

Policy #	Policy Name	Date Adopted	Date Revised	Regulation
SECTION 4000 - BUSINESS MANAGEMENT				
<i>SN: Excludes fiscal management</i>				
4015	Insurance Program (Cf. 1190, 1220) Liability Insurance Worker's Compensation Unemployment Insurance	07/11/01		
4040	Safety (Cf. 8590) Fire and Tornado Drills Bomb Threats School Safety Plans Safety Inspections	07/11/01		
4050	Environmental Health and Safety - Employee Indemnification (Cf. 5340, 5380) Toxic Hazards and Asbestos	07/11/01		
4080	Emergency Closings	07/11/01		
4090	Traffic and Parking Controls (Cf. 8640)	07/11/01		
4110	Security Notification by School Personnel of Crimes Being Committed	07/11/01		
4120	Theft and Vandalism (Cf. 8350)	07/11/01		
4250	Printing and Duplicating Services - Copyright Employee Produced Material Copyright Compliance and Computer Software Copyright	07/11/01		X
4300	Student Transportation Management (Cf. 4320, 4360)	07/11/01		X
4320	School Vehicles (Cf. 4300-R) Liability Safety Safety Inspection Records Licensing of Drivers School Bus Safety Program Surveillance Monitoring System or Other Electronic Surveillance Devices	07/11/01		X
4350	Student Transportation in Vehicles Other Than School Vehicles (Cf. 7490)	07/11/01		
4360	Senior Citizen Transportation (Cf. 4300-R)	07/11/01		
4365	Special Use of Transportation Services Curricular and Extracurricular Field Trips	07/11/01		
4450	Food Service Management	07/11/01		
4500	Technology (Cf. 2810, 8940) New Programs Upgrades Data Management Education and Instruction	07/11/01		X
4505	Electronic Mail	07/11/01		

Policy #	Policy Name	Date Adopted	Date Revised	Regulation
SECTION 4000 - BUSINESS MANAGEMENT				
4510	Computer Network System Integrity Network Use Limiting Access	07/11/01		X
<i>SN: The following includes new construction as well as related activities such as acquiring sites, plant remodeling or modernizing and leasing or renting property to meet expansion needs.</i>				
4515	Acceptable Use & Internet Safety Policy	06/27/12		
4520	Sexting Policy	07/18/12		
4601	Facilities Planning	07/11/01	04/04/07	
4602	Facilities Maintenance, Operations, and Energy Conservation	01/16/08	05/15/13	X
4750	Naming Facilities Senior High Schools Middle Schools Elementary Schools General Guidelines	07/11/01		
4770	Selection of an Architect (Cf. 4910)	07/11/01		X
4890	Supervision of Construction (Cf. 4770)	07/11/01		
4900	Fair Employment Clause	07/11/01		
4910	Affidavits and Guarantees (Cf. 4770)	07/11/01		
4919	Change Orders	07/11/01	05/16/12	
4950	Board Inspection of New or Remodeled Facilities	07/11/01		
4960	Retirement of Facilities (Cf. 4601) Planning for Consolidation Data and Information Gathering	07/11/01	07/25/03, 08/20/03	X

The District shall insure District property unless otherwise directed by the District electors.¹ Such insurance may be obtained from companies licensed to do business in the State of Michigan. The status of the insurance program in its entirety shall be reviewed annually by the District with specific reference to adequacy of coverage, placement of insurance, and services provided by insurance agents, their representatives, associates, or companies.

Except in unusual circumstances, all insurance shall be purchased based on bids, taking into consideration cost, service, potential dividends, and any other factors that may be of benefit to the District.

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

Liability Insurance

Liability insurance shall be provided to cover Board members, employees of the District, and authorized agents and volunteers while performing in the responsibilities relating to District business and operations.²

Worker's Compensation

Worker's Compensation insurance shall be carried for all employees as provided by law.

Unemployment Insurance

The District shall establish a reserve fund for the purpose of meeting the obligations incurred as a result of laws covering unemployment insurance. The amount of such funds shall

¹ MCL 380.1269 (“The board of a school district other than a first class school district shall insure school district property unless otherwise directed by the school electors.”)

² MCL 691.1409 (“The purchase of liability insurance to indemnify and protect governmental agencies against loss or to protect governmental agencies and some or all of its agents, officers, and employees against loss on account of any judgment secured against it, or them, arising out of any claim for personal injury or property damage caused by such governmental agency, its officers, or employees, is authorized, and all governmental agencies are authorized to pay premiums for the insurance out of current funds.”). Purchase by school district of liability would not preclude its asserting the defense of governmental immunity, in action against a school district arising out of accident involving use by student of “mini-trampoline” during high school physical education class. *Cody v Southfield-Lathrup School District*, 25 Mich App 33, (1970)

be reviewed annually in relationship to obligations experienced over past years and anticipated obligations for the ensuing year.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 380.1269; 380.1332; 691.1405-1406; 691.1409

The District and its administrative staff shall make every effort to provide a safe environment for students to study and play and for all employees to fulfill their employment duties and responsibilities.³ The District's administrative staff shall develop safety rules and practices. These rules shall be reviewed annually with all employees and students.

Fire and Tornado Drills

Fire and Tornado drills shall be conducted as outlined in current law.⁴

Bomb Threats

The Board is committed to providing a safe learning environment for students and staff members. In keeping with this commitment, all bomb threat calls will be taken seriously and handled appropriately after all facts have been considered. All school personnel shall be familiar with the bomb threat policy and procedural guidelines. All bomb threats will be evaluated on their merits and responded to using the District guidelines.

School Safety Plans

All schools shall develop school safety plans designed to increase their school's ability for maintaining an orderly and safe school-wide learning environment. The plans shall be submitted annually to the Office of School Safety for review.

³ MCL 380.1311 (1) ("Subject to subsection (2), the school board, or the school district superintendent, a school building principal, or another school district official if designated by the school board, may authorize or order the suspension or expulsion from school of a pupil guilty of gross misdemeanor or persistent disobedience if, in the judgment of the school board or its designee, as applicable, the interest of the school is served by the authorization or order.")

⁴ MCL 29.19(2). ("A minimum of 8 fire drills is required for each school year. If weather conditions do not permit fire drills to be held at least once a month, then at least 5 fire drills shall be held in the fall of each year and 3 fire drills shall be held during the remaining part of the school year.")

MCL 29.19(3). ("A minimum of 2 tornado safety drills is required for each school year . . . These drills shall be conducted for the purpose of preventing fires and related hazards and injuries caused by severe weather.")

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 under a schedule developed by the Superintendent.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 380.1288; R 340.1301-1305; 29.19

Toxic Hazards and Asbestos

The District is concerned for the safety of students, staff, and the general 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 hazardous materials present in the District.⁵

A District employee shall be appointed 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.

The Superintendent may appoint a person(s) to develop and implement the District's approved asbestos management plan and shall develop a specific job description, which shall ensure proper compliance with federal⁶ and state laws⁷ and the appropriate instruction and in-service of staff and students.

The District shall, through either a separate contract, a sub-clause to an existing contract, or as a part of a negotiated master contract, defend, hold harmless, and indemnify current and former District employees who have been assigned the responsibilities related to the AHERA regulations from any and all demands, claims, suits, actions, and proceedings brought against those individuals as agents and/or employees of the District, provided that any such incidents arose while those individuals were acting within the scope of their respective employment contracts and were not intentional, negligent, or criminal acts.

⁵ MCL 380.1256

⁶ 15 USC 2641-2656

⁷ MCL 388.864 (“Circumstances for removal of asbestos”) MCL 380.1256 (“Inspecting, monitoring, removing, or treating asbestos or material containing asbestos; contractual agreement to provide legal representation against civil liability.”)

The District shall attempt to maintain a secure liability insurance to help serve as a means of implementing this policy.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 380.623(b); 380.1256(1)(2); 388.864; Michigan Occupational Safety and Health Act; Michigan Right-To-Know Rules and Regulations; Asbestos Emergency Response Act; Asbestos Abatement Contractors Licensing Act

The Superintendent is authorized to close the schools in case of inclement weather or other emergency that makes it unsafe for students to attend school. The Superintendent may delay the opening of school in cases of inclement weather or other emergencies until such hour as it is anticipated conditions are safe to hold school. The Superintendent shall develop a process to make appropriate information available on which to base the decision.

In the event of an unscheduled, general shutdown of the entire school district or individual buildings due to inclement weather, as determined by the Superintendent, District employees are governed by the following guidelines:

1. All District personnel, with the exception of employees covered by the Master Teacher Contract, will be expected to report to work unless notified to the contrary via local media sources. Employees who are unable to report to work because of emergency conditions may use a sick and emergency leave day, as permitted under the terms of the appropriate master agreement.
2. Employees of the executive committee, administrative, professional, non-teaching, and technical salary schedules may, if they are unable to report to work, be allowed to take sick and emergency leave days or non-working days for the duration of the emergency, or for the period during which they are unable to report to work, whichever is shorter.

Approved: July 11, 2001
Reviewed:

The District in consultation with the building principal shall develop and implement 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.⁸ Convenient parking spaces shall be designated for handicapped persons. Parking on sidewalks, grassy areas and undesignated areas is prohibited.

Approved: July 11, 2001

Reviewed:

LEGAL REF: AG Opinion #6657

⁸ 1990 Mich. Op. Atty. Gen. No. 6657 (A school superintendent, a county road commission, and the director of state police may collectively decide to reduce the speed on a county road that is within 1,000 feet of a school in the school district if the current speed limit near the school is deemed to be excessive.)

The District shall attempt, through the entire staff, to ensure that students, staff, 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.⁹

Notification by School Personnel of Crimes Being Committed

Employees/volunteers of the District, have a right and duty to report unlawful acts to the proper authorities.

Witnesses of such unlawful acts should report them to the proper authorities, the school principal or an immediate supervisor. The assistance of the police-school liaison officer should be requested immediately.

In certain types of offenses, such as traffic in drugs or other dangerous materials in or near the schools, the police have requested that a direct report be made to them before other action is taken. This procedure is recommended to prevent jeopardizing a case the police may already be investigating.

Approved: July 11, 2001
Reviewed:

LEGAL REF: MCL 380.1291

⁹ MCL 380.1291 (“The board of a school district may establish a local school security task force for the school district to perform functions at the local level similar to those performed at the state level by the school security task force created under the school security task force act. The local security task force shall include representatives of parents/guardians, teachers and other school employees, school administrators, law enforcement officials, pupils, and other members of the community affected by weapons in schools.”)

The District shall institute an on-going program designed to prevent vandalism. Major acts of vandalism shall be reported to the Board upon occurrence. The costs of all vandalism shall be made on an annual basis.

Students found guilty of any form of theft or vandalism shall be disciplined in accordance with the District's discipline policy, including possible suspension or expulsion from school.¹⁰ Employees found guilty of theft or vandalism in the schools shall be disciplined up to and including discharge.

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.

Recovery of damage and/or losses shall be sought from the person or persons involved; in the case of minors, from their parent(s) or guardian(s) under the laws that hold parent(s) or guardian(s) liable for any loss or damage.¹¹

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 600.2913, 380.1311

¹⁰ MCL 380. 1311

¹¹ A school district may recover damages in an amount not to exceed \$2,500 in a civil action in a court of competent jurisdiction against the parents/guardians or parent/guardian of an unemancipated minor, living with his or her parents/guardians or parent/guardian, who has maliciously or willfully destroyed real, personal, or mixed property which belongs to the school district (MCL 600.2913).

The District 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 extent of production of instructional materials by clerical staff shall be determined by the building principal, who shall develop guidelines for requesting such services.

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.

Employee Produced Material

The District has certain proprietary right to publications, devices and instructional materials produced by District employees during their regular and normal workdays while in the employment of the District. All items prepared by District employees on District time, including data processing programs, shall become the property of the District. The District may elect to copyright or patent such materials, devices or programs in the name of the District. All earnings or profits from such original materials, devices or programs shall become assets of the District.

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

Copyright Compliance and Computer Software Copyright

The District 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: July 11, 2001

Reviewed:

The District shall provide safe, economical transportation to the students of the District.¹² The use of buses by the District shall conform to state law.¹³ The Superintendent shall establish school bus routes.

Students must observe the rules and regulations adopted by the District that govern student transportation. Students will also be subject to the *Code for Student Conduct* while riding school buses. The District may suspend or revoke the transportation privilege or entitlement of any student who violates rules or regulations adopted by the District.

Bus drivers shall report violations of said rules to the appropriate administrator who shall take the necessary steps to discipline students according to District policy.¹⁴

All such rules shall be published in the *Code for Student Conduct* given to students and parents/guardians at the beginning of each school year.

Approved: July 11, 2001
Reviewed:

LEGAL REF: MCL 380.1321-1322; 380.1331; 380.1333; 380.1336; 388.1010; R 340.1702; R 340.271-279; R 340.281-282; 257.1801 *et seq.*; Michigan Department of Education Transportation Handbook (Bulletin 431)

¹² The Pupil Transportation Act, MCL 257.1801-1877

¹³ The board of a school district providing transportation for its resident students shall provide transportation for each resident public or nonpublic school student if all of the following requirements are met:

- The district provides transportation for the elementary school level, middle or junior high school level in which the student is enrolled.
- The student is a person for whom the district is eligible to receive state school aid for transportation.
- The student is attending either the public or the nearest state approved nonpublic school in the school district to which the student is eligible to be admitted.

Transportation provided shall be without charge to the resident student, the parent, guardian, or person standing in loco parentis to the student (MCL 380.1321).

¹⁴ *Nolan v Bronson & Taylor School District*, 185 Mich App 163; 460 NW2d 284 (1990). (A bus driver may be held legally responsible for not stopping a student from exiting through the emergency door of a school bus if the student is subsequently injured. In certain circumstances, the bus driver's duty of care may extend beyond dropping a student off in a safe place.)

School vehicles shall not be loaned, leased or subcontracted to any person, groups of persons or organizations except as allowed by law and subject to District approval.

No school vehicle of any type shall be used by any student, school employee, patron or any organization to transport anyone to or from a religious activity.

No public funds shall be spent by the District 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.

Liability

All school vehicles shall be adequately insured.

Safety

Every bus driver shall have authority and responsibility for the passengers riding in school buses.¹⁵

Safety Inspection

All school vehicles shall be inspected annually prior to the opening of school.

Records

The District shall maintain accurate records pertaining to each District vehicle. The Superintendent shall develop the types of records.

Licensing of Drivers

Michigan laws and regulations of the Michigan Department of Education set standards for the physical fitness,¹⁶ competence, experience, training, and proper licensing of school bus

¹⁵ *Nolan v Bronson*, 185 Mich App 163; 460 NW2d 284 (1990). (“Unquestionably, there is a legal relationship between a bus driver and a passenger/student such that the law imposes a legal obligation on the driver for the benefit of the passenger.”)

¹⁶ MCL 257.1853 (b) (c) (d) (“For a school bus or pupil transportation vehicle operating in intrastate transportation, the annual physical requirements for school bus and pupil transportation vehicle drivers as authorized by the superintendent of public instruction. In meeting these physical requirements, the driver shall be examined by a licensed physician and shall present the physician’s certificate to the employer. An employer who has reason to believe that a driver is not physically qualified to drive may require a physical examination for that driver in accordance with

drivers.¹⁷ The Superintendent is directed to ensure that these legal requirements and regulations are strictly complied with.

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.¹⁸

School Bus Safety Program

The Superintendent and building principals shall develop and publish school bus safety rules for bus drivers and students.

Surveillance Monitoring System or Other Electronic Surveillance Devices

Surveillance monitoring system may be used on school buses to ensure the health, welfare and safety of the bus driver and the students riding the bus and to protect the bus from vandalism. Other electronic surveillance systems (i.e. GPS) may be installed on all Districts vehicles.

The District shall notify staff and students that surveillance monitoring systems may occur on school buses.

The recordings of students and staff on monitoring systems are records and are subject to District policy and procedure concerning student and personnel records. Only those people with a legitimate educational or administrative purpose may view the recordings. In most instances, individuals with a legitimate educational or administrative purpose will be the Superintendent, building principal, transportation director, bus driver, and sponsor, coach, or other supervisor.

subdivision (b) at more frequent intervals. If an employer requests a physical examination under this subdivision, the employer shall indicate in writing what physical impairment covered under the requirements of subdivision (b) the driver is to be examined for and shall only be entitled to that portion of the examination results which pertain to that impairment. A copy of the physician's certificate for a driver shall be carried by that driver while he or she is operating a school bus or pupil transportation vehicle.")

¹⁷ Michigan Department of Education Regulation No. R 340.232

¹⁸ MCL 257. 1849 (1) (2) (3) A person must be over 17 years of age, possess a valid chauffeur's license, the appropriate vehicle group designation, and a passenger vehicle endorsement pursuant to section 257.312e of the Michigan Compiled Laws. A person who has 7 or more penalty points on his or her driving record may not operate a school bus or pupil transportation vehicle. In addition, a person may not operate a school bus or pupil transportation vehicle if the person has a restricted license due to a conviction for a violation of section 257.625 of the Michigan Compiled Laws.

The District shall comply with all applicable state and federal laws related to record maintenance and retention.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 257. 1849-1853; 257.314; 257.316-316a; 388.1474; 15.231 *et seq.*

In scheduling transportation for field trips, the building principals may approve the use of private vehicles in situations in which budget or schedule restrictions make it prohibitive or impractical to use school buses.¹⁹

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 257.57(c)

¹⁹ MCL 257.57c (“‘School transportation vehicle’ means every motor vehicle with a manufacturer’s rated seating capacity of less than 16 passengers, including the driver, owned by a public, private, or governmental agency when operated for the regularly scheduled transportation of passengers directly to or from school and home, or privately owned and operated for compensation for the regularly scheduled transportation of passengers directly to or from school and home. Transportation to extracurricular events shall not be considered regularly scheduled transportation. School transportation vehicle does not include a vehicle used by a parent/guardian or a parent/guardian’s designee to transport children to and from school related events under contract with the school.”)

School buses may be used by organizations or groups composed of senior citizens, provided that such use does not conflict with the needs of the District for regular or special transportation of students.²⁰ As permitted by law, groups are expected to pay the actual costs involved. Requests for the use of transportation by senior citizen groups shall be made to the Superintendent whose decision to approve or disapprove use shall be final.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL, 380.1333

²⁰ MCL 380.1333 (“[T]he board of a school district may permit the use of a school bus, which is not otherwise being used for school purposes, by an organization or group for purposes of transporting senior citizens or retired or disabled persons. . . .”).

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 that 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 except as provided in policy 4360, or by governmental agencies sponsoring approved programs for youth in the community as approved by the Board.

Curricular and Extracurricular Field Trips

The building Principals shall be authorized to approve the use of buses for field trips for curricular and extracurricular activities upon submission of requests from 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.

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 building Principal 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.

Approved: July 11, 2001
Reviewed:

A school food service program and supplemental milk program shall be made available to all full time students enrolled and in regular attendance in the District.²¹

A food service supervisor shall be hired to oversee the District's lunch services.²² The supervisor's responsibilities shall include the efficient operation of all school cafeterias, the administration of menus, quality and the serving of food, employment and dismissal of cafeteria personnel and such other responsibilities as determined by the Superintendent.

The District shall participate in the surplus foods program operated under the U.S. Department of Agriculture. The Superintendent shall determine the extent of participation based upon need and economic feasibility.

A system of accounts shall be designed and be operative which sets forth separately all revenues and disbursements of the food service operation as required by law and for management information purposes.

It should be the financial objective of the food service program to maintain fiscal operations on a break-even basis. Daily lunch fees shall be set by the District 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 and milk.

Free and reduced price lunches shall be provided to eligible students according to standards as prescribed by the U.S. Department of Agriculture.²³ 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 lunches or milk are not discriminated against.

²¹ MCL 380. 1272a (1) ("The board of a K to 12 school district shall, and the board of another school district may, establish and operate a program under which lunch is made available to all full-time pupils enrolled and in regular attendance at each public school of the school district.")

²² MCL 380. 1272 ("The board of a school district may use general funds to provide the necessary personnel, equipment, supplies, and food to furnish meals for regularly enrolled pupils, an may accept produce and financial reimbursement from the state to supplement the resources of the district.")

²³ Section 9 of the National School Lunch Act, 42 USC 1758

Students eligible for free or reduced price lunches shall not be required to work in the lunch program to an extent more than other students in the school.

The Superintendent shall provide avenues for parent/guardian and student participation in the planning and evaluating of school lunches and other foods dispensed upon school premises.²⁴

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

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 380.1272-1272d

²⁴ MCL 380.1272b (d)

New Programs

New technologies or new applications of technology within the District shall be implemented only after careful and thorough planning on the part of administrative staff. Whenever possible, the administrative staff should establish pilot project(s) and evaluate their effectiveness prior to implementing a new technological program on a school-wide or District-wide level. District support shall be given only to those new technologies that substantively improve efficiency, reliability, or learning beyond current or “traditional” practice.

Whenever the District allocates funds for the purchase of new technological hardware or software, an appropriate portion of the funds allocated shall be designated for the training of staff and the development of necessary supplementary materials and documentation.

Upgrades

The District recognizes the need for ongoing upgrading of technological resources within the District, and shall implement a plan and a budgeting process that ensures the regular replacement of aging equipment and software.

The Superintendent shall develop and submit to the Board annually a plan for upgrading the District’s technology resources based on a replacement cycle of not longer than 3 years. The plan shall include recommendations for expansion of resources where appropriate, based on the evaluation of pilot programs, and shall include provisions for staff training and curriculum/materials development. The Board, as a part of the annual budgeting process, shall consider the plan.

Data Management

The Superintendent shall provide for the orderly acquisition of data base software, information processing equipment, networks, and support materials to best use computer technology in support of District administrative and instructional functions. A student database

shall be maintained which contains student administrative and instructional information.

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 database by students, staff, and volunteers, shall be limited in accord with the District policies on Access, E-mail, and computer use. District databases shall be implemented in such a way as to facilitate access to subsets or aggregates of the data that are not confidential.

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: July 11, 2001

Reviewed:

LEGAL REF: MCL 15.231 *et seq.*

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

All District electronic mail systems are owned by the District and are intended for the purpose of conducting official District business only. District electronic mail systems are not intended for personal use by employees of the District and employees should have no expectation of privacy when using the electronic mail systems.²⁵

Users of District E-Mail systems are responsible for their appropriate use. Illegal and improper uses of the electronic mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling, and violating the copyright or intellectual property rights are prohibited. Use of the electronic mail system for which the District will incur an expense without expressed permission of an administrator is prohibited.

Electronic messages are not for private or confidential matter. Because there is no guarantee of privacy or confidentiality, other avenues of communication should be used for such matters. Except for directory information, student records will not be transmitted by electronic mail.

The District retains the right to review, store and disclose all information sent over the District electronic mailing systems for any legally permissible reason, including but not limited

²⁵ The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. Thus, this provision attempts to avoid Fourth Amendment protection for communications and downloaded material by warning users that the district owns the electronic mail system and it is intended for the purpose of conducting official distinct business, thus negating any expectation of privacy.

to determining whether the information is a public record, whether it contains information discoverable in litigation and to access District information in the employee's absence.

Except as provided herein, District employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee. All District employees should be aware that electronic mail messages can be retrieved even if they have been deleted and that statements made in electronic mail communications can form the basis of various legal claims against the individual author or the District.

Electronic mail sent or received by the Board, the District or the District's employees may be considered a public record subject to public disclosure or inspection.²⁶ All Board and District electronic mail communications may be monitored.

District employees will be subject to disciplinary action for violation of this policy.

The Superintendent shall ensure that all District employees have notice of this policy and that each District employee is given a form to sign stating they have received and read the policy. The form shall be maintained in the employee's personnel file.

Approved: July 11, 2001
Reviewed:

LEGAL REF: MCL 15.231-15.246

²⁶ MCL 15.232.

The Superintendent is authorized to develop services linking computers within and between buildings in the District, and to provide access to the international computer network (Internet) for students and staff. All computer network implementation shall be in line with the District policy on technology and the District's educational goals.

Use of the computer network(s) as a part of any class or school assignment shall be consistent with the curriculum adopted by the District.²⁷ The District's general rules for behavior and communications shall apply when using any computer equipment.

System Integrity

The Superintendent shall designate person(s) trained in computer technology ("system administrators") at the building and/or district-level to implement the District's rules and regulations and to provide computer support for students and staff. The Superintendent in concert with the system administrators 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

All use of the District's computer network must be in support of education and/or research and be in the furtherance of the District's stated mission. Use is a privilege, not a right.²⁸

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/guardians, and staff.

²⁷ School authorities may reasonably regulate student expression in school-sponsored publications for education-related reasons. *Hazelwood School District v Kuhlmeier*, 108 S. Ct. 562 (1988). This policy allows such control by clearly stating that school-sponsored networked information resources are not a "public forum" open for general student use but are, instead, part of the curriculum.

²⁸ The "privilege, not a right" dichotomy is borrowed from cases holding that a student's removal from a team does not require due process because such participation is a privilege rather than a right. The deprivation of a privilege typically does not trigger the Constitution's due process provision.

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 that is prohibited by law.
- Users may not use the system to transmit or publish information that violates or infringes upon the rights of any other person, or information that is abusive, obscene, or sexually offensive.
- The District computer equipment shall not be used for commercial purposes by any user, or for advertisement or solicitation without prior written 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, nor delete, alter, or otherwise interfere with the integrity of computer-based information or resources.
- 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 the network facility to access or bring into the school environment material which is inconsistent with the educational goals of the District, including but not limited to material which is defamatory, abusive, obscene, profane, sexually explicit, threatening, racially offensive, illegal, or which aids or advocates illegal activity other than non-violent civil disobedience.

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 that, in the opinion of the administration, is not in keeping with the educational aims of the District.

The administration is encouraged to pursue such technology for the personal accounts of elementary school children where practical.

Complaints about content of networked information or access to blocked sites shall be handled in accord with the District's policy and procedures for complaints about library and instructional materials.

Approved: July 11, 2001
Reviewed:

It is the policy of the Flint Board of Education to provide students, staff, volunteers, and other authorized users access to the District's technology resources, including its computers and network resources, in a manner that encourages responsible use. It is also the policy of the Flint Board of Education to comply with the Children's Internet Protection Act ("CIPA"). As required by the CIPA, the Board directs the District's administration to:

- Monitor minors' online activities and use technology protection measures on the District's computers with internet access to block minors' access to visual depictions that are obscene, that constitute child pornography, or that are "harmful to minors." The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- Use technology protection measures on the District's computers with internet access to block all access to visual depictions that are obscene or that constitute child pornography. The technology protection measures may be disabled by an authorized staff member, during adult use, to enable access to bona fide research or for other lawful purposes. The Board designates the Superintendent to determine which staff members are authorized to disable the protection measures.
- Educate minors about appropriate online behavior, including interacting with other people on social networking websites and in chat rooms and cyberbullying awareness

and response.

- Prohibit access by minors to inappropriate matter on the Internet.
- Prohibit unauthorized access, including so-called “hacking,” and other unlawful activities by minors online;
- Prohibit the unauthorized disclosure, use, and dissemination of personal identification information regarding minors;
- Restrict minors’ access to materials that are “inappropriate for minors.” The Board defines materials that are inappropriate for minors to include:

Pornography, Online trading, Gambling, Games, Illegal/questionable,

Freeware/shareware, Adware, Alcohol, Online dating, Social networking, Online shopping, Tobacco, Online auctions, Hacking, Phishing, Malicious and Weapons.
- Encourage the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communication.

The Board designates and directs the Superintendent or his/her designee to take all steps necessary to implement this policy and to otherwise comply with the CIPA.

This Acceptable Use and Internet Safety Policy is in addition to, and not in replacement of, Board Policy 4510, Computer Network, and Board Regulation 4510-R, Computer Network. No conflict between this Acceptable Use and Internet Safety Policy and the Computer Network Policy is intended. Any conflict between the two policies is to be resolved in favor of protecting the students of the District and complying with the CIPA.

Approved: June 27, 2012

Reviewed:

In Michigan, the act of creating, soliciting, possessing, or distributing sexually explicit photos or other materials of a minor under 18 is a felony. MCL 750.145c. Specifically, Michigan law prohibits “child sexually abusive material,” which means:

[A]ny depiction, whether made or produced by electronic, mechanical, or other means, including a developed or undeveloped photograph, picture, film, slide, video, electronic visual image, computer diskette, computer or computer-generated image, or picture, or sound recording which is of a child or appears to include a child engaging in a listed sexual act; a book, magazine, computer, computer storage device, or other visual or print or printable medium containing such a photograph, picture, film, slide, video, electronic visual image, computer, or computer-generated image, or picture, or sound recording; or any reproduction, copy, or print of such a photograph, picture, film, slide, video, electronic visual image, book, magazine, computer, or computer-generated image, or picture, other visual or print or printable medium, or sound recording. MCL 750.145c(1)(m).

Potential criminal penalties include incarceration and registration on the Sex Offender Registry.

The District strictly prohibits the creation, solicitation, possession and distribution of “child sexually abusive material” by students, employees, contractors, Board Members or other District agents. Therefore, no student, employee, contractor, Board Member or other agent of the District may possess, view, send, or share “child sexually abusive material” in any form, including, but not limited to, “child sexually abusive material” contained in or transmitted by a cellular telephone, camera phone, computer, or personal digital assistant.

If a student, employee, contractor, Board Member or other District agent receives or otherwise comes into possession of “child sexually abusive material” in any form, that individual shall report the “child sexually abusive material” to a proper law enforcement agency as soon as possible.

A student who violates this policy is subject to suspension or expulsion. An employee who violates this policy is subject to discipline, up to and including termination.

Approved: July 18, 2012
Reviewed:

The District shall provide the best facilities possible within financial resources available to meet the educational needs of the students in the District. To that end, the District shall maintain a 3-Year Facilities Plan. Such efforts shall not only encompass new construction and expansion when deemed necessary, but also renovation and remodeling of existing facilities to serve specific educational needs of specific groups of students. It is also necessary, in declining enrollment periods, to determine how facilities may be used and/or the interim use of facilities not needed at a given time.

Decisions pertaining to the planning, construction, renovation and elimination of educational facilities shall be made only after sufficient attempts have been made to consider the viewpoints and needs of students, teachers, parents/guardians, taxpayers, and appropriate members of the administrative staff.

In determining facility needs and/or elimination of facilities, priority shall be given to plans which benefit the largest number of students in the District but consider important matters such as safety, equal opportunity for students enrolled and the economic implications to the District.

The Superintendent shall establish and maintain a 3-Year Facilities Plan to use in making decisions regarding the construction, use, maintenance, and closure of district facilities (including athletic facilities). The 3-Year Facilities Plan shall be consistent with and in furtherance of the District's Strategic Plan.

The Facilities Plan shall be reviewed on an annual basis to assure that it continues to be realistic, consistent with the Strategic Plan, and otherwise meets the anticipated needs of the district. In addition to the Strategic Plan, the development and revision of the Facilities Plan shall

take into account factors including:

- Current facility capacity and utility
- Facility physical condition
- Anticipated operating and maintenance costs
- District finances projected over the next five years
- Enrollment projected over the next five years
- Projected demographics of the city and its geographic subsections over the next five years
- Recent and current changes in population in the various parts of the district
- Patterns of planned residential development
- Potential for recreational, educational, and operational joint ventures with the city, adjacent school districts, and/or the ISD
- Multi-use potential that is consistent with the primarily educational purpose of the facility

Projections of future income, expenditures, population, demographics, and other factors shall be consistent with the highest quality information available regarding past experience and current trends.

The Facilities Plan shall identify four categories of facilities and include justifications for their classification: Those that are essential, those that are surplus, those that are at risk of becoming surplus under certain circumstances, and facilities that do not exist but for which there is an anticipated need. In the case of facilities that are at risk for becoming surplus, the Facilities Plan should identify as clearly as possible the circumstances under which the facility might become surplus as well as its potential for supplemental or subsequent use that might benefit the community.

When schools are determined to be surplus, recommendations should be presented for the consolidation of schools with the least disruption possible for students and the community. If the Facilities Plan contains a schedule for recommended consolidation of buildings, efforts should

be made to ensure that students are not relocated more than once in their elementary or secondary school careers (depending upon at what point their education is being disrupted).

The revised Facilities Plan shall be presented to the Board and the community for consideration no later than each December. Adoption, amendment, or rejection by the Board shall occur no less than a week following a public hearing on the proposed plan.

Approved: July 11, 2001
Revised: April 4, 2007

A. Maintenance and Operations

It is the Board's commitment to provide a safe, clean and properly maintained environment for staff, students and visitors in and around all of its facilities. Procedures shall be put in place by the administration to have all facilities comply based upon district standards, industry standards and any applicable national, state and/or local codes, and appropriate energy conservation guidelines. Quarterly status reports (on an annual cycle) shall be submitted for Board review.

B. Energy Conservation

The Board supports energy conservation and believes it to be its responsibility to ensure that every reasonable effort is made to conserve energy and natural resources while exercising sound financial management.

The Board recognizes the importance of adopting an energy conservation policy to govern the behavior-based energy conservation program. It also recognizes that the implementation of this policy will be the responsibility of the Administration, Faculty, Staff, Students, Support Personnel, and District's energy conservation consultant, if any. Success is based on cooperation from all parties.

To ensure the overall success of the behavior-based energy conservation program, the following areas will be emphasized:

1. A designated campus Administrator will be accountable for energy conservation on his/her campus. Energy Specialist teams will conduct energy audits as well as provide timely feedback to the Superintendent and Board at least quarterly.
2. All personnel at each campus are expected to take responsible measures to maximize energy conservation and produce real energy savings.

3. The District's energy conservation consultant (if any) will implement its energy conservation program primarily through an energy management team, led by the Energy Specialist(s), in accordance with "Energy Guidelines" that will be adopted by administration and will define the "rules of engagement" for the energy conservation program.
4. Accurate records of energy consumption and costs will be maintained by the Energy Specialist(s) for each campus in order to provide verifiable performance results that will be used to measure achievement of goals and progress of the energy conservation program.

Further, to promote a safe, healthy learning environment and to complement the energy conservation program, each campus shall review and comply with the preventive maintenance and monitoring plan, administered by the campus physical plant, for its facilities and systems, including HVAC, building envelope, and moisture management.

Approved: January 16, 2008
Revised: May 15, 2013

Senior High Schools

Senior high schools will generally be named for the geographical location of the school site as it relates to the boundaries of the District.

Middle Schools

Middle schools will generally be named for appropriate American authors of prose and/or poetry who have been deceased for a period of at least 25 years prior to the date of the naming of the school.

Elementary Schools

Elementary schools will generally be named for persons whose national state, or local contribution to education has been outstanding.

General Guidelines

The Superintendent shall maintain a file of names and qualification of summaries of individuals who may be considered within the framework of the preceding.

When the Board approves the name of a living person for the honor of a school name, the President shall contact the individual chosen and obtain acceptance of the honor. In the case of a deceased person being honored by a school name, similar contact may or may not be made with relatives, whichever is more appropriate as determined by the Board.

On written request and/or recommendation, consideration will be given to naming facilities such as auditoriums, rooms and special areas in the school or school grounds for persons whose contribution to education has been outstanding. Such a request must be supported by written recommendations with rationale from representatives of the school staff, students, and the community. This request must be submitted in writing to the Superintendent, who shall forward it to the community relations committee for review.

Future schools, either new or consolidated, shall avoid nicknames and logos of racial groups such as American Indians, ethnic groups, and nationalities. Current nicknames and logos representing any of the above groups shall be phased out when the school is permanently closed or consolidated.

Approved: July 11, 2001

Reviewed:

The District shall comply with current law for the selection of an architect for the District's building plans.²⁹ Should an architect subcontract for engineering services, the Board reserves the right of prior approval in the selection of the engineering firm in cases not covered by the District/architect agreement.

The Superintendent will make contacts with qualified architectural firms requesting a submission of information concerning their firms if they wish to be considered.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 388.851-855a

²⁹ MCL 388. 851 (a) ("All plans and specifications for buildings shall be prepared by, and the construction supervised by, an architect or engineer who is registered in the state of Michigan.") 1957-58 Mich. Op. Atty. Gen. Architect or engineer is to be employed by the board of education; the statute is not satisfied when a contractor or a member of a contracting firm employs the engineer or architect.

Supervision of construction projects shall be primarily the responsibility of the architect/construction manager and the Superintendent, or an administrator assigned by the Superintendent as project director, who shall be responsible to follow closely the progress of the construction project. The architect shall hold periodic, but not less than monthly, progress meetings during which the administrative representative and all contractors concerned should be present. Progress reports shall be issued periodically by the architect and in sufficient quantities to supply each member of the Board.

Approved: July 11, 2001

Reviewed:

It shall be the intent of the District to award all contracts to qualified contractors and subcontractors who do not discriminate against any employee or applicant for employment because of age, sex, race, color, religion, creed, age, physical handicap,³⁰ ancestry, national origin, height, weight, or marital status.³¹ Contractual provisions shall assure compliance with this policy.

Before awarding a bid or purchase order for construction, materials, and services, a firm shall be in compliance with all state and federal laws, and verify it.³² The Superintendent shall review and evaluate all such plans and his/her approval or disapproval shall be subject to review by the Board. A bidder has five working days to appeal the decision of the Superintendent.

The above policy shall not apply to those contractors employing less than five persons.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 37.2101-2211 (Michigan Civil Rights Act); Fair Employment Practices Act; MCL 37.1101-1303 (Handicappers Civil Rights Act); Act No. 251 of the Public Acts of 1955; Act No. 344 of the Public Acts of 1965; and Act No. 349 of the Public Acts of 1966

³⁰ Michigan Handicappers' Civil Rights Act, MCL 37.1101-1303

³¹ Elliott-Larsen Civil Rights Act, MCL 37.2101-2211; MCL 37.2202 (1) (a) ("An employer shall not do any of the following: Fail or refuse to hire or recruit, discharge, or otherwise discriminate against an individual with respect to employment, compensation, or a term, condition, or privilege of employment, because of race, color, national origin, age, sex, height, weight, or marital status.")

³² Contractor's Bond for Public Buildings or Works, MCL 129.201-211; MCL 129.201 ("Before any contract exceeding \$50,000.00 for the construction, alteration, or repair of any public building or public work or improvement of the state or a county, city, village, township, school district, public educational institution, other political subdivision, public authority, or public agency hereinafter referred to as the "governmental unit", is awarded, the proposed contractor, hereinafter referred to as the "principal contractor", shall furnish at his or her own cost to the governmental unit a performance bond and a payment bond that shall become binding upon the award of the contract to the principal contractor.")

All contractors shall submit proof of their coverage of liability and workers compensation insurance as required by Michigan law to the business office.³³ All bids on construction projects shall stipulate that the contractor shall provide liability coverages that total at least \$1,000,000.00.

The general contractor shall provide a performance bond equal to at least 25 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: July 11, 2001

Reviewed:

LEGAL REF: MCL 129.201-211; Worker's Compensation Act

³³ Michigan Worker's Disability Compensation Act, MCL 418.101-418.941

After a contract is accepted, all change orders shall be brought to the District for approval. The Superintendent is authorized to approve only those change orders which are both minor and of an emergency nature. All other change orders must be submitted to the Board for approval.

For purposes of this policy, “minor” change orders are those which do not exceed the competitive bidding threshold contained in MCL 380.1267, as may be amended.³⁴

Change orders of an “emergency” nature are those which arise due to unforeseen circumstances and are necessary to protect life or property.

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

Approved: July 11, 2001
Revised: May 16, 2012

³⁴ As of April 2012, this amount is \$21,825.

A building project shall be accepted by the District only after all details are complete and the architect and project director have certified to the District that the project has been completed, along with a written approval by the architect for occupancy certifying the approval of all state and local authorities where required. The architect/construction contractor and representatives of the administrative staff shall complete a preliminary inspection, after which the District conduct a final inspection of the building prior to giving its formal approval and acceptance.

Students, until so authorized by those state and local authorities where approvals for occupancy are required, shall not occupy new or renovated buildings or additions.

Final payments to contractors will be withheld until such a time as the requirements of this policy have been met.

Approved: July 11, 2001
Reviewed:

Planning for Consolidation

The Flint Board of Education is committed to retaining only those physical facilities necessary for the effective and efficient management of school and associated programs. A change in the status of a school building is sometimes necessary because the buildings no longer fulfill the educational needs of the community due to obsolescence, unsafe conditions, or extremely high operating and maintenance costs.

Declining student enrollments and rising costs create a financial condition that may warrant the consolidation and/or retirement of facilities.

Inasmuch as school buildings are a focal point in the life of a community and provide many tangible benefits to their citizens, the decision to close a school or to change its operational status shall be made only after a well-thought-out plan has been developed that is based upon established procedures. It is incumbent upon the school District to prepare a rational, comprehensive analysis in support of its decision-making process.

Specific assessment procedures dealing with utilization efficiency, operating efficiency, and housing adequacy (Regulation 4960-R) shall be applied in analyzing options for the identification and possible disposition of under-utilized facilities.

If a decision is to close a building or buildings, the plan shall include a determination of the disposition of the facility or facilities. Consideration shall be given to whether a building is to be used for other programs or services; is to be mothballed – and if so, for how long; is to be leased or sold; or is to be demolished.

Each year, the Superintendent shall direct staff to assemble current data and information on the status of every school. Ancillary facilities housing other than traditional K-12 programs may be reviewed apart from this process. In years as directed by the Board of Education, the Superintendent shall also appoint a School Study Committee comprised of community representatives and staff. The Committee will participate in the assessment process, will promote community understanding, and will assist the Superintendent in developing a School Consolidation Proposal. If the Superintendent is not directed by the Board of Education to appoint a School Study Committee, the Finance and Operations Committee of the Board of Education will oversee data analysis for facility use and make recommendations to the Board of Education's Committee of the Whole.

Data and Information Gathering

The data and information shall be assembled prior to the appointment of the School Study Committee or action by the Board Finance and Operations Committee with review by the Board Committee of the Whole, and shall include descriptions of the buildings together with the following:

1. Availability of relocation space;
2. Building capacity/space utilization;
3. Physical condition of the building including operating and maintenance costs;
4. School performance;
5. Potential alternative uses;
6. Enrollment data;
7. Students with special needs; and
8. Student population demographics.

The allocation of District resources should be considered and aligned with the District's Strategic Plan to the greatest extent possible. The Superintendent also shall consult with officials of local government and other planning and development agencies to determine if there are municipal or private sector plans which may affect the status of District facilities, such as roadway construction and other public or private development projects.

Approved: July 11, 2001
Reviewed: July 25, 2003
Revised: August 20, 2003