 13, 2006
LEGAL REF: MCL 380.1274; 380.1422; 15.231-246; 397.601-605

7420 Inspection by Parents or Guardians of Instructional Material

The parent(s)/guardian(s) shall be permitted to inspect all instructional materials used by the District in evaluating, surveying, or analyzing students in furtherance of an instructional program. Instructional materials shall include teacher’s manuals, films, tapes, or other supplementary materials.

The District shall give parent(s)/guardian(s) notice of their rights under this policy.

Approved: December 13, 2006
LEGAL REF: 20 USCA § 1232g (Family Educational Rights & Privacy Act of 1974 [FERPA])
Section 7000 – Instructional Program

7463 Use of Commercially Produced Electronic Recording Media

Electronic recording media (i.e. Videotape/DVD/CD, etc.) shall not be used for recreation or entertainment. It shall be used or for planned instructional purposes in the classroom, school, etc.

Electronic recording media will be selected and assigned to give support to instructional learning objectives contained directly within the Board approved curriculum.

Electronic recording media, when used, shall be selected for their direct relevance to the instructional program. General selection criteria should include quality of the overall work and its individual parts, fair and accurate representation of the facts, the reputation and significance of the writer, director and/or performer.

Approved: December 13, 2006
LEGAL REF: 17 USCA §§ 106, 107, 110 (Exclusive rights in copyrighted works)

7480 Resource Speakers (Cf. 7760)

No overall standard can be established which will automatically separate and exclude a person whose views or manner of presentation may actually obstruct the educational process or jeopardize the health and safety of students or staff. However, in an effort to uphold the students’ freedom to learn while also recognizing obligations, which the exercise of this freedom entails, the Board does establish guidelines, found in 7480-R, that govern the selection of resource speakers to be used in any school and/or educational setting in the District.

Approved: December 13, 2006

7485 Community Resources

The Board encourages the utilization of community resources in the instructional program of the school.

Use of Community Resource Persons

The use of community resource personnel is encouraged where a legitimate educational objective may be advanced.

School Volunteers (Cf. 9230)

The use of school volunteers is encouraged whenever an educational objective may be advanced.

Approved: December 13, 2006
LEGAL REF: MCL 691.1505
Section 7000 – Instructional Program

7490 Field Trips 7490

Only student field trips that contribute to the instructional and/or co-curricular programs and/or objectives of the School District may be sponsored by the School District. School sponsored field trips shall require compliance with the following provisions:

- Before a field trip will be given consideration, the person requesting the field trip must file a statement, with the building Principal, of the instructional or co-curricular contribution that the field trip will make to the objectives of the program.
- Field trips within the State of Michigan not requiring an overnight stay, shall be approved by the Building Principal in advance of the field trip.
- Travel outside the State of Michigan, but within the Continental United States and Canada, not requiring an overnight stay, must be recommended by the Principal and, in addition, shall require advance approval of the appropriate Assistant Superintendent.
- Field trips requiring an overnight stay, within or outside the State of Michigan, but within the Continental United States and Canada, shall require advance approval by the Building Principal and the Assistant Superintendent and shall follow District guidelines regarding transportation, insurance, parent/guardian permission, etc.
- The student’s parent(s)/guardian(s) shall be advised, in writing, if any portion of the student’s cost for the field trip is for reimbursement, compensation, or financial remuneration to a staff member or non-employee chaperone for such things as room and board, flight, travel, supervision, or attendance on the field trip.
- In all cases, the student’s parent(s)/guardian(s) shall have signed a “permission slip,” the provisions of which have been approved by the Assistant Superintendent in charge of the specific division.

Field trips requiring travel outside the Continental United States or Canada will not be sponsored by the School District. Senior or underclass trips will not be sponsored by the School District.

A student, or his/her parent(s)/guardian(s) shall not be solicited to participate in a non-school sponsored field trip by a staff member during working hours. Additionally, any solicitation by a staff member to participate in a non-school sponsored field trip shall include a written disclaimer to the student, and his/her parent(s)/guardian(s) that the field trip is not sponsored by the School District, or its Board of Education, and must include disclosure of the staff member’s remuneration or compensation for soliciting student participation or attending the field trip. Additionally, the disclosure shall set forth if any portion of the student’s cost is for reimbursement or compensation to a staff member for room and board, travel or financial remuneration of any kind.

Approved: December 13, 2006

LEGAL REF: MCL 380.1321-1332; R 340.241-243

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 7000 – Instructional Program

7500 Guidance Program

The guidance program shall be organized to meet the needs, interests and abilities of all individual students with their own particular capabilities, their aptitudes and their personalities. It is a District goal to make each student an active participant in the learning process and not simply a passive absorber of knowledge.

The guidance and counseling services of the District shall be available to any student and shall not discriminate against any student on the basis of sex, race, age, color, national origin, or disability.

Educational Guidance

The educational guidance program shall relate to the educational objectives and needs of the students.

Career Guidance

The District shall assist students in selecting a career pathway and guide them in participating in coursework aligned to their career pathway. Work based learning including job shadowing, apprenticeship training, and the like, is expected of all students.

Personal Guidance

The guidance program shall provide for the individual needs of the students.

Approved: December 13, 2006
LEGAL REF: MCL 380.1233; 20 USCA §1232 (Family Educational Rights and Privacy Act); 28 CFR §42.410; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §1981 et seq. (Civil Rights Act); 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 29 USCA §794, et seq. (Rehabilitation Act of 1973)

7560 Grading System

The Board encourages a uniform grading system for use in the elementary and secondary schools the full details of which shall be published and distributed to the appropriate faculty.

Approved: December 13, 2006
Section 7000 – Instructional Program

7580  **Homework**

Homework is a beneficial and necessary tool which aids students in their academic growth. It is used for review and reinforcement of concepts already under study. The frequency of specific assignments depends upon the teacher's judgment of the needs of an individual or group of students. When homework is assigned, it is to be completed, graded, and recorded.

Homework shall be used as an educational enhancement and not as a means to discipline students.

Homework shall be encouraged strongly by each building level administrator.

Approved:  December 13, 2006

7600  **Promotion and Retention**

Grade level and group assignments, including promotion and retention, shall be the responsibility of the Superintendent and shall be made in the best interests of the individual student subject to parent(s)/guardian(s) involvement in accordance with law.

Students will normally progress annually from grade to grade. However, exceptions may be recommended when, in the judgment of the professional staff, and after consultation with parent(s)/guardian(s), such exceptions are in the best interests of the individual student involved and retention is indicated.

A written statement of parent(s)/guardian(s) approval of the retention should be obtained if possible, and included in the student’s permanent record file. If the parent(s)/guardian(s) do not agree to retention and, as a result, the student is promoted, a statement signed by the parent(s)/guardian(s) so indicating the parent(s)/guardian(s) rejection of the District’s recommendation for retention should be placed in the student’s file.

Approved:  December 13, 2006
LEGAL REF:  MCL 380.10

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23. **380.10 Rights of parents and legal guardians; duties of public schools.** Sec. 10.

   It is the natural, fundamental right of parents and legal guardians to determine and direct the care, teaching, and education of their children. The public schools of this state serve the needs of the pupils by cooperating with the pupil's parents and legal guardians to develop the pupil's intellectual capabilities and vocational skills in a safe and positive environment. **History:** Add. 1995, Act 289, Eff. July 1, 1996. **Popular Name:** Act 451
Section 7000 – Instructional Program

7610 Make-up Opportunities (Cf. 8350)

Student absence, including suspension, does not exempt the student from work missed. Upon the direction of the building Principal, teachers shall assist students in making up missed work and credit will be granted for missed work made up.

Approved: December 13, 2006

7630 Graduation Requirements

The Board may adopt graduation requirements beyond the minimums set forth by the State Board of Education.

Students shall be encouraged to participate in voluntary community service projects prior to graduation from high school.

Approved: December 13, 2006


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24 This case affirmed the right of a school District to include “mandatory community service” in the curriculum as a condition of graduation. The 2nd Circuit’s decision took into account the fact that school Districts should expect some parents to challenge school programs that, they feel, may intrude on their 14th Amendment rights. Alternatively, school Districts can avoid such challenges by simply providing an excusal provision for parents that offer “value-based” objections to programs such as mandatory community service.
Section 7000 – Instructional Program

Transfer of Credit

Schools of the District shall accept as transfer credit coursework successfully completed at a school accredited by the North Central Association of Schools and Colleges, the Michigan Association of Non-Public Schools, the Independent Schools Association of the Central States, or recognized state or regional accrediting agency of comparable standards, or coursework successfully completed at an accredited post-secondary institution.

In core academic disciplines, particularly disciplines like mathematics which are sequential in nature, the school administration may make use of transcripts, grades, previous teacher recommendations, textbook used, course descriptions, standardized tests, and/or a placement or proficiency test to recommend or determine course placement for a transferring student.

No credit will be granted for work done at another institution that the student substantially repeats by taking an equivalent class within the District.

Transfer from Home Schooling or Other Institutions

Decisions regarding acceptance of credit or grade level placement of students transferring from a home school or a school not meeting the standards of the major regional accrediting agencies listed above shall be made by school building officials based on appropriate testing and/or review of home school work and curricula. Additionally, school building officials shall consult with the parents or guardians, as well as interview the student, prior to making a decision.

In core academic disciplines, transfer of credit from a home school or institution, which is not accredited or accredited by an agency not meeting the above standards, may be contingent on the student demonstrating proficiency in the material through successful completion of a comprehensive exam and/or other academic achievement.

Successful completion of a higher-level course in a sequential discipline may also be used to establish proficiency.

Transfer of credit in a non-core area may be accorded when the course is in line with the program of study in the District and is consistent with the content and expectations of similar District courses.

The student’s subsequent grade placement and the decision to deny credits may be appealed to the Assistant Superintendent for School Performance by the student or his/her parent or guardian. The final appeal is made in writing to the Superintendent. The Superintendent’s decision in such appeals shall be final.

The Superintendent shall establish rules and guidelines for the application of this policy in conjunction with building administrators and academic departments.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 7000 – Instructional Program

In addition to regular classroom-based instruction, students may earn credit through the following means.

Virtual/Online Courses

The Saginaw Public Schools Board of Education recognizes that students in the school district may have a need for greater flexibility in their educational program due to individual learning styles, health conditions, employment responsibilities, lack of success in traditional school environments or a desire to accelerate their learning and work at the college level before leaving high school.

Further, the Board acknowledges that online learning solutions offered by providers may fulfill these needs by allowing flexibility for students and providing a meaningful educational alternative affording students the opportunity to successfully complete their course work.

Credit from an online or virtual course may be earned only in the following circumstances:

1. The course is not offered through the high school,
2. Although the course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict,
3. The course will serve as a supplement to extended homebound instruction,
4. The student has been suspended and/or placed in an alternative setting from the regular high school setting, but educational services are to be continued, or
5. The Principal, with agreement from the student’s teachers and parent(s)/guardian(s), determined the student requires a differentiated or accelerated learning environment,
6. Students taking such courses must be enrolled in the District.

As determined by school/council policy, students applying for permission to take a virtual course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possess the maturity level need to function effectively in an online learning environment. In addition, the express approval of the Principal shall be obtained before a student enrolls in a virtual course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

The tuition fee for a virtual course may be borne by the District for students enrolled full-time. The District may pay the fee for suspended students who are permitted to take virtual courses in alternative settings.

Though its policies and/or supervision plan, the District shall be responsible for providing appropriate supervision and monitoring of students taking virtual courses.

The Superintendent and administrative team shall establish procedures for the Saginaw Public Schools online learning program which ensure that district developed online learning solutions meet district standards. Further, when using online learning solutions providers ensure that:

A. Online course providers are accredited by a nationally recognized accreditation program or agency.
B. The curriculum requirements of both the Michigan Merit Curriculum and the Saginaw Public Schools are met.
All teacher-led online courses include certified, highly qualified teachers.

Approved: December 13, 2006
Revised: August 21, 2013
Section 7000 – Instructional Program

7645 Advanced College Placement

Students who are accepted for university or college entrance prior to completing all high school graduation requirements may be granted a high school diploma if the following conditions are met:

1. Requests are made to the Board in advance for a waiver of completion of high school graduation requirements;
2. Approval by the Board of the waiver upon recommendation of the Superintendent;
3. Satisfactory completion of all state requirements for graduation at the high school or at the college/university or other institution approved by the Board; and
4. Satisfactory completion of sufficient college courses which may be substituted for required or elective courses for which high school credit shall be given in order to meet the high school graduation requirements.

The diploma shall not be granted until all of the above conditions have been met.

The Superintendent shall be responsible for developing procedures and criteria to implement this policy.

Approved: December 13, 2006
LEGAL REF: MCL 380.1282

7648 Dual Enrollment and Credit

Dual Enrollment

This shall apply to students who are classified as 11th or 12th graders and who have fully qualified for a state endorsement in all subject areas tested under the Michigan education assessment program.

Dual Credit

Students successfully completing the requirements of a course offered by a Michigan post-secondary institution shall receive high school credit providing all guidelines have been met.

Notice

Eligible students shall be provided with notice of eligibility.

The Superintendent shall develop appropriate administrative procedures to deal with requests for dual enrollment.

Approved: December 13, 2006
LEGAL REF: MCL 388.511 et seq.; 380.1279f; 388.1903

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 7000 – Instructional Program

7650  Student Assessment Program (Cf. 8940 et seq.) 7650

Testing out

A student who desires to receive credit for a high school course without enrolling in the course, may do so by attaining a grade of not less than C+ for the comprehensive exam for that course.

Testing out will take place only in the core content areas at the end for the first semester of each school year. Credit will not be granted, however, for a course in a subject area lower in course sequence than one for which the student has already earned credit.

Test Selection and Adoption (Cf. 8940 et seq.)

Psychological and guidance oriented tests may be selected for use in the District upon recommendation of the office of Special Education and Student Support Services.

Test Administration (Cf. 8940 et seq.)

Each building Principal in cooperation with the guidance staff shall schedule individual and group testing at times which will not disrupt the educational decorum of the school.

Use and Dissemination of Test Results (Cf. 8940 et seq.)

Under no circumstances will the results of any individual or group test as defined in these policies be given to unauthorized people. When interpreting individual or group test results, staff members will adhere to the confidentiality guidelines for students and staff.

Generalized results of mass testing may be given to parents/guardians and other authorized persons in the form of a report. No report shall be given to any person without prior approval of the building administrator.

All test results must be filed in a secure place not available to unauthorized individuals.

Student Assessment

Each school improvement plan shall provide for student assessment methods that use a variety of criteria-based strategies, including at least: Written examinations, oral examinations, alternative questions, demonstrations, writing exercises, individual projects, group projects, performances, student portfolios, and samples of student’s best works.

The high school Principal shall establish rules for implementing this policy in cooperation with the Superintendent, and shall be responsible for ensuring that all high school courses include one or more appropriate comprehensive exam(s) or other assessment.

Approved:  December 13, 2006

LEGAL REF:  MCL 380.1172; 380.1204a; 380.1278; 380.1279; 380.1279b; 380.1279c; R 340.1101-1107; OAG, 1983-1984, No 6148, p 107 (April 15, 1983)

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 7000 – Instructional Program

7700 Evaluation of Instructional Program (Cf. 7650) 7700

The Board, as the policy-making body of the District, needs information on national, regional and local forces and trends affecting the public school system and on the overall performance of the District. Accordingly, a separate staff department devoted to Evaluation, Quality Measurement, and Data Services (EQM), under the direction of, the Superintendent, will be considered an important Board priority. EQM services shall be provided to promote informed policy-making. EQM shall provide information on trends that shape education, and will provide studies on the overall performance and impact of the District's programs. All specially funded programs shall be evaluated by EQM.

Approved: December 13, 2006
LEGAL REF: 380.1282

7770 Teaching about Religion

Teachers may teach about religion, religious literature, and history but are prohibited from teaching, expounding, criticizing, or ridiculing a particular religion. Religious texts may be used to teach about religion, but the use of religious texts is prohibited if used to teach a particular religious doctrine or in any other way except as outlined above.

Approved: December 13, 2006
LEGAL REF: MCL 380.1217

7780 Events and Programs

In the interest of reserving the maximum amount of time for instruction, special programs by organizations outside of the schools shall be planned for times outside of the usual school day to as great an extent as possible. In general, entertainment type programs or programs of a commercial nature should not be approved for presentation during the school day. Any exceptions must be cleared through the Superintendent.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 7000 – Instructional Program

7800  School Ceremonies and Observances (Cf. 7770) 7800

Opening Exercises

Classrooms may open the school day with appropriate exercises. Such may include the pledge to the flag, patriotic songs, and reading of excerpts of non-religious material, that will implement the development of moral values, patriotism, and high standards of conduct. A student who expresses a religious objection to repeating the pledge to the flag shall not be required to participate. However, such students shall not cause a disturbance or interfere with the participation of others.

Recognition of Religious Beliefs and Customs

Employees of the District shall neither promote nor disparage any religious belief or non-belief. The Board encourages all students and staff members to appreciate and to be tolerant of each other’s religious views. The Board shall utilize its authority to foster understanding and mutual respect among students and parent(s)/guardian(s), whether it involves race, culture, economic background, or religious belief. Students and staff members may be excused from participating in practices that are contrary to their religious beliefs unless there are clear issues and overriding concerns that would prevent it.

The Board, through its instructional program, shall attempt to advance all student’s knowledge and appreciation of the role that religious heritage has played in the social, cultural and historical development of civilization.

Federal Requirements

As required by the No Child Left Behind Act, the Superintendent will, by October 1 of each year, certify in writing to the state that students of the District are not prevented by policy or rule from participating in constitutionally protected prayer. The Superintendent will ensure that the staff, parent(s)/guardian(s), and students are made aware of the parameters of acceptable religious speech and actions.

The Superintendent will also distribute guidelines to each school concerning religion in the schools, after the guidelines/regulations have been approved by the Board attorney and reviewed by the Board.

Approved: December 13, 2006
LEGAL REF: MCL 380.1175; 380.1217; Lee v. Weisman, 112 S. Ct. 2649 (1992); NCLB.

7840 Substitute Teaching (Cf. 5685) 7840

The Board expects the staff to secure qualified substitute teachers for use in the District. Each classroom teacher needs to prepare academic building and classroom emergency substitute plans to ensure the health and safety of all students for whom they are responsible.

The Superintendent shall prepare the administrative rules and guidelines for these substitute plans.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 7000 – Instructional Program

7880 Flag Displays

Each school building, in accordance with law, shall display the United States flag each day that the building is open for students. The flag shall be flown outside of the building according to accepted display procedures.

Approved: December 13, 2006
LEGAL REF: MCL 380.1347

7900 School Improvement

The Board supports building level school improvement processes and projects for the purpose of attaining higher educational achievement levels for the District's students.

School Quality Teams

The Board authorizes the formation of building level School Quality Teams, also known as School Improvement Committees at each school within the District. The purpose of each S.Q.T is to promote the collaborative involvement of the school’s professionals and staff in the development, endorsement and implementation of a written School Quality Plan aligned with the District-wide Strategic Plan, also known as the School Improvement Plan for School Improvement.

Membership on each local S.Q.T. shall be as provided by law.

The Board authorizes the formation of a District Strategic Planning Team for School Improvement whose membership will be representative of District and community stakeholders.

Each building S.Q.T. shall submit three quarterly and one annual report to the Superintendent detailing the progress toward attainment of the Building and District-wide Goals, including appropriate data analysis.

Approved: December 13, 2006
LEGAL REF: MCL 380.1204a; 380.1233; 380.1277; 380.1280a
Section 7000 – Instructional Program

7950 Schools of Choice 7950

Should the District elect to participate in "Schools of Choice" the Superintendent shall cause to be published, for general public consumption, a notice of the grades, schools, special programs and the number of slots available in each, in accordance with law.35

District participation in "Schools of Choice," if any, shall not be in conflict with law or Michigan State Department of Education rules and regulations.

Approved: December 13, 2006
LEGAL REF: MCL 388.1705, 1705c

25 388.1705 Counting nonresident pupils in membership; application and enrollment; procedures. Sec. 105. (in pertinent part) (i) The District shall do all of the following not later than the second Friday in August: (underlining added)

(A) Provide notice to the general public that applications will be taken for a 15-day period from nonresidents residing within the same intermediate District for enrollment in that grade, school, or program. The notice shall identify the 15-day period and the place and manner for submitting applications.
(B) During the application period under sub-subparagraph (A), accept applications from nonresidents residing within the same intermediate District for enrollment in that grade, school, or program.
(C) Within 15 days after the end of the application period under sub-subparagraph (A), using the procedures and preferences required under this section, determine which nonresident applicants will be allowed to enroll in that grade, school, or program, using the random draw system required under subsection (13) as necessary, and notify the parent or legal guardian of each nonresident applicant of whether or not the applicant may enroll in the District. The notification to parents or legal guardians of nonresident applicants accepted for enrollment shall contain notification of the date by which the applicant must enroll in the District and procedures for enrollment.
Section 8000 – Students

8000—STUDENTS

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SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 8000 – Students

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SCHOOL DISTRICT OF THE CITY OF SAGINAW
## Section 8000 – Students

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Section 8000 – Students

8005 Open Enrollment

It shall be the continuing practice of the District to provide enrollment options that meet the diverse needs and interests of district students.

Students who reside within district boundaries may apply for enrollment in any district school. The Superintendent or designee shall determine the capacity and grade level configurations of each district school and establish a random, unbiased selection process for the admission of students from outside a school’s attendance area. In accordance with law, no student currently residing within a school’s attendance area shall be displaced by another student.

Enrollment Priorities:
The District may suspend all inter-district transfers during periods of economic difficulty. Notice will be given to affected students and their parents prior to the close of school in the year previous to the one in which the privilege will be rescinded. Exceptions may be made for children who are in the last grade level at the school of desired attendance, when reciprocal agreements have been made with other districts, or when the financial impact is negligible.

Elementary and secondary schools receiving requests for admission shall give priority for attendance to siblings of students who are enrolled at the school at the time of open enrollment. Older siblings of students accepted to a school may benefit from sibling status as long as they had applied for Open Enrollment at or prior to the time that an application was filed for the younger sibling.

Families who voluntarily disenroll or are involuntarily from their Open Enrollment school relinquish the sibling priority right to attend the school of choice.

A student may be given priority for attendance outside his/her current attendance area when special circumstances exist that may be harmful or dangerous to that particular student. Harmful or dangerous special circumstances shall be identified pursuant to law and administrative regulations.

Once accepted for Open Enrollment, and the parent or guardian has completed the enrollment process within the specified three-week time period, a student shall not have to apply for readmission to that school. The school accepting the Open Enrollment, in essence, becomes the student’s home school for the duration of time that the student remains at any grade level housed at the school.

Approved: December 13, 2006
Revised: March 21, 2012
Section 8000 – Students

8010  Equal Educational Opportunity (Cf. 5020)

Every child, regardless of race, creed, color, sex, age, national origin, cultural or economic background, or handicap, is entitled to equal opportunity for educational development.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the District. The Board shall treat its students without discrimination as this pertains to course offerings, athletics, counseling, employment assistance, and extracurricular activities.

Approved: December 13, 2006

LEGAL REF: 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 20 USCA §1701 et seq. (Civil Rights Act); 28 CFR §42.410; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §2000e, et seq. (Title VII of the Civil Rights Act); MCL 380.1146
Section 8000 – Students

8015 Non-Discrimination and Complaint Procedure (Cf. 2450, 5030) 8015


The Civil Rights Coordinator, in conjunction with appropriate administrative staff, shall address complaints of disability/handicap discrimination involving educational services, programs, and activities. Discrimination complaints made by students and/or their parent(s)/guardian(s), and involving sex, race, color, national origin, religion, height, weight, age, or marital status shall be directed to the Civil Rights Coordinator. The administrator in charge of the Human Resources and Labor Relations Division is appointed the Civil Rights Coordinator regarding all other complaints of discrimination except for any complaints that might be filed against the Superintendent of Schools. In the event the complaint is against the Superintendent of Schools, the Vice-President of the Board of Education is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination based on disability/handicap should be directed to:

Dr. Kelley A. Peatross, Civil Rights Coordinator
Saginaw Board of Education
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500

A complaint is against the Superintendent of Schools should be directed to:

The Vice-President of the Board of Education
Saginaw Board of Education
550 Millard St.
Saginaw, MI 48607-1193
(989) 399-6500

The Civil Rights Coordinator is designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will take, then, the following action: First, cause an investigation of the complaint to be commenced. Second, arrange for a meeting to occur with the complainant that may include School District staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise that will assist in resolving the complaint. Third, complete the investigation of the complaint and provide, in writing, a reply to the complainant. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the School District’s Superintendent. In the event the complaint is against the Superintendent, a copy of the determination shall be delivered to the President of the Board of Education.
The complainant may appeal the Civil Rights Coordinator’s determination to the Superintendent or, in the case of a complaint against the Superintendent, to the President of the Board, by so notifying the Superintendent or Board President in writing within the (10) calendar days of the Civil Rights Coordinator’s determination. The Superintendent or Board President may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Board Vice-President or President may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Superintendent.

The majority of the Board, in the case of a complaint against the Superintendent, shall affirm or reverse the Civil Rights Coordinator’s decision and, if warranted, implement the Civil Rights Coordinator’s proposed resolution or a modification thereof. The Board’s decision shall be final.

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Approved: December 13, 2012
Revised: February 15, 2012
LEGAL REF: Included in text.
Discriminatory harassment of students by School District elected officials, employees, vendors, contractors or other doing business with the School District, students, parent(s)/guardian(s), invitees, volunteers or guests will not be tolerated. Similarly, student-on-student discriminatory harassment is prohibited equally, and will not be tolerated.

Discriminatory harassment includes unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to an individual’s sex, race, color, national origin, age, religion, height, weight, marital status or handicap/disability when:

- Submission to such conduct or communication is made either an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the School District; or
- Submission to, or rejection of, the conduct or communication is used as the basis for a decision to exclude, expel or limit the harassed student in the terms, conditions or privileges of the School District; or
- The harassment substantially interferes with the student’s education, creates an intimidating, hostile, or offensive environment, or otherwise adversely affects the student’s educational opportunities.

Any student who believes that he or she has suffered harassment shall immediately report the incident(s) to his/her school Principal, or an Assistant Principal, or to the following person:

The Administrator in Charge of the Office of School Performance  
Saginaw Board of Education  
550 Millard St.  
Saginaw, MI 48607-1193  
(517) 399-6500

Should the complaint be against the Superintendent, the incident shall be reported to:

Vice-President of the Board of Education  
Saginaw Board of Education  
550 Millard St.  
Saginaw, MI 48607-1193  
(517) 399-6500

The School District guarantees that a student reporting an incident(s) of discriminatory harassment will not suffer any form of reprisal.

In determining whether the alleged conduct constitutes discrimination or harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incident(s) occurred will be investigated. The building Civil Rights Coordinator, or his/her designee, has the responsibility of investigating complaints of discriminatory harassment of students. In cases where the alleged harassment involves a member of the Board of Education, the School District will appoint outside legal counsel to investigate the complaint. The results of an investigation and any action taken thereon will be communicated to the complaining person.
Section 8000 – Students

8018 Discriminatory Harassment of Students

The School District considers discriminatory harassment based on religion, race, color, national origin, age, sex, height, weight, marital status, handicap, or disability to be a major offense, which will result in disciplinary action of the offender. Disciplinary action against a School District employee may include termination of employment. Disciplinary action against a student may include expulsion. Disciplinary action against a Board of Education member may range from Board of Education public censure to removal of the Board Member from an officer position he/she may hold.

Sexual harassment may include, but is not limited to, the following:

- Verbal harassment or abuse,
- Pressure for sexual activity,
- Repeated remarks with sexual or demeaning implications,
- Unwelcome touching,
- Sexual jokes, posters, cartoons, etc., and
- Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one’s grades, safety, job, or performance of public duties.

In addition, any form of retaliation against the complainant or witness is in itself a form of sexual harassment.

Approved: December 13, 2006

LEGAL REF: MCL 37.2101 et seq., (Elliott-Larsen Civil Rights Act); 380.11a; 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments)
Section 8000 – Students

8020 Attendance

The Board shall select (or not select) attendance officers in accordance with current law.

The Board supports the Uniform Attendance Policy of Saginaw County's public schools and the District will make all reasonable efforts to enforce that policy.

Attendance Review Committee

Each school building in the District will establish an attendance review committee. The committee will review each pupil's attendance record after 5 absences or 7 tardies in a semester. The committee will re-examine each pupil's attendance record following each 2 additional absences/tardies (above 5 or 7 respectively).

The Superintendent shall include in his/her annual report any information relative to students not attending school, which he/she feels, should be called to the attention of the Board and the community. The Superintendent shall attempt to enlist the support and cooperation of local authorities in dealing with school problems created by students not attending school.

Minimum Requirement

The minimum attendance requirement is 90%. Secondary pupils must attend at least 90% of the time for each class in order to earn academic credit each semester. Elementary pupils must attend 90% of the scheduled clock hours each semester. All pupils should make every effort to be in school and on time every day. The Superintendent, in cooperation with the attendance review committee, may waive the 90% minimum attendance requirement under certain circumstances.

Students, parent(s)/guardian(s), teachers, and the administration all share responsibility for student attendance and all are expected to cooperate in the District’s efforts to improve school attendance by students. Parent(s)/Guardian(s) who fail to cooperate will be dealt with under the auspices of state law regarding their responsibility to see that students are in school.

Compulsory Attendance - Religious Exemption

Any student, who has completed the eighth grade before reaching 16 years of age and who is a member of a recognized church or religious denomination that objects to a regular public high school education, may attend classes in a regularly supervised non-public program of instruction approved by the State Board of Education. Attendance of such a student in a non-public educational program shall conform to state law.

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26 380.1561 Compulsory attendance at public school; enrollment dates; exceptions. [M.S.A. 15.41561]

Sec. 1561. (1) Except as otherwise provided in this section, every parent, guardian, or other person in this state having control and charge of a child from the age of 6 to the child's sixteenth birthday shall send that child to a public school during the entire school year. The child's attendance shall be continuous and consecutive for the school year fixed by the school district in which the child is enrolled. In a school district that maintains school during the entire calendar year and in which the school year is divided into quarters, a child is not required to attend the public school more than 3 quarters in 1 calendar year, but a child shall not be absent for 2 or more consecutive quarters.
Section 8000 – Students

8020 Attendance

It is the parent(s)/guardian(s) responsibility to provide transportation to such non-public religious activities.

Appeal Procedure

A pupil negatively impacted by this attendance policy has the right to appeal. The Superintendent will establish administrative rules for the appeal process.

Approved: December 13, 2006
LEGAL REF: MCL 380.1571; 380.1577; 380.1586-1596; 380.1599; OAG 5414 (12/20/78)

8035 Absences and Excuses (Cf. 8020)

The Board, other than for illness or other reasons specifically referenced in Board policy, discourages any absence from school. All absences shall be either excused or unexcused. Appropriate rules and regulations regarding student absences shall be developed by the administrative staff.

Approved: December 13, 2006
LEGAL REF: MCL 380.1561

8040 School Admissions

The enrolling school official shall enter on the student’s permanent record card the student’s legal name and the name, address and telephone number of his/her lawful custodian(s), or other relatives acting as caregivers, as required in Board policy 8090 Release of a Student During the School Day. Any unusual custody circumstances shall be explained and updated. Legal custody dispositions may be required to be on file in the student’s CA60. The District may require “Power of Attorney” papers for relatives of the student acting as caregivers in the stead of the legal parent(s)/guardian(s).

Non-Resident Students

A non-resident student shall be defined as any student who does not meet the requirements to be a resident student of the District, as defined in state law. The enrollment of non-resident students is a privilege granted by the District and is not a legal right provided to the non-resident student and/or his/her parent(s)/guardian(s). Non-resident students shall not be granted or refused enrollment based upon disability, religion, race, color, national origin, sex, height, or weight, or generally, in violation of any state or federal law prohibiting discrimination.

The Board will consider and may permit the enrollment of non-resident students upon receiving a release from the school District of residence or upon payment of tuition unless exempt from either by state law.
Section 8000 – Students

Enrollment requests from non-resident students will be subject to space availability as determined by the Superintendent considering resident student enrollment projections.

Requests from the parent(s)/guardian(s) of special education students for admission shall be considered in accordance with applicable state and federal laws. The student’s current Individual Education Plan (IEP) shall be used to determine if the requested school or program can meet the student’s needs.

When necessary, a written cooperative agreement with the student’s resident District shall cover, but not be limited to, an arrangement on the responsibility for the payment of the added costs of special education programs and services, including transportation, for the student.

Non-resident students admitted pursuant to the following exceptions will not be required to pay tuition or seek approval from their District of residence if:

1. The student was a victim of a criminal sexual assault or other serious assault, that (1) occurred “at school”\(^{27}\) in the student’s District of residence, or (2) that was committed by one or more students from the student’s District of residence, or (3) that was committed by employee of the student’s District of residence.
2. The student was enrolled as a resident in the District at the beginning of the school year and became a non-resident after the pupil membership count day (fourth Wednesday in September).
3. The student is the child of an employee who is under a full-time or part-time employment during the current school year. This exception shall cease to exist when the parent(s)/guardian(s) ceases to be an employee of the District. However, under such circumstances, a student may finish the school year without payment of tuition or approval from his/her resident District if the parent(s)/guardian(s) discontinues employment with the District after the pupil membership count day.

Unless as otherwise required by law, transportation for enrolled non-resident students shall be furnished by their parent(s)/guardian(s).

Approved: December 13, 2006

\(^{27}\)“At school” means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event, whether or not it is held on school premises. MCL 388.1606(6)(g)(i).

SCHOOL DISTRICT OF THE CITY OF SAGINAW
The Board is committed to identifying homeless children and youth. The Superintendent shall develop guidelines and procedures for identifying homeless children within the District and will produce written guidelines for distribution to each school that explains the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

Such children shall be provided with educational services to meet their needs as determined and directed by the Superintendent. Regulations/Guidelines will be developed that implement the requirements of the No Child Left Behind Act.

The child may attend the school, which is in the best educational, social, and emotional interest of the child.

The Superintendent shall waive fees and charges that may act as barriers and prevent homeless children from enrolling in school and/or acquiring an appropriate education.

Approved: December 13, 2006
LEGAL REF: 42 USCA §11433 (McKinney Homeless Assistance Act); 20 USCA § 6311 (No Child Left Behind Act)

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28 Under the McKinney Act, the terms homeless children and youths mean “individuals who lack a fixed, regular, and adequate nighttime residence … and includes:
(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings…;
(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
(iv) migratory children … who qualify as homeless for the purposes of this part because the children are living in circumstances described [above].”

29 To be eligible for federal funds for programs assisting the education of homeless children, a district must provide written notice to the parents/guardians of each child enrolled in a separate school for homeless children of the choice of schools that homeless children are eligible to attend, that no homeless child is required to attend a separate school, and that homeless children must be provided transportation services, educational services and meals through school meal programs comparable to those offered to other children in the school attended. The notice must also include contact information for the local liaison for homeless children and the state coordinator for education of homeless children. If the district sends a homeless child to a school other than the school of origin or the school requested by the parent/guardian, the district must provide the parents/guardians a written explanation for, including notice of the right to appeal, the decision. This information must also be provided whenever a dispute arises over school selection. 42 U.S.C. § 11432 (e) (3) , (E); 11432 (g) (2) (B), (E)
Section 8000 – Students

8055  Changing Student Letter Grades

   A student, age 18 years or older, parent(s)/guardian(s) or another person acting as a representative for the student, may request to have a letter grade changed only for grades on final exams or grades at the end of a marking period or semester.

   The Superintendent will promulgate rules for the procedures to be followed when a request for a change in a letter grade is made.

   Approved:   December 13, 2006
   LEGAL REF:  MCL 380.11a

8080  Re-admissions

   Students, whose enrollment has been terminated, either voluntarily or otherwise, may be re-admitted by following the procedures established by the Board.

   Approved:   December 13, 2006
   LEGAL REF:  OAG, 1985-1986, No 6271, p 13 (February 7, 1985)

8090  Release of a Student during the School Day

   Building Principals shall not release a student during the school day, except in emergencies, and then only to a student's lawful custodian as defined by Michigan law. The identification of the student's lawful custodian shall be verified to the satisfaction of the Principal. The name, address and telephone number of the lawful custodian shall be entered on the permanent record of the student in accordance with Board policy.

   In the event a student's lawful custodian as defined by Michigan law, wishes to give permission to have the student released to a person other than the lawful custodian, said permission must be filed, in writing, signed and dated by the lawful custodian, citing the specific person(s) by name and indicating the nature, reason for and duration of the permission given for the release. Such written permission(s) will be placed in the permanent record of the student until or unless revoked through written notice from the lawful custodian.

   Approved:   December 13, 2006
Section 8000 – Students

8095  Closed Campus

The District maintains closed campuses at all schools for all students through grade 12 during the lunch period. “Closed campus” is defined as remaining on school property, either inside the building or on school ground, throughout the entire scheduled lunch hour.

Approved: December 13, 2006
LEGAL REF: MCL 380.1561(1)

8130  Searches of Motorized Vehicles, Lockers, and Students

Searches of lockers, motorized vehicles, and students shall be conducted under the appropriate legal standard, to maintain the safety and security of students, teachers, guests, and school property.

Lockers

All lockers assigned to pupils are the property of the school District. At no time does the school relinquish its exclusive control of its lockers. The school Principal or designee shall have custody of all combinations to all lockers and locks. Pupils are prohibited from placing locks on any locker without the prior approval of the Principal or designee.

The school may assign temporary use of lockers to students for their convenience and the lockers may be used only as permitted by the rules developed by the Superintendent. The Board authorizes the Principal or designee to search lockers and locker contents at any time, without notice, and without parent(s)/guardian(s) or pupil consent. Random searches shall be conducted pursuant to a method and/or schedule approved by the Superintendent.

The Principal or designee may request the assistance of law enforcement in conducting a locker search pursuant to state statute. If law enforcement is summoned, the Principal and/or designee shall supervise the search. In conducting a search, the privacy rights of the student regarding any items discovered that are not illegal or against school policy and rules shall be respected.

Any illegal or unauthorized items found during a locker search or items deemed to be a threat to the safety and security of others may be seized. Such items include, but are not limited to:

- Firearms,
- Explosives,
- Dangerous weapons,
- Flammable material,
- Illegal controlled substances or controlled substances analogues or other intoxicants,
- Contraband,
- Poisons, and
- Stolen property.

Law enforcement authorities shall be notified immediately of seizure of such items or of items required to be reported to law enforcement under the Statewide School Safety Information Policy. The items seized will be turned over to law enforcement.
The parent(s)/guardian(s) of a minor student or a student 18 years of age or older, shall be notified by the Principal or designee of items removed from the locker. A copy of this policy and accompanying administrative rules regarding locker searches shall be provided annually to each pupil and parent(s)/guardian(s) of the pupil assigned a school locker.

Motorized Vehicles

Student use of a motorized vehicle on school property is a privilege. Motorized vehicles brought onto school property by students are subject to search by the Principal or designee, without notice or consent, if the Principal or designee reasonably suspects that the contents of the motorized vehicle may present a threat or potential threat to the health, safety, or welfare of other students, staff, or to the school in general.

In the case of a locked motor vehicle, every effort will be made to have the vehicle unlocked by the student before proceeding with the search. Students refusing to cooperate in allowing a search of a vehicle brought by them onto school property shall be subject to disciplinary action up to and including revocation of driving privileges on school property and/or long-term suspension or expulsion.

Students

Upon reasonable suspicion, and in order to protect the health, safety, or welfare of the students under school jurisdiction, the Principal, or designee, are authorized to search students. All searches shall be carried out in the presence of an adult witness.

Strip Searches

No strip searches shall be conducted by school authorities.

Law Enforcement Searches

School officials shall cooperate with law enforcement officers who seek to execute a search warrant. Where law enforcement officers desire to search without a warrant, school officials should request that the circumstances be explained, and should normally not assist, unless a clear emergency exists.

In all such cases, the school official involved should notify the Chief of Security that a search is being conducted.

Approved: December 13, 2006
8140  Interrogation and Investigations Conducted in School

It shall be the policy of the District that a reasonable cooperative effort is maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on the school premises or during a school-sponsored activity or to maintain a safe educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property. Administrators have the responsibility and the authority to determine when the presence and assistance of law enforcement officers is necessary within their respective jurisdictions.

School staff members shall be informed of the contents of this policy and rules.

Approved:  December 13, 2006

8150  District Student Code of Conduct

The District shall develop and publish a Code of Student Conduct to be distributed to all students.

Approved:  December 13, 2006
LEGAL REF:  MCL 380.1311; 380.1596; PL 103.227

8160  Suspended or Expelled Students on School Property (Cf. 9470)

Students who are under temporary suspension or have been expelled from school are not allowed on school property or in any school building nor shall they attend any school activity, function, or event held by the schools on or off school property. (See Policy 9470)

Approved:  December 13, 2006
Section 8000 – Students

8220 Alcohol, Inhalants, Steroids, and Drug Abuse

The Board of Education recognizes its obligation to provide students with the best education possible. Students are the future leaders of our Nation. One of the most important aspects of an education is that a student becomes aware of the harmful effects of alcohol, inhalants, steroids, and drugs.

The illegal use of alcohol, inhalants, steroids and/or drugs has no place in school or society. Students who abuse alcohol, inhalants, and/or drugs not only perform poorly in school, they perform poorly in life.

Alcohol, inhalants, steroids and/or drug abuse costs our Nation billions of dollars every year in lost productivity. Thousands of people die each year and many more are disabled because of alcohol, inhalants, steroids and/or drugs.

Students who say “no” to alcohol, inhalants, and drugs will be better prepared to meet life’s many challenges. Students who give in to peer pressure and use alcohol, inhalants, and drugs will be letting down their friends, their family, and themselves.

Students should feel proud when they resist the temptations of alcohol, inhalants, and drugs. Saying “no” to alcohol, inhalants, steroids and/or drugs is the right answer.

The Board of Education and the School District encourage students who are experiencing problems with alcohol, inhalants, steroids and/or drug abuse to seek assistance voluntarily for such problems through treatment, counseling, and/or rehabilitation programs. Information regarding these programs is available at the counseling office.

The Board of Education and School District will not tolerate students who refuse to say “no” to alcohol, inhalants, steroids and/or drugs. Students, who unlawfully possess, use or distribute alcohol, inhalants, steroids and/or illicit drugs on school premises or at a school activity or event will be subject to discipline up to and including expulsion and referral to the police for prosecution, in accordance with the District’s “Student Code of Conduct.” Students may also be required to complete an appropriate rehabilitation program successfully.

Approved: December 13, 2006
LEGAL REF: MCL 380.1170

8230 Tobacco Products

The use and/or the possession by any student, regardless of age, of any tobacco product are prohibited in any school building, at school-sponsored events - regardless of location, on any school property, or in School District vehicles.

Possession of tobacco products by any student under the age of 18 years may be reported to appropriate law enforcement authorities. (Cf. 2790)

Approved: December 13, 2006
Section 8000 – Students

8240  Student Appearance

Students’ dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. It is incumbent upon school personnel, along with parent(s)/guardian(s), to instruct students in this respect.

Procedures for handling students who dress or groom inappropriately will be developed on a District-wide basis and disseminated to students and parent(s)/guardian(s).

Approved: December 13, 2006

8245  Gangs

The Board desires to keep District schools and students free from threats or harmful influence of any groups or gangs, which advocate drug use, violence, or disruptive behavior. The Superintendent shall maintain continual, visible supervision of District premises to deter gang intimidation of students and confrontations between members of different gangs.

The Superintendent shall:

- Establish open lines of communication with local law enforcement authorities to share information and provide mutual support in this effort,
- Provide in-service training to help staff as needed, and
- Keep the staff informed about conflict management techniques and alerted to intervention measures and community resources, that help students.

A student shall not wear or possess any clothing, jewelry, symbol, or other object that my reasonably be perceived by a teacher or administrator as evidence of membership in or affiliation with any gang. A student shall not commit any act, verbal or non-verbal (gestures, handshakes, etc.), that may reasonably be perceived by a teacher or administrator as evidence of membership in or affiliation with any gang. A student shall not commit any act, verbal or non-verbal, in furtherance of the interests of any gang or gang activity, including, but not limited to:

(a) Soliciting others for membership in any gang or gang related activity,
(b) Requesting any person to pay protection or otherwise intimidating or threatening any person,
(c) Committing any other illegal act or violation of School District rules or policies, or
(d) Inciting other students to act with physical violence on any person.

The term “gang,” means a group of two or more persons whose purposes or activities include the commission of illegal acts or violations of the Student Code of Conduct, School District rules or policies, or whose purposes or activities cause, or are likely to cause, disruption to the educational process.

Approved: December 13, 2006
LEGAL REFERENCE: Statewide School Safety Information Policy
The Board recognizes the danger that terroristic threats or acts by students present to the safety and welfare of District students, staff, and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

A terroristic threat shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk causing such terror or inconvenience.

A terroristic act shall mean an offense against property or involving danger to another person.

The Board prohibits any District student, at any time, regardless of whether school is in session, from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member, school building, or property. Any such threat, either real or intended as a joke, or any terroristic act will not be tolerated in or around the School District of the City of Saginaw, its properties or in or on any vehicle or watercraft owned, leased, rented or used in connection with any school activity and hereby adopts a “zero tolerance” of any such actions.

The Board directs the Superintendent to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act and to initiate or recommend the most serious disciplinary action available under the law for such threats or acts.

Staff members and students shall be responsible for informing the Superintendent regarding any information or knowledge they may have relevant to a possible or actual threat or act. Failure to bring forward information or knowledge relative to a possible or actual threat or act shall result in disciplinary consequences for students up to and including expulsion and for staff members up to and including termination.

When the Superintendent has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

1. The Superintendent shall immediately suspend the student.
2. The Superintendent shall promptly report the incident to the Board President.
3. Based upon further investigation, the Superintendent will determine whether the student shall be reported to law enforcement officials.
4. The Superintendent, based upon further investigation, shall recommend expulsion, if appropriate, of the student to the Board.

If a student is expelled for making terroristic threats or committing terroristic acts, the Board may require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a threat or risk of harm to others. (Cf. 8320-2, Reinstatement.)
Bullying Prohibited

Bullying is a form of harassment. For the purposes of this policy, “bullying” is defined as: “The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to, actions such as verbal taunts, name-calling and put-downs, including ethnically-based or gender based verbal put-downs, extortion of money or possessions, and exclusion from peer groups within school.” Such conduct is disruptive of the educational process and is prohibited.

Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while enroute to or from school are subject to disciplinary action, up to and including suspension or expulsion. If necessary, law enforcement officials shall be notified.

The Superintendent shall develop and implement administrative regulations and programs that document incidents of bullying and will increase awareness of the problem of bullying, and train teachers and other staff to intervene effectively if bullying is witnessed in their presence or brought to their attention. The Administrative Regulations will also include procedures for documenting incidents of bullying. In designing administrative regulations and anti-bullying programs or strategies, the Superintendent may consult with the greater school community, including students, parents, and legal guardians.

This policy shall not be interpreted to prohibit a reasoned and civil exchange of opinions, or debate, which is protected by state or federal law.

Approved: December 13, 2006
Revised: March 20, 2013
Revised: June 19, 2013
Hazing Prohibited

The act of “hazing” is a crime in the state of Michigan and will not be tolerated by the District. The District will comply, in all ways, with Michigan law regarding any “hazing” incidents. 30

Students engaging in any hazing or hazing-type behavior will be subject to the provisions of the Student Code of Conduct as would apply to any other student violation of State law.

This policy shall be included in all student handbooks of the District and shall be disseminated to the public in a manner to be determined by the Superintendent.

Approved: December 13, 2006
LEGAL REF: MCL 750.411t (PA 11 of 2004, AKA “Garret’s Law”)

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30 As defined in MCL 750.411t, “hazing” means “an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organizations. Further, the term “organization” means “a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution.”
Section 8000 – Students

8280 Electronic Communications Devices - Students

Students may be in possession of a cellular telephone, pager/beeper, or other electronic communications device subject to the terms of this policy and the administrative rules of the District. Cellular telephones and other electronic communications devices shall be turned off except for use of the device before classes begin in the morning and after the student’s last class in the afternoon. Such devices shall not be used or visible during instructional time or in the passing time between classes. In no case will students be allowed to use the wireless, unfiltered connection to the Internet of the devices.

Parental/guardian approval of possession of cell phones and/or electronic communication devices is strongly recommended. Further, parents or guardians are urged to teach their children the proper etiquette of cell phone use and to monitor the use of same.

The School District is not responsible for lost or stole cellular phones and/or electronic communications devices and recommends parents provide insurance for the same.

The administration shall promulgate rules to enforce this policy at the building level and publish those rules and penalties in the Student Code of Conduct.

Approved: December 13, 2006
Revised: February 15, 2012
LEGAL REF: MCL 380.1303 (PA 132 of 2003)

8300 Student Discipline (Cf. 5220)

The Board approves of the following disciplinary measures for use in the District for those students violating the District’s student code of conduct: deny participation in special school activities; before or after school detention; disciplinary contractual arrangements; out-of-school suspension; in-school suspension; expulsion; and/or administrative interventions.

The Superintendent and District’s administrators shall develop the appropriate procedures dealing with student conduct and shall consider effective communications with parent(s)/guardian(s). Every effort will be made to work with necessary departments and agencies to deal with students in this process.

All employees are responsible for the regulation of student conduct.

Approved: December 13, 2006
LEGAL REF: MCL 380.1295; 380.1311; 380.1312
Section 8000 – Students

Assaults Committed by Students

Physical Assaults

The Board shall permanently expel a student in grade 6 or above if the student commits a physical assault, as defined by MCL 380.1311a(12)(B), against a District employee or against a person engaged as a volunteer or contractor for the District on school property, on a school bus or other school related vehicle, or in route to and from school, at bus pick-ups or bus stops, or at a school-sponsored activity or event.

Threats of Assault Committed by Students

Any student in grade 6 or above who commits a verbal, written or electronically transmitted threat of assault on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event against a District employee or against a person engaged as a volunteer or contractor for the District shall be suspended or expelled by the Board for up to 180 days. The Board may modify the expulsion period on a case-by-case basis.

For the purposes of this policy, “threat of assault” shall be defined as any willful verbal, written, or electronically transmitted threat to inflict injury upon another person, under such circumstances that create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury.

Physical Assaults Committed Against Other Students

The Board shall suspend or expel a student in grade 6 or above for up to 180 days if the student commits a physical assault, as defined by MCL 380.1310(3)(B), against another student on school property, on a school bus or other school related vehicle, at bus pick-ups and bus stops, or in route to and from school, or at a school-sponsored activity or event.

Physical Assaults Committed Against any Other Persons

The Board may permanently expel a student in grade 6 or above if the student commits a physical assault as defined by MCL 380.1311a(12)(B) against any person whether or not a fellow student, District employee, or person engaged as a volunteer or contractor if the assault occurs on school property, on a school bus or other related vehicle, on route to or from school, at bus pick-ups or bus stops, or at a school sponsored activity or event.

Reinstatement

The parent or legal guardian of a permanently expelled student, or an emancipated permanently expelled student may petition the Board for reinstatement. The Board shall provide all due process rights to reinstatement as outlined in state law.

31 MCL 380.1311a(12)(B) and MCL 380.1310(3)(B) define “Physical Assault” as “intentionally causing or attempting to cause physical harm to another through force or violence.”
Application to Students with Disabilities

This policy shall be applied in a manner consistent with the rights secured under federal and state law to students who are determined to be eligible for special education programs and services.

Implementation

The Superintendent shall develop specific procedures for dealing with suspensions or expulsions authorized by this policy. Regulations ensuring due process to all students before a long-term (10 days or more) suspension or expulsion is imposed shall be developed with the advice of the District’s attorney.

The regulations shall include procedures for reporting violations of this policy to the Board, procedures for referring permanently expelled students to appropriate Department of Human Services Agencies or County Community Health Agencies, and specifics for the reinstatement of students.

Approved: December 13, 2006
LEGAL REF: MCL 380.1310; 380.1311a
Section 8000 – Students

8350 Student Suspension and Expulsion and Appeals (Cf. 8080)

The Superintendent, or a Board appointed hearing officer, may suspend, either for a short-term or long-term, or may make a recommendation to the Board regarding the permanent expulsion of a student guilty of any of the following:

- Willful violation and/or persistent disobedience of any published regulation for student conduct authorized, adopted or approved by the Board,
- Willful misconduct which substantially disrupts, impedes, or interferes with the operation of any school,
- Willful misconduct that substantially impinges upon or invades the rights of others.

Suspensions

The Board authorizes the Superintendent to suspend or expel a student for up to 180 school days without Board action or approval. A suspension may be for a short-term not exceeding ten school days, or for a longer term, exceeding ten school days. Should a suspension be imposed for a number of days exceeding the remaining days in a semester, the days remaining on the suspension will commence with the beginning of the next semester unless otherwise determined by the Superintendent.

A short-term suspension may be imposed immediately upon a student without first affording the student or the parents or guardians a hearing if the presence of the student endangers other persons or property or substantially disrupts, impedes or interferes with the operation of the school.

A long-term suspension shall not be imposed upon a student unless the student has first been suspended for a short-term and not until an opportunity for a formal hearing on the suspension has been afforded the student.

Suspensions by Teachers

Class, Subject or Activity Suspensions

A teacher is authorized to immediately remove and suspend a student for one day from a class, subject, or activity when the student engages in conduct prohibited by law, Board of Education Policy, the school’s Student Code of Conduct, or building rules.

Students attending separate class periods throughout the school day shall be permitted during the term of the suspension to attend other classes taught by other teachers only when the student’s conduct does not rise to the level of requiring a multiple day suspension or expulsion in accordance with Board of Education Policy and the school’s Student Code of Conduct.

Application to Students with Disabilities

This policy shall be applied in a manner consistent with the rights secured under federal and state law to students who are determined to be eligible for special education programs and services.
Section 8000 – Students

8350     Student Suspension and Expulsion

Implementation

The Superintendent shall develop detailed written regulations to implement this policy in compliance with state law requirements. He/She shall ensure uniform and consistent application of the policy and shall report to the Board as required on its effectiveness.

The regulations shall include safeguards for the dismissal of students suspended for more than ten accumulative days, procedures for reporting violations of this policy to appropriate members of the District’s administration, and procedures for calling an immediate conference with parent(s)/guardian(s) subsequent to the student’s suspension.

Expulsion

No student may be expelled from the District until an opportunity for a formal hearing before the Board has been afforded the student.

Appeals

The student and parents or guardians may appeal to the Board or a Board appointed hearing officer a long-term suspension recommended by the Superintendent or a building level administrator.

Hearing Officer

The Board may appoint one or more hearing officers for purposes of hearing appeals made in cases of expulsions.

Whenever a Board appointed hearing officer hears any appeal, a written report shall be provided the Board. After receiving the report, the Board shall determine the appeal with or without an additional hearing. Any appeal determination by the Board in accordance with this policy and administrative procedures shall be valid to the same extent as if the matter were fully heard by the Board without a hearing officer.

Written Notices

All required written notices may be mailed to the residence of the parent(s)/guardian(s) at the address on file in the school records of the student. In lieu of mailing the written notice, it may be personally delivered.

Approved: December 13, 2006
LEGAL REF: MCL 380.1204a; 380.1309; 380.1311, OAG, 1985-1986, No 6271, p 13 (February 7, 1985); 20 USCA § 7151 (No Child Left Behind Act)
A student who, for educational and vocational reasons, wishes to graduate from high school in less time than the normal four-year grade 9-12 sequence may request permission for early graduation. The student and parent(s)/guardian(s) shall consult with high school administrative and/or guidance personnel in order to develop a graduation plan.

The student shall request in writing to the Board permission for early graduation with reasons supporting his/her plan and request. Examples of reasons to be given consideration are:

- Hardship circumstances,
- Vocational opportunities,
- Enlistment in the military occupations,
- Pursuit of a continuous specialized education objective, and
- College entrance.

The student, parent(s)/guardian(s) of the student must submit a letter in support of the student’s request for early graduation, and such letter is to accompany the student’s written request. The request letters to the Board are to be submitted to the Superintendent no later than six months prior to the anticipated completion of the required high school program.

The student must reasonably be expected to complete all state and local graduation requirements of subjects and credit units or their accepted equivalents satisfactorily in order for consideration to be given to any request.

Each request is to be determined by the Board on the merits of the individual circumstances; one case shall not set a precedent for others.

Approved:

The Board and Superintendent will endeavor to provide a suitable environment conducive to the general health, safety, and welfare of each student in school attendance and in school-sponsored activities.

Approved: December 13, 2006
LEGAL REF: MCL 333.26301-26306
The [Insert District Name] is committed to creating a healthy school environment that enhances the development of lifelong wellness practices to promote healthy eating and physical activities that support student achievement and hereby adopts this Student Wellness Policy.  

### Nutrition Education

Every year, all students, Pre-K-12, shall receive nutrition education that is aligned with the *Michigan Health Education Content Standards and Benchmarks*. Nutrition education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. Nutrition education information shall be offered throughout the school campus including, but not limited to, school dining areas and classrooms. Staff members who provide nutrition education shall have the appropriate training.

### Nutrition Standards

The District shall ensure that reimbursable school meals meet the program requirements and nutrition standards found in federal regulations. The District shall encourage students to make nutritious food choices.

The District shall monitor all food and beverages sold or served to students, including those available outside the federally regulated child nutrition programs. The District shall consider nutrient density and portion size before permitting food and beverages to be sold or served to students.

The Superintendent shall continually evaluate vending policies and contracts. Vending contracts that do not meet the intent and purpose of this policy shall be modified accordingly or not renewed.

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32 MASB Note: This local Student Wellness Policy was adopted, unanimously, by the Michigan State Board of Education on Monday, October 10, 2005. It is the product of a collaborative effort between the Michigan Department of Education and MASB as reviewed and finalized by a panel of health, nutrition, and physical education specialists from across the State. It is a MODEL, and is not MANDATED, so local districts are free to modify it some based on local needs and circumstances – particularly the administrative rules. We urge, however, that local boards give serious consideration to adoption of the POLICY itself as it is written, and allow, then, the administration to modify the administrative rules to meet local needs and expectations.


34 Title 7—United States Department of Agriculture, Chapter ii - Food and Nutrition Service, Department of Agriculture, Part 210 - National School Lunch Program. [http://www.access.gpo.gov/nara/cfr/waisidx_04/7cfr210_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/7cfr210_04.html)

35 Nutrient dense foods are those that provide substantial amounts of vitamins and minerals and relatively fewer calories. Foods that are low in nutrient density are foods that supply calories but relatively small amounts of micronutrients (sometimes not at all). [http://www.health.gov/dietaryguidelines/dga2005/report/HTML/G1_Glossary.htm](http://www.health.gov/dietaryguidelines/dga2005/report/HTML/G1_Glossary.htm)
Section 8000 – Students

8453 Student Wellness Policy (Cf. 4450, 4460*)

Physical Education and Physical Activity Opportunities

The District shall offer physical education opportunities that include the components of a quality physical education program. Physical education shall equip students with the knowledge, skills, and values necessary for lifelong physical activity. Physical education instruction shall be aligned with the Michigan Physical Education Content Standards and Benchmarks.

Every year all students, Pre-K-12, shall have the opportunity to participate regularly in supervised physical activities, either organized or unstructured, intended to maintain physical fitness and to understand the short- and long-term benefits of a physically active and healthy lifestyle.

Other School-Based Activities Designed to Promote Student-Wellness

The District may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity.

Implementation and Measurement

The Superintendent shall implement this policy and measure how well it is being managed, and enforced. The Superintendent shall develop and implement administrative rules consistent with this policy. Input from teachers (including specialists in health and physical education), school nurses, parents/guardians, students, representatives of the school food service program, the Board of Education, school administrators, and the public shall be considered before implementing such rules. A sustained effort is necessary to implement and enforce this policy. The Superintendent shall report to the Board, as requested, on the District’s programs and efforts to meet the purpose and intent of this policy.

Approved: December 13, 2006

8455 Unsafe School Choice Policy

The Board will comply with the Michigan Statewide Unsafe School Choice Policy for schools that receive funds under the No Child Left Behind Act of 2001 (NCLB of 2001). The Superintendent may enact rules to implement compliance with the state policy.

Approved: December 13, 2006
LEGAL REF: 20 USCA § 7912; Michigan Statewide Unsafe School Choice Policy (2003)

36 Offering physical activity opportunities is required by federal law (Section 204 of Public Law 108-265). Physical education, while recommended, is not required.
Section 8000 – Students

8460 Student Insurance Programs

The Board will endeavor to make available a student accident plan for consideration by parents that will be an agreement between an insurance company and the parent or guardian of the student. The District will not be a party to the plan and does not assume any liability for this student accident plan.

Approved: December 13, 2006

8480 Student Health Services

The Board and Superintendent will endeavor to maintain a healthful environment for each student in school attendance and in school-sponsored activities.

Prior to entrance in school, kindergarten students shall be requested to present evidence that they have had a physical examination or a statement signed by the parent(s)/guardian(s) that meeting this request is contrary to their religious beliefs.

Immunization of Students and Vision Testing

All kindergarten students and other students entering school for the first time shall submit evidence that they have complied with the state’s immunization requirements by:

1. Submitting a statement by a physician that the child has been tested for, immunized, or protected against, diseases specified by the director of public health; or
2. Submitting a statement signed by the parent(s)/guardian(s) to the effect that the child has not been immunized because of religious convictions or other objections to immunization.

The parent(s)/guardian(s) of each enrolling child shall submit a statement signed by a District, county, or city health department director stating that the child has passed the department of public health preschool vision screening test, or signed by a licensed medical or osteopathic physician, or a licensed optometrist stating that the child’s eyes have been examined during the preschool years after age 3 and before initial entrance. A vision test is not required if there is a statement signed by the parent(s)/guardian(s) to the effect that the child cannot be subjected to the test because of religious conviction.

The Board shall place a very high priority on the eradication of preventable diseases among students through an adequate program of immunization, and authorizes the use of District facilities and staff time for this purpose. To accomplish this task the District shall use the model plan developed by the Michigan Department of Education and the Michigan Department of Public Health for assessing local immunization needs and implementing an immunization program appropriate to those needs.

Approved: December 13, 2006
LEGAL REF: MCL 333.9208-9215; 380.1177

38 Sec. 9208. (1) A parent, guardian, or person in loco parentis applying to have a child registered for the first time in a school in this state and, beginning in 2002-2003, a parent, guardian, or person in loco parentis of a child entering the sixth grade, shall present to school officials, at the time of registration or not later that the first day of school, a certificate of immunization or statement of exemption under section 9215.
Section 8000 – Students

8482 Physical Examinations for Athletics

A student, who wishes to participate in interscholastic games or sports, including cheerleading and pompon squads, must satisfactorily complete a health or medical examination administered by a qualified physician prior to involvement in any athletic tryout, practice, competition, or other extra-curricular activity.

Approved: December 13, 2006

8490 Interscholastic Athletics Defined as Club or Varsity Sport

All interscholastic athletic teams within the District shall be defined as either “club” or “varsity” sports. The definitions and requirements for each are as follows:

Club Sports

A “club” is defined as a parent/guardian/student funded athletic program involving interscholastic competition that is operated directly under the supervision of the building Principal and athletic director. “Club” sports originate only with the approval of the building Principal.

Requirements to Achieve “Club” Status

In order to achieve “club” status, a student group must meet the following requirements:

- Demonstrate adequate student interest.
- If the faculty sponsor is not the coach, a qualified coach will be approved by the building Principal and athletic director.
- There will be no minimum number of opponents or contests required to achieve or retain “club” status.
- “Club” sports and coaches shall comply with all Michigan High School Athletic Association (M.H.S.A.A) and the School District of the City of Saginaw rules.
- Coaches/sponsors, if receiving a stipend, will be finger printed and a background check will be conducted.
- Coaches/volunteers will have a background check conducted prior to coaching.

Administrative Requirements

The faculty sponsor of the “club” sport shall ensure that the following administrative requirements are met:

1. A written plan is approved by the building Principal and athletic director. The plan shall include:
   - A Proposed budget
   - An approved transportation plan and insurance plan

2. An annual program report is completed.
2. Adequate administrative resources and physical facilities are available.
Section 8000 – Students

8490 Interscholastic Athletics Defined as Club or Varsity Sport
8490-2

Varsity Sports

A “varsity” sport is defined as an athletic program operated under the direct supervision of the athletic director and funded, under normal conditions, from a subsidy from the Board.

Requirements to Achieve “Varsity” Status

In order to achieve “varsity” status, an athletic program must comply with M.H.S.A.A. rules and the rules and regulations of the School District of the City of Saginaw.

- Coaches/sponsors, if receiving a stipend, will be finger printed and a background check will be conducted.
- Coaches/volunteers will have a background check conducted prior to coaching.

Periodic Review

All “club” and “varsity” sports will be reviewed annually to determine compliance with the above guidelines and other standards as established by the District. The level of participation, including the number of participants and availability of competition, should be the major determinants for achieving and/or retaining “varsity” status for individual sport offerings. Other factors to consider are cost, safety, risk, and female and minority representation.

Approved: December 13, 2006

8500 Addition and Deletion of Interscholastic Athletics
8500

The addition of new athletic teams will come only after the Board has thoroughly reviewed the proposed sport. The review shall include student interest, state and local competition, facilities, coaching, available funding, anticipated revenue, scheduling, equality of programs, and total impact on athletic and other District programs.

There is no obligation for the District to provide funding for athletics. A sport may be “parent/guardian funded” on a year-to-year basis as one process to measure and establish student interest. A sport may also be partially funded by the District while being considered for addition or deletion.

Proposals for adding new sports to the program shall be presented to the Board prior to January 31st of the school year prior to the year the sport would be added.

The Board shall establish criteria and procedures to follow when considering the addition or deletion of team sports.

Approved: December 13, 2006
Section 8000 – Students

8510 Communicable Diseases - Students and Staff

In order to minimize the spread of contagious diseases among students and staff, the District will cooperate, fully, with the Saginaw County Health Department to enforce adherence to the Michigan Health Code for the prevention, control, and containment of communicable diseases.

A decision to close schools due to communicable disease outbreaks shall be made by the Superintendent, or designee, in consultation with the Saginaw County Health Department medical staff and/or for review to the review team.

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the District’s policies.¹

Approved: December 13, 2006
LEGAL REF: MCL 333.5111; 333.5131; 20 USCA § 1232g (Family Educational Rights and Privacy Act of 1974), MDE Bulletin, September 23, 1999

8515 Head Lice Policy

The School District will periodically conduct “head checks” to screen for head lice infestation. Designated school personnel trained to look for head lice will do this.

If a student is found to be infested with head lice, or to have nits, he/she will be sent home for treatment and a notification letter will be transmitted to the parent(s)/guardian(s).

The student shall not be readmitted to school until the child, parent(s)/guardian(s) can show proof, acceptable to the Superintendent, of an approved treatment.

The student must remain nit-free upon inspection at school. If the student is found to still have nits after returning to school, the parent(s)/guardian(s) will be notified and the child will be sent home for nit removal.

Copies of this policy, along with District rules and regulations governing head lice control and advice to parent(s)/guardian(s) on head lice control in the home, will be distributed to students and parent(s)/guardian(s) in a manner to be determined by the Superintendent.

Approved: December 13, 2006

¹ A student with a contagious disease is probably a “handicapped individual” under Section 504 of the Rehabilitation Act (29 U.S.C. § 794(a). See Thomas v Atascadero Unified School District, 662 F. Supp.376 (C.D. Cal 1986) (a child with Aids was a “handicapped person” under Section 504.
Students with contagious diseases may also qualify for special education under the Individuals with Disabilities Education Act (20. U.S.C. § 1400 et seq.)
Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. Community High School District 155 v Denz, 463 N.E.2nd 998 (2nd Dist. 1984).
Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, legal counsel should be consulted.
Section 8000 – Students

8540  Student Suicide Awareness and Prevention (Cf. 8450) 8540

The Board directs the Superintendent to develop and implement a comprehensive and continuing student suicide awareness and prevention program for the entire District. Since the necessary professional expertise to carry out such a program adequately may not be available within the school system, it also directs the Superintendent to identify a community mental health agency able to provide the necessary assistance and to establish a continuing cooperative relationship with them in this effort.

Approved: December 13, 2006

8580  Child Abuse and Neglect - Duty to Report 8580

Any school administrator, school counselor, or teacher of the District who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect will immediately report, or cause a report to be made, to the local Department of Human Services office.39

School employees will not contact the child’s family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to determine or prove that the child has been abused or neglected.

Access to Students on School Premises (Cf. 8140, 9570)

The building Principal is authorized to act in loco parentis to protect the interests of the student when a student is to be interviewed by DHS representatives on school premises. The District recognizes, however, that the DHS may, lawfully, interview a child alleged to have been abused without the presence of the building Principal or other school personnel. However, in appropriate cases, the Principal may request that he or she, or a designated representative, be present during the interview.

Cooperation between School and Agencies

Elementary and secondary schools, DHS, and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. To the extent that safety and practical consideration allow, it is the preference of the District that law enforcement officers on school premises to investigate a report of suspected child abuse or neglect should not be in uniform. Administrators shall make this District preference known to law enforcement officers and ask for their cooperation.

Approved: December 13, 2006

LEGAL REF: MCL 722.621-638; Commonwealth v Allen, 980 S.W. 2d 278 (Ky., 1998)

39 Reasonable Cause exists where the facts and circumstances within a person’s knowledge and of which he/she has reasonably trustworthy information are sufficient to warrant a man of reasonable caution in the belief that abuse/neglect has or is occurring.

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 8000 – Students

8590 Student Safety

The District will endeavor to provide a safe environment for students while in school attendance or in extra-class activities.

Bicycle Use

Each building Principal will formulate plans and procedures for the safe use of and parking of bicycles on school property and publish them in the appropriate student handbooks.

Walkers and Riders

Any student who uses school-provided transportation shall be under the jurisdiction of the vehicle driver while in the vehicle and shall be subject to all rules and regulations developed by the Superintendent and building Principals to cover such activities. Such rules and regulations shall be published in the appropriate student handbooks.

Students who walk to and from school are urged to become familiar with traffic safety laws governing such activities.

Eye Protective Devices

Building Principals shall assume the responsibility of seeing that sufficient eye protective devices are available to accommodate all classes or persons requiring them. All guidelines and rules shall be published in the appropriate staff and student handbooks.

Safety Patrols

Building Principals are authorized to organize student safety patrols to assist in the safety of students to and from school and/or loading/unloading school buses.

Approved: December 13, 2006

8640 Use of Motorized Vehicles

Failure of student drivers to observe the District’s regulations governing student use of motorized vehicles may result in disciplinary action and denial of parking privileges.

Approved: December 13, 2006
Section 8000 – Students

8645  Student Transportation in Private Vehicles (Cf. 7490)  8645

Field Trips

In scheduling transportation for field trips, the Superintendent may approve the use of private vehicles in situations in which budget or schedule restrictions make it prohibitive or impractical to use school buses.

Student Self-Transportation

In cases where a student is enrolled in a Board approved, shared time program, or District sponsored activity, at another school or program site (Example: An area career center, gifted and talented program or dual enrollment program with an area junior college, college or university) the parent(s)/guardian(s) of the student must grant permission for their child to self-transport to and from that site, subject to rules and regulations established by the Superintendent.

Approved:  December 13, 2006
LEGAL REF:  MCL 257.57c

8650  Student Accidents

Accident and illness may occur in the classroom and on school grounds. All school personnel shall be prepared to follow the necessary first aid procedures and other rules described in this section.

Any school employee who discovers an accident involving a student on school property shall, in a timely manner, report the accident to the building Principal and follow the rules approved by the Board. Each building Principal shall establish procedures for handling student accidents at athletic events and other school related activities.

Approved:  December 13, 2006

8660  First Aid

The District may provide appropriate first aid and CPR training for identified personnel. This training may be provided as part of the District's in-service plan or other program established by the Board.

Only those school employees qualified by District approved training and then only in case of emergency may administer first aid and CPR to students. School employees shall not attempt to treat any student injury after the initial treatment of emergency first aid. The District will not assume liability under these policies for employees acting outside the scope of their authority.

Approved:  December 13, 2006
LEGAL REF:  MCL 691.1504
This policy is intended to cover all students. It includes students with disabilities who have an Individualized Educational Program (IEP) or Section 504 Plan. The following definition of “medication” is adopted for use in this District: “Medication,” includes prescription, non-prescription, and herbal medications, and includes those taken by mouth, by inhaler, those that are injectable, and those applied as drops to eyes, nose, or medications applied to the skin.

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

Any and all “biohazards” generated, such as, but not limited to: sharps, bandages, gauze, towelettes, and discarded live or attenuated vaccines, due to the administration of medications by school personnel shall be disposed of in accordance with the Michigan Medical Waste Regulatory Act, 1978 PA 368, R 325.1545(10). Students who “self administer” medications shall be responsible for returning any such wastes to their home for disposal. The Superintendent shall be responsible for providing staff members with written procedures to implement this requirement.

Each building shall have a plan for handling medical emergencies.

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

Self-Administration/Self-Possession of Medications

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

A pupil whose parent(s)/guardian(s) and physician provide written permission will be able to self-administer and self-possess his/her own medications. A medication that a pupil possesses must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration. A pupil’s use shall not be denied if the conditions of written permission and physician direction are met. A building administrator may discontinue a pupil’s right to self-administer and self-possess if there is misuse by the pupil. The denial shall come only after a consultation with the parent(s)/guardian(s).
For example, a pupil who requires the use of an inhaler for relief or prevention of asthma symptoms shall be allowed to carry and use the inhaler if there is written approval from the pupil’s physician and parent(s)/guardian(s) on record at the school (as described in the Michigan Revised School Code, Section 380.1179). A pupil who is in possession of an inhaler under the above conditions shall have each of his/her teachers notified of this by the building administrator.

**Diabetic Emergencies**

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

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

If needed, school administrators may have direct communication with the child's health care provider in order to resolve individual problems that may arise because of a child's asthma. All staff shall be informed about the early warning signs of an acute asthma episode and should be aware of emergency procedures and contacts in case a child needs medical assistance. Copies of the "Signs of an Asthma Emergency," as published by the Michigan Department of Education will be distributed to all staff and shall be posted on appropriate bulletin boards in school buildings.

**Exercise Induced Asthma Attacks**

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

The Superintendent will promulgate rules and guidelines to implement this provision.

**School Staff Training**

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

**Storage and Access to Medications**

All medication shall be kept in a labeled container as prepared by a pharmacy, physician, or pharmaceutical company with the pupil’s name, the name of the medication, dosage, and the frequency of administration. Medications shall be stored in a school location that is kept locked. However, emergency medications may be stored in an area readily accessible to the individuals designated to administer them. All controlled-substance medications will be counted and recorded upon receipt from the parent(s)/guardian(s). The medication shall be recounted on a regular basis (monthly or bi-weekly) and this count shall be reconciled with the medication administration log/record.
Section 8000 – Students

8670  Administration of Medications by School Personnel (Cf. 2780)  8670-3

Record Keeping of Medications

A log of medication administration shall be kept in a school office and filed in a pupil’s permanent record at the end of each school year (see sample Medication Administration Daily Log). The individual pupil log shall be kept until one year after the pupil’s graduation from high school.

Approved: December 13, 2006


8700  Student Activities  8700

The Board recognizes the need for and encourages student participation in extracurricular and interscholastic activities.

The Board further recognizes that participating in these activities carries with it the responsibility of good behavior in and out of the school. Failure on the part of any student to meet this responsibility is cause for suspension of the privilege of engaging in extracurricular and/or interscholastic activities.

Approved: December 13, 2006
Section 8000 – Students

8710 School-Sponsored Student Clubs (Closed Forum) 8710

All school-sponsored student organizations shall be curriculum related. Only students actually enrolled in and attending the Saginaw City Schools may participate in any school-sponsored student clubs, co-curricular events, or extra curricular offerings of the District. Consequently, the Board establishes a closed forum regarding school-sponsored organizations and clubs. By way of limited example, a “school-sponsored, curriculum related student club or organization” would be those such as: Foreign language clubs; Astronomy Club, Math Club, American History Club, American Literature Club, Student Council, or the like.

Membership in all student organizations shall be open to all students of the school without regard to race, color, sex, religion, handicap, creed, or national origin. All school-sponsored student organizations shall operate within a framework of state and federal law, Board policy and administrative rules and regulations. Persons who are not students in this District shall not be allowed membership in any school-sponsored student organization.

The Superintendent shall develop general guidelines for the establishment and operation of school-sponsored student organizations. Such guidelines shall include the approval of the building Principal prior to the formation of any club or organization, the assignment of at least one faculty advisor to each student organization, and provisions for the establishment of bylaws or operating procedures which provide a linkage to the curriculum relatedness of the organization.

The building Principal may deny requests for forming a school-sponsored student organization where the requirements of Board policy and administrative rules and regulations have not been met. When a request has been denied, the students shall be informed of the reasons for the denial.

The students may submit a written request to the Superintendent within ten days of the notice of denial for a review of the Principal’s decision. The Superintendent’s decision shall be final.

Approved: December 13, 2006
LEGAL REF: MCL 380.1299; 20 USCA §4071, et seq. (Equal Access Act)
Section 8000 – Students

8720 Non-School-Sponsored Student Clubs and Organizations

The District encourages students to broaden their knowledge and citizenship by the formation of clubs and other groups organized to promote or pursue specialized activities outside the regular classroom environment, and not related directly to the curriculum, provided membership is open to all interested and eligible students from the District, approval of the building Principal and the Superintendent is obtained, and a member of the school staff attends the meetings or activities as an un-official, non-participating observer. By way of limited example, a non school-sponsored student club would be those such as: Ski Club, Chess Club, Bowling Club, Pep or Spirit Club, Hobby Clubs, Boy Scouts, Girl Scouts, Explorers, Boys and Girls Club and the like having no direct connection to the curriculum.

Meetings and Membership

Non school-sponsored/non-curricular related student clubs shall not conduct their activities on school property without prior permission from the Principal and approval of the Superintendent. Persons who are not students in this District shall not be allowed membership in any non school-sponsored student organization.

Student Equal Access

Student initiated, non-curricular related groups shall be permitted to conduct voluntary meetings on high school premises only before or after the school day, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school or violate Board policy or state or federal law.

Such meetings shall be open to all students without regard to race, creed, color, sex, handicap, religion, or national origin.

No public funds may be expended on behalf of the non-curricular related student groups covered by this policy except for the incidental cost of providing space for their meetings.

Students seeking to establish a voluntary, non-curriculum related student group shall first seek approval of the building Principal. Should the Principal not approve the student group, the students may submit a written request to the Superintendent within ten days of the notice of denial for a review of the Principal’s decision. Should the Superintendent deny permission, the Superintendent’s decision may be appealed to the Board of Education. The Board’s decision shall be final.

Federal Compliance

The District will comply with the provisions of the Boy Scouts of America Equal Access Act, and will not discriminate against or deny access to groups protected by the Act.

Student Social Events

Student social events, such as dances and parties, contribute an important element in the development of the individual. All such events sponsored by non school-sponsored student clubs or organizations must have the prior approval of the building Principal and the un-official, non-participating advisor of the club or class sponsoring the event.
Student social events shall be held, normally, after the last regular class period during the school day unless otherwise approved by the building Principal during other, non-instructional times before school or during the lunch period.

Unless otherwise specifically approved by the Board or designee, attendance at all social functions, regardless of the organization sponsoring or promoting the social event, is limited to students of the District.

Approved: December 13, 2006
LEGAL REF: MCL 380.1299; 20 USCA §4071, et seq. (Equal Access Act); 20 USCA §7905 (Boy Scout Equal Access Act).

Students are exposed to diverse opinions on an infinite number of topics through the various mass media. Students who have facts and opinions should be allowed to express them in print as well as through oral communication. However, student editors and writers of non school-sponsored student publications must observe the same legal responsibilities as those imposed upon conventional newspapers and communication media. Thus, no student shall distribute in any school any student publication that:

- Is obscene as to minors according to current legal definitions,
- Is libelous according to current legal definitions, or
- Creates a material or a substantial disruption of the normal school activity or appropriate discipline in the operation of the school.

Student publications, that are not libelous, disruptive or obscene, may be distributed on school property during school hours in areas designated by the building Principal. Distribution that substantially interferes with the normal flow of traffic within the school corridors and entranceways, which is coercive of any other person’s right to accept or reject any publication or which causes substantial and material interference with “normal school activities,” shall not be permitted.

Approved: December 13, 2006
Section 8000 – Students

8740  Student Photographs (Cf. 3660, 8940)  8740

Commercial Photographers

The Board allows the practice of contracting with commercial photographers to take student pictures and make them available to parent(s)/guardian(s) as a part of the total school program.

The school may contract with commercial photographers to take pictures of students for specific purposes such as graduation pictures, yearbooks, class pictures, student records, or identification cards.

No student, however, shall be required to have his/her picture taken by school contracted commercial photographers and shall not be pressured for the purchase of photographs. Students may substitute photographs taken by photographers of their choice to be used in yearbooks or for official school records. The school may establish reasonable specifications for such pictures.

The Superintendent shall be authorized to select and contract with commercial firms to provide the photographing service. Good business practices and Board purchasing guidelines prevail in such selection.

Other Photographic or Video Images

Permission to shoot close-up pictures of students via regular film or digital imaging, or to videotape students participating in school sports or other school-related activities, and to identify those students, may be granted to the media (newspapers and television stations) only with parent(s)/guardian(s) approval for students less than 18 years of age. Parent(s)/Guardian(s) approval also shall be required before pictures of students may be used, or students identified, in non-school publications with the exception of photographs or video images taken by news media in the normal course of news coverage of District activities.

The Superintendent shall establish guidelines for implementing this policy.

Approved:  December 13, 2006

8750  Student Volunteers  8750

Students are encouraged to volunteer their time and services to school-sponsored activities and to community activities so long as their studies are not adversely affected.

Public Service

The District encourages students to become involved in public-spirited activities associated with legitimate civic and related organizations.

Public Performances and Exhibitions

All public performances and exhibitions proposed for students shall have the prior approval of the building administrator.

Approved:  December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 8000 – Students

Employment of Students

The Board recognizes that employment during school hours will be desirable for some students and necessary for others. A Board goal is to encourage students to complete their educational requirements of state law, the State Board of Education, and the Board satisfactorily.

School Employment

The District may employ students for certain positions that conform to budget limitations and personnel requirements.

Outside Employment

Students will not be excused from school for employment purposes when such work infringes upon their schoolwork.

Job Placement Service

The District's staff shall work closely with other agencies in finding appropriate jobs for both graduating students and students who need to augment their incomes while attending school.

Approved: December 13, 2006

Awards and Scholarships

Student awards for having represented a school in the District shall be limited to those approved by the administration and the Board. Awards for interscholastic activities shall be limited to those approved by the MHSAA.

The appropriate sponsor shall advise students that accepting cash or merchandise for participation in an activity may jeopardize the student’s amateur standing and eligibility in that identical activity before the MHSAA.

Each faculty sponsor bears the responsibility for monitoring his/her student activity sponsorship and must make his/her students aware of those activities, which put him/her in violation for this policy and MHSAA regulations.

Where appropriate, the Board will appoint Scholarship Commission Members to administer to the Post-High School Scholarships of the District.

Approved: December 13, 2006
Section 8000 – Students

8860  Homebound Instruction

Homebound/hospitalized instruction shall be initiated after verification by a licensed physician of a medical impairment; however, all programs will meet the criterion of the least restrictive environment.

Students who have temporary medical impairments are encouraged to attend school if able. If the student is unable to attend school and is ineligible for homebound instruction, it shall be the responsibility of the student or parents/guardians to secure lesson assignments from each of the student’s teachers in order to keep abreast of the student’s schoolwork.

Approved: December 13, 2006
LEGAL REF: MCL 388.1709

8920  Foreign Exchange Students

The District will cooperate with students who are interested in entering the foreign student exchange program. The District may accept students from other nations who come to the District from foreign exchange programs officially recognized by the Board.

Approved: December 13, 2006
LEGAL REF: OAG, 1985-1986, No 6316, p 151 (September 25, 1985)

8940  Student Records

School student records are confidential and information from them shall not be released except as provided by law. The information contained in school student records shall be kept current, accurate, clear, and relevant. All student records, including those maintained in District electronic database(s), shall be safeguarded during collection, maintenance, and dissemination to protect against unauthorized access or accidental release. The District may release directory information in accord with law, provided parent(s) or guardian(s) are given the opportunity to object to the release of this information.

Directory Information

The custodian of records may make certain directory information available without parental/guardian or eligible student’s consent if public notice of the categories of information designated as directory information has been given. After such public notice has been given, the parents/guardians have the right to object to the release of the information within a specified reasonable time. Directory information for this District includes the following information about the student: The student’s name, picture; major field of study; participation in recognized activities and sports and related information; grade placement; and honors and awards received.

As provided in PA 39, 2002 (MCL 380.1139) a school must provide armed forces recruiters and service academies with a student’s name, address, and telephone number unless the parent specifically “opts out” of having that information given to military recruiters.
Pursuant to federal law, a form will be sent to parents/guardians that allow them to opt out of the disclosure of directory information to the military recruiters, and that informs the recipients that failure to complete and return the form will result in the disclosure of the information to military recruiters. Pursuant to federal law, high school principals may not exclude military recruiters from the school campus if they do not similarly exclude prospective employers or post-secondary institutions.\(^{40}\)

The District shall inform students and their parent(s) or guardian(s) annually and upon initial enrollment of their rights under law and Board policy with respect to student records, and of the procedures for exercising those rights. This notice shall be modified to accommodate the needs of the disabled or those whose dominant language is other than English.

The Superintendent shall develop rules and procedures for implementing this policy and state and federal law with respect to student records. The Superintendent shall designate one or more records custodian(s) for each site and/or media in which student records are kept, and shall provide them with appropriate training. The District may charge an appropriate fee to cover the expense of providing copies of records requested by a parent or guardian.

The District shall protect the rights of privacy of students and their families in connection with any surveys or data-gathering activities conducted, assisted, or authorized by the Board or Superintendent. Regulations established under this policy shall include provisions controlling the use, dissemination, and protection of such data.

If students are to be surveyed or monitored by researchers, parents/guardians shall be notified of the dates of the planned activities, given an opportunity to review the survey instruments, and given the opportunity to opt out.

Annual notice will be given to parents/guardians of the administration of any health or physical screening, and given the opportunity to opt out.

Student names and addresses shall not be disclosed to businesses or organizations that plan to use the information for commercial purposes. Exceptions may be made where the purpose has been approved in advance by the Superintendent and where parents/guardians have given, in writing, express permission for this information to be disclosed.

For the purposes of this policy, whenever a student has attained 18 years of age, or is attending an institution of post-secondary education, the consent required of and the rights accorded to the parents or guardians of the student shall only be required of and accorded to the student.

Approved: December 13, 2006
LEGAL REF: MCL 15.231 et seq.; 380.1134-1135; 380.1139; 20 USCA §1232g (Family Educational Rights and Privacy Act); 20 USCA § 7908 (No Child Left Behind Act)

\(^{40}\) MCL 380.1139 states: Public schools are *encouraged* to assign one or more school employees to notify male pupils age 18 or older that they are required to register for the selective service.
Section 8000 – Students

Student Fees, Fines, Charges and Deposits (Cf. 8040)

Building Principals or designated representatives shall be authorized to collect fees, fines, charges, and deposits as authorized by the Board. School property lost, damaged, or destroyed by a student shall be paid for by such student/parent/guardian in accordance with law or the rules and regulations prescribed by the District.

Approved: December 13, 2006
LEGAL REF: MCL 380.1332; R 340.241-243

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 9000 – General Public and Organizational Relations

9000—GENERAL PUBLIC AND ORGANIZATIONAL RELATIONS

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Goals and Objectives

The Board recognizes that intelligent, informed support of the schools is possible only when the public has full knowledge, understanding, and participation in the efforts, goals, issues, and programs of the District. It is aware of its responsibility to provide the public with information and opportunities leading to participation, directly or indirectly, in the establishment of District programs and policies.

Therefore, the District shall strive to:

- Assure that the public has full access to information concerning programs and policies and administrative guidelines and procedures.
- Encourage the public's reaction to existing or anticipated policies and programs.
- Create and maintain an atmosphere that welcomes public involvement in District affairs.
- Create and maintain an atmosphere of mutual understanding and respect among students, employees and the public.
- Consider the public relations/communications components of the decision-making process.
- Encourage a “customer service” philosophy among all staff.

Approved: December 13, 2006
Section 9000 – General Public and Organizational Relations

9010 Public Information Program

The Board accepts full responsibility for keeping the public informed about the function and operation of the District.

Public's Right to Know

All decisions of the Board shall be made in public with full opportunity extended to citizens to be heard prior to the making of these decisions. Closed sessions shall be held to a minimum and only for specific reasons as provided by current law.

Publications

Publications prepared by the District shall serve to inform students and parent(s)/guardian(s) about the activities of the school or school District.

District publications will not lend themselves to serving commercial interests through advertising, paid or otherwise, with the exception of publications such as senior high newspapers, middle school/senior high yearbooks, or special event programs.

School or District-wide Newsletters shall not be open forums or limited open forums. The administration shall maintain exclusive editorial control over the contents of School or District-wide Newsletters. The information published in School or District-wide Newsletters shall be limited to information provided by District officials and employees, such as Board members, administrators and teachers, and organizations whose sole purpose is to support the education and educational opportunities of School District students, such as Parent/Guardian Advisory Councils, PTA or the like.

School Personnel

School personnel must be aware of their responsibility to promote a favorable attitude toward the schools. Courteous treatment of the public is expected at all times. School personnel shall adopt a positive customer service philosophy with District customers.

Hazardous Materials or Conditions

The Superintendent shall be responsible for informing the public about any hazardous materials or conditions in the District under the provision of the Michigan Public Health Code.

The implementation of the public information program of the District shall be the responsibility of the Superintendent.

Approved: December 13, 2006
Section 9000 – General Public and Organizational Relations

9020 News Media Relations (Cf. 1400, 9190)

The District shall cooperate with all responsible news media representatives in order that the public may be more informed about the operations of its schools.

News Releases

All news release information prepared by employees of the District for newspapers, radio, or television shall be approved and disseminated to the news media by the Office of Communications and Marketing.

News Conferences and Interviews

All news conferences and interviews will be scheduled through the Office of Communications and Marketing.

Broadcasting of School District Events

The District reserves the right to grant or deny permission to broadcast school events. Broadcasts cannot be sponsored by tobacco, alcoholic beverage, or substance abusive products.

The District will comply with the tournament broadcasting and other media standards of the Michigan High School Athletic Association.

The Superintendent may refuse permission to broadcast tape or film any game.

Approved: December 13, 2006

9060 Information and Campaigns

All information campaigns of the District shall be under the direction of the Superintendent. District funds shall not be used to provide persuasive information in bonding/millage campaigns.

Use of Students

Students may be involved by the District in public information or advertising programs of the District that are designed for public release through various print or electronic media distribution, only with parent(s)/guardian(s) permission and approval of the Office of Communications and Marketing.

Approved: December 13, 2006
LEGAL REF: MCL 169.257

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 9000 – General Public and Organizational Relations

9070 School Advisory Councils

The Board authorizes the establishment of advisory councils at each school through which parent(s)/guardian(s) of students and residents shall have an opportunity to give their views about public school programs to the school building administrator and/or School Quality Team, and otherwise assist the staff in providing a high quality education program.

Approved: December 13, 2006

9100 Board-Community Relations

The Superintendent shall seek ways to involve citizens in the work of the school and to encourage citizens to become more knowledgeable about District operations, programs, and services.

Community Involvement in Decision-Making

The Board shall inform the community about, and may involve the stakeholders of the District in, the decision-making process. Ideas may be solicited from community members in curriculum, program design and delivery, policies, career development, citizenship, funding, and other matters, as the Board deems necessary.

Student Community Activities and Performances

The Board encourages all students to participate in community activities insofar as such activities do not conflict with their school responsibilities.

Approved: December 13, 2006
Section 9000 – General Public and Organizational Relations

9170 Solicitations

All persons seeking to sell, solicit, or display an item relating directly to expenditures of District funds to any school employee on school premises must first secure permission from the building Principal or Superintendent before any appointment is made. All such appointments approved by the Superintendent or building Principal shall be held before or after regular school hours. All other solicitations of, or by, District employees are prohibited except where expressly approved by the Superintendent.

The Board discourages all solicitations of and by staff members during regular school hours.

The Board discourages all solicitations of and by students during regular school hours.

Solicitations in Schools

Commercial firms shall not be permitted to solicit students during school hours in attendance centers or on school grounds except as approved by the building Principal.

Solicitations from organizations outside the school are forbidden.

All special sales projects by students are subject to the approval of the Board. This policy shall include sale of advertising, magazines, and merchandise.

Commercial schools, colleges or other agencies shall be permitted to meet with seniors or solicit prospective students only when the invitation and arrangements are approved by the building Principal. Counseling of students relative to continuation of their schooling or to job placement by outside organizations shall be handled through the guidance department under the supervision of the guidance counselor.

Solicitation of Students

Solicitation of students by anyone within the schools or on school grounds for any cause is prohibited. This prohibition includes the selling of tickets to students for any purpose or cause other than for a school sponsored activity.

Solicitation by Students

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

Approved: December 13, 2006

9190 Interviews with Students

Any representative of the news media seeking to interview any student during regular school hours must first gain the approval of the building Principal who shall, first, consult with the Office of Communications and Marketing.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
The District encourages the use of volunteers in the schools to enhance its educational programs. The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the support staff responsible for the conduct of those programs and activities.

**General Principles**

 Volunteers are, at all times, to be guided by the principles and policies of the District and shall serve only in an auxiliary capacity under the direction and supervision of certified school personnel.

 The Superintendent or designee shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. S/he shall not be obligated to make use of volunteers whose abilities are not in accord with District needs. Any individual who volunteers to work in the schools or on any school-sponsored activity shall complete a volunteer card with a photocopy of the identification (ID) along with completing a Volunteer Release Form.

 Every person who wishes to serve as a school volunteer in any capacity must first undergo an appropriate background check, including local, state, and federal law enforcement check, such as the Internet sites for the Sex Offenders Registry (SOR) list, the Internet Criminal History Access Tool (ICHAT) criminal history records check and the Offender Tracking Information System (OTIS), before being assigned to any school or department. The District reserves the right to deny volunteer status to any individual who has a criminal conviction on his or her record.

 Volunteers are to be assigned to a school only upon the request of the teacher or Principal. A volunteer is not a substitute for a member of the school staff, but does supply supplemental and supportive services. A volunteer shall not have access to confidential files and records. Wherever possible, volunteers are assigned to the particular school where they wish to serve. The relationship between volunteers and the school staff should be one of mutual respect and confidence.

 Volunteers are not teachers; they assist teachers and will only be assigned to those staff members who request them. The volunteers shall never replace the paid school staff, nor will their presence mean that fewer paid staff members will be needed.

 All students are expected to follow and attend to directives and instructions given to them by authorized volunteers of the District. Failure to abide by directives and instructions given by an authorized District volunteer may result in disciplinary action under the Student Code of Conduct up to and including suspension from school.

 Persons interested in volunteering time or services to the District should contact the building Principal for assignment.

 Approved: December 13, 2006
 Revised: February 15, 2012
The Board shall ensure, to the full extent of its legal powers, that every student and adult has an opportunity to attend school activities without fear or harm of injury to person or property. The Board shall not allow persons with disruptive intent to endanger the safety of students, school personnel or other adults; to damage school property; to interfere with school activities or the educational process; or to attempt to close the schools.

Disorder and disruption of school activities shall not be tolerated, and persons attempting such action shall be held accountable. When it becomes necessary to protect students, personnel, patrons and property, the Board shall seek the enforcement of all laws and prosecution of those who violate the law. Violation of any law and/or local city ordinance shall be referred to the appropriate law enforcement agency, prosecutor, and courts for proper disposition.

Prosecution of those causing disorder, disruption, or disturbances on school property will be conducted under existing city, county and state laws and ordinances.

The Board recognizes the right of peaceful dissent providing that dissent does not infringe upon the rights of others.

In accordance with administrative guidelines to be developed by the Superintendent, Principals shall be held responsible for providing for the safety and welfare of students and adults and the protection of school property from damages or injury by any person or groups of persons.

**Definition of Disturbances or Disorders**

For the purpose of this section, state statutes covering disturbance of the peace or disorderly conduct shall be used as a basis for prosecution.

Any city or county ordinance in effect at the time of any disturbance at a school activity shall be used by the Board to aid in the prosecution of any individual or groups of individuals responsible for such disturbance.

Upon conviction of any disturbance or disorderly conduct, the individual or groups of individuals will be barred by Board action from attending any District-sponsored activity or event held on school property. The length of the ban shall be determined by the Board and shall be based on the seriousness of the act or disturbance. The Board authorizes its staff members to enforce the ban by any reasonable force including calling law enforcement officials to aid them in carrying out their assigned duty.

Approved: December 13, 2006
Section 9000 – General Public and Organizational Relations

9300 Alcohol and Smoke Free Schools, Grounds, Vehicles and Facilities

No person, at any time, shall smoke, chew, or otherwise use tobacco or alcohol on School District property, on property under the control of the School District, or in School District vehicles.

Signs prohibiting the use of alcohol, tobacco, or tobacco products will be posted on school grounds.

General public violations will be handled in accordance with State Law.

Approved: December 13, 2006

9350 Public Gifts and Bequests

The Board, on behalf of the District, will consider the acceptance of gifts from the public. The Board is appreciative of the public interest in and good will toward the schools that is represented by gifts. The Board welcomes gifts that are tendered for the general welfare of the students. It does reserve the right, however, to specify the manner in which gifts are made, to define the type of gift considered appropriate, and to reject those that are deemed inappropriate and unsuitable.

Gifts to District Employees

Students, parent(s)/guardian(s) and those persons or organizations interested in doing business with the District shall be discouraged from the presentation of gifts to employees and/or Board members. If a person feels a well-intended desire to present a gift to a staff or Board member, the gift shall not be elaborate, unduly expensive, or inappropriate. Staff members who receive gifts of other than nominal value shall report the same to the Superintendent.

Board members and the Superintendent who receive gifts of other than nominal value shall disclose the same to the Board President.

Students' Gifts to Staff Members

Students shall be discouraged from collecting money, or purchasing gifts for faculty members.

Students' Gifts to the School

Student organizations, with prior approval of the organization's sponsor and building Principal, may donate a portion of the organization's funds to a school or to the District for specific purposes. Such donations must have final approval of the Superintendent.

Faculty Gifts to Students

Faculty members are discouraged from giving gifts to individual students.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 9000 – General Public and Organizational Relations

9355  Endorsements

The District shall not endorse any organizations, institutions, instructional books or materials, political candidates, etc., without the express approval of the Board.

Approved: December 13, 2006

9370  Free Materials Distribution in Schools

The Board reserves the right to refuse distribution of any material by outside individuals or groups to the students of the District.

Political Campaign Materials

In order to further citizenship training, the Board encourages responsible use of political materials for use in the appropriate classroom setting.

Special Interest Materials

The Principal of each building shall establish rules and regulations governing the distribution of special interest materials in the building.

Advertising in the Schools

No advertising of materials used for commercial purposes shall be permitted in the school buildings or on the grounds of the District without prior approval of the Superintendent. The decision of the Superintendent shall be final.

Advertising in student publications shall be regulated by rules and regulations developed by the Superintendent. Ads concerning drug paraphernalia and any controlled substance are prohibited in any school-sponsored publication or on school property.

Use of Religious Materials

The use of any religious materials may be used in the regular classroom to study the historical or cultural aspects of religion but such material is prohibited if used to indoctrinate the practice of a religion.

Dissemination of Religious Materials

Materials that have a religious content may be made available to students during non-instructional time. The District shall impose content neutral, time, place, and manner restrictions on the dissemination of religious materials to ensure that students are aware that the materials are not being endorsed or sponsored by the District.

Approved: December 13, 2006

LEGAL REF:  Good News Club v. Milford Central Schools, 121 S.Ct. 2093 (2001)
Section 9000 – General Public and Organizational Relations

9400 Visitors to the School (Cf. 9410)

All school buildings shall be posted so as to require all visitors to first make their presence known to the building Principal or designee before proceeding to contact any other person in the building or on the grounds. All visitors, including District staff not assigned to the building, will be required to sign in and out of the building.

Any person who visits a building and/or grounds of the District will be under the jurisdiction of the building Principal and must follow all District and building security procedures.

Any parent/guardian wishing to discuss his or her child’s educational performance must first make an appointment by contacting a building administrator. In the event that the Principal is not available, an appointment will be made with the parent/guardian.

The Principal has the authority to request aid from any law enforcement agency if any visitor to the District’s buildings or grounds refuses to leave or creates a disturbance and/or fails to follow District security procedures. Violation of this rule may lead to removal from the building or grounds and denial of further access to the building or grounds. Violators of this Board policy and its rules may be subject to governmental trespass laws.

Board members who have students in the schools and, therefore, have parent/guardian needs to converse with their child’s teacher, counselor or administrator shall make it clear that they are speaking and/or visiting as a parent/guardian and not as a member of the Board.

Approved: December 13, 2006
LEGAL REF: MCL 380.1137(2)
Parent(s)/Guardian(s) Visitation of Classrooms (Cf. 9400)

The Board recognizes the central role parent(s)/guardian(s) play in the education of their children, and supports active parent(s)/guardian(s) involvement in the educational process. Parent(s)/Guardian(s) are, therefore, encouraged to maintain regular contact with their child’s instructors. Parent(s)/Guardian(s) are also encouraged to attend planned conferences, evening activities, school open houses and other visitation days.

Parent(s)/Guardian(s) may visit their child’s classes, subject to the approval of the school Principal and under the following guidelines. Parent(s)/Guardian(s) are asked to understand the Board’s responsibility to safeguard the learning environment for all students, and be sensitive to the disruption that can be caused by having strangers frequently observe the classroom and place demands on teacher time. The Board, also, has an obligation to protect the privacy rights of all students and their families by ensuring that the frequency of visitations by one parent/guardian does not allow that parent/guardian to develop inappropriate knowledge of the behavior or academic progress of other students.

Approved: December 13, 2012
Revised: March 21, 2012
LEGAL REF: MCL 380.1137(b) (2)

Possessing Dangerous Weapons (Cf.5205)

No person shall possess a dangerous weapon on School District property, property used by the School District for a school-related purpose, or in a motor vehicle used for a School District-related purpose unless: (a) Prior permission has been granted by the Superintendent; or (b) The person is an on-duty law enforcement officer or, if off duty, the officer is otherwise required by the law enforcement agency to carry a weapon.

A dangerous weapon, within the meaning of this Policy, shall include, but not be limited to, by way of description, such things as a firearm, knife, black jack, baton, iron bar, brass knuckles, martial arts devices, and incendiary and/or explosive devices, or any other weapon designed to injure or incapacitate another person. Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame, or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. A person, including a student, who violates this Policy, will be reported to law enforcement authorities. Employees who violate this policy will be severely disciplined, up to and including discharge.

The Board policy prohibiting students from possessing dangerous weapons is contained in the Student Code of Conduct. The Board, pursuant to state law, shall expel students who violate the weapons laws and rules unless one of the statutory exceptions is established. To comply with federal law, any such exception shall be reduced to writing.

41 Pursuant to federal law, the term destructive device means: any explosive, incendiary, or poison gas: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any or the devices described in the preceding clauses.

42 To establish a statutory exception, state law requires clear and convincing evidence that: 1) The object or instrument possessed by the pupil was not possessed by the pupil for use as a weapon, or for direct or indirect delivery to another person for use as a weapon, or 2) the weapon was not knowingly possessed by the pupil, or 3) the pupil did not know or have reason to know that the object or instrument possessed by
the pupil constituted a dangerous weapon, or 4) the weapon was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 9000 – General Public and Organizational Relations

9450 Complaints

Complaints regarding the District’s operations, programs, policies, curriculum, instructional materials, facilities, services and personnel, shall be directed to the Superintendent. Efforts will be made to resolve complaints at the lowest possible administrative level.

About Personnel

Complaints from parent(s)/guardian(s), students or others regarding an individual employee shall be dealt with, where applicable, in accordance with the provisions of existing employee agreements.

In general, complaints about employees should be discussed by personal interview with the employee's immediate supervisor. If the complaint cannot be satisfactorily resolved by such a conference, then the complainant may place the complaint in writing, as specifically as possible and direct it to the Human Resources Division that will investigate the complaint.

Approved: December 13, 2006
LEGAL REF: MCL 15.261 et seq.

9470 Unauthorized Persons on School Property and Disturbances

For the protection and safety of students, the protection of school property and the efficient administration of school buildings, no person shall loiter on school grounds or in any school building.

Students who are under temporary suspension or have been expelled from school are not allowed on school property nor shall they attend any school activity, function, or event held by the schools on or off school property.

Persons causing any disturbances to school programs, school activities or on school property shall be requested to leave the school property at once. Persons who fail to leave the premises when requested to do so by proper school authorities shall be considered to be trespassing and the police will be called.

School Principals or other administrators are authorized to sign formal complaints under the local city ordinances and/or state statutes.

Approved: December 13, 2006
Section 9000 – General Public and Organizational Relations

9500 Cooperative/Collaborative Relationships

The Board encourages cooperative/collaborative relationships, when applicable, with the following:

- Other School Districts
- Intermediate School Districts
- Colleges and Universities
- Educational Research Agencies
- State Education Agencies
- Business, Industry, and Labor

Approved: December 13, 2006
LEGAL REF: MCL 380.1280a

9520 School-Community Cooperation (Cf. 9250)

The Board shall seek to foster an atmosphere of cooperation between the schools and all community groups and organizations whose operation is affected by the activities of the schools.

Approved: December 13, 2006

9530 School-Community Program

The Board shall consider the establishment of programs sponsored jointly by the schools and community groups or organizations whenever, in the judgment of the Board, such programs cannot be or should not be wholly under the control of the Board.

Approved: December 13, 2006

9540 School-General Government Relations

The Board seeks to establish a satisfactory working relationship and to open lines of communication with all governmental agencies having an interest in the activities of the schools in the District. This may be accomplished through the creation of ad hoc committees, inter-local memberships, or appointment of representatives to serve as liaison with specific organizations.

Approved: December 13, 2006
Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment in the District schools, and for safeguarding all school property.

The behavior of students outside of school hours and away from the school grounds is the responsibility of the parent(s)/guardian(s) rather than the educational system. It is the feeling of the Board that a student under suspicion of having committed a misdemeanor or crime at times or places outside the jurisdiction of the school authorities, is entitled to the guidance, assistance and protection of the parent(s)/guardian(s). It is the preference of the Board that police questioning of students in the schools and during school hours be undertaken only after the parent(s)/guardian(s) have been duly notified and are present. The building Principal shall notify an investigating officer(s) of this preference and seek his/her (their) cooperation in waiting until parent(s)/guardian(s) have been duly notified and are present before questioning begins.

Because of the nature of such investigation and because of the statutory authority bestowed upon the Department of Human Services (DHS) concerning the investigation of child abuse, authorized agents of said department with proper identification shall be permitted to talk with students in school without the presence of the parent(s)/guardian(s).

The District recognizes that the DHS may, lawfully, interview a child alleged to have been abused without the presence of the building Principal or other school personnel. However, in appropriate cases, the Principal may request that he or she, or a designated representative, be present during the interview.

Approved: December 13, 2006
LEGAL REF: MCL 722.628

9600  Relationship with Planning Authorities

The Board shall participate in local planning functions that may directly affect District schools and their immediate environment.

Approved: December 13, 2006

9610  Relationship with Zoning Authorities

The Board directs the Superintendent to request that notification of zoning proposals and changes that may affect the District be sent to the District by zoning authorities in the county, townships, and cities within the District it being understood, however, that only the State Superintendent of Instruction is authorized, by law, to approve building and site plans for public schools.

Approved: December 13, 2006
Section 9000 – General Public and Organizational Relations

9620  Relations with Political Organizations  (Cf. 7760)

Political candidates or political parties shall be prohibited from promoting candidates or political party activities in school buildings during school hours except as they might be invited to speak, either as part of a class project or as part of the instructional program. Such organizations may use school facilities according to Board policy.

The circulation of petitions is not permissible when done during an employee or student's assigned working hours.

Approved: December 13, 2006

9670  Relations with Federal Governmental Authorities

The Board shall make every effort to keep its members informed of federal legislative proposals that affect schools. The Board may take positions on such issues and communicate such positions to congressional representatives and U.S. senators either directly or through its state association. Copies of positions sent to congressional representatives and U.S. senators may be sent to the Michigan Association of School Boards as a matter of record. The Board shall encourage its members to take an active role in influencing federal legislation affecting schools.

Approved: December 13, 2006

9710  Relations with School Associated Booster Organizations  (Cf. 9730)

All school associated organizations, such as booster groups, which are formed to promote and assist in the financing of a given activity for the improvement of student education, shall be approved, and recognized by the Board. These organizations must keep on file in the Principal’s office, a record of officers, bylaws, mailing addresses and other pertinent information.

Booster organizations shall handle their own accounting and bookkeeping procedures and maintain their own separate accounts for income and expenditures.

All purchases by such organizations shall be billed directly to them and sent to their mailing addresses and not to the schools or the District.

Equipment and material purchased by these organizations and presented to the school shall become the property of the school and under the control of the district.

Approved: December 13, 2006

SCHOOL DISTRICT OF THE CITY OF SAGINAW
Section 9000 – General Public and Organizational Relations

9720  Parent(s)/Guardian(s) and School Partnerships (Cf. 7175)

The Board encourages parent(s)/guardian(s) involvement in the schools through programs and activities designed to increase parent(s)/guardian(s)-school communications and to involve parent(s)/guardian(s) in the development and implementation of educational policies and school programs.

The Superintendent is responsible for facilitating parent(s)/guardian(s) involvement in the schools by affording special consideration to single and working parent(s)/guardian(s). Schools should schedule meetings, programs, and events so that working parent(s)/guardian(s) can attend.

Approved: December 13, 2006
LEGAL REF: NCLB

9840  Student Teaching

The Board may consider the use of student teachers in classes and programs maintained by the District upon establishment of written agreements with area colleges and universities.

Approved: December 13, 2006
LEGAL REF: MCL 380.1531b

9920  School Accreditation

The Board shall make every effort through its policies and decisions to operate an educational program that shall meet the criteria of the Michigan Accreditation Plan as provided by the Michigan State Board of Education and the North Central Association of Secondary Schools and Colleges.

District administrators and staff shall cooperate fully with these associations in their periodic evaluations of the schools in the District and shall keep the Board informed as to the status of these evaluations.

The Superintendent shall keep the Board informed regarding weaknesses that may endanger accreditation and shall make recommendations that shall aim at correcting such weaknesses.

Approved: December 13, 2006
LEGAL REF: MCL 380.1204a