

**A 0450-P Bay City Public School District
Title VI, Title IX, Section 504 complaint Procedure**

If any person believes that the Bay City Public School District or any part the school staff have discriminated against them on the basis of sex, national origin, race/color, age disability, height, weight, familial status, or marital status, or engaged in sexual harassment, he/she may bring forward a complaint to the administration office at the following address; 910 N. Walnut Street, Bay City, Michigan 48706. **Prompt reporting of such complaint is encouraged.**

Informal Procedure

The person who believes he/she has a valid basis for complaint shall discuss the concern with the Civil Rights Coordinator, who shall in turn investigate the complaint and reply to the complaint in writing within five (5) business days. If the reply is not acceptable to the complainant, he/she may initiate formal procedures according to the steps listed.

Formal Grievance Procedures

STEP 1: A written statement of the grievance shall be prepared by the complainant and signed. This grievance shall be presented to the Civic Rights Coordinator within five (5) business days of receipt of the written reply to the informal complaint. The Coordinator shall further investigate the matters of grievance and reply in writing to the complainant within ten (10) business days by certified mail.

STEP 2: If the complainant wishes to appeal the decision of the local Civil Rights Coordinator, he/she may submit a signed statement of appeal to the Superintendent of Schools within ten (10) business days after receipt of the local Coordinator's response to the grievance. The Superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the grievance within ten (10) business days by certified mail.

STEP 3: If the complainant remains unsatisfied, he/she may appeal through a signed, written statement to the Board of Education within five (5) business days of her/his receipt of the Superintendent's response in Step 2. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representatives within thirty (30) days of the receipt of such an appeal. A copy of the Board's disposition if the appeal shall be sent by the Board Secretary to each concerned party within ten (10) business days of this meeting by certified mail.

STEP 4: The complainant may file a complaint with the Office of Civil Rights at any time.

**A0480-P Bay City Public Schools
Grievance Procedures for Title VI of the
Education Amendment Act of 1972, Title
IX of the Education Amendment Act of
1972, Section 504 of the Rehabilitation
Act of 1973**

Section I

If any person believes that the Bay City Public School District or any part of the school organization has inadequately applied the principles and/or regulations of (1) title VI of the Education Amendment Act of 1972, (2) Title IX of the Education Amendment Act of 1972, and (3) Section 504 of the Rehabilitation Act of 1973, he/she may bring forward a complaint, which shall be referred to as a grievance, to the local Coordinators.

Title VI & IX
Bay City Public Schools
910 N. Walnut Street 910
Bay City, MI 48706
(989) 686-9700

Section 504
Bay City Public Schools
910 N. Walnut Street
Bay City, MI 48706
(989) 686-9700

Section II

The person who believes he/she has a valid basis for grievance shall discuss the grievance informally and on a verbal basis with the local Coordinator, who shall in turn investigate the complaint and reply with an answer to the complaint. If the complainant is not satisfied with the reply, he/she may initiate formal procedures according to the following steps:

STEP 1: A written statement of the grievance signed by the complainant shall be submitted to the Coordinator within five (5) business days of receipt of answers to the informal complaint. The coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) days.

STEP 2: If the complainant wishes to appeal the decision of the coordinator, he/she may submit a signed statement of appeal to the superintendent of Schools within five (5) business days after the receipt of the coordinator's response. The Superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

STEP 3: If the complainant remains unsatisfied, he/she may appeal through a signed written statement to the Board of Education within five (5) business days of his/her receipt of the Superintendent's response in Step 2. In an attempt to resolve to grievance, the Board of Education shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.

STEP 4: If at this point the grievance has not been satisfactorily settled, further appeal may be made to the Office for Civil Rights, Department of Education, Washington, D.C. 20201.

Inquiries concerning the nondiscriminatory policy may be directed to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20201.

The local Coordinator, on request, will provide a copy of the District's grievance procedure and investigate all complaints in accordance with this procedure. A copy of each of the Acts and the regulations on which this notice is based may be found in the Superintendent's Office.

B 1700-G Board Member Ethics and Responsibilities

Board members shall:

- Attend all scheduled Board Meetings insofar as possible and become informed concerning the issues to be discussed at Board meetings;
- 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;
- Avoid being placed in a position of conflict of interest and refrain from using the Board position for personal or partisan gain; and
- 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.

D 2605-G Use of Facilities Guidelines

Facilities of the Bay City Public School District may be used by local organizations for civic entertainment and educational purposes under guidelines established by Board Policy *D 2600 – Use of School Facilities* and these administrative guidelines. The following procedures will apply to rental or special use of school facilities by community organizations.

1. Any person representing a community organization desiring to use a school building or facility of the Bay City Public School District must seek authorization to do so from the office of the building administrator or the designated agent, submitting a completed “*Application for Use of School Facilities*” form.
2. The building administrator or designated agent may approve or reject the application in accordance with this policy or any criteria deemed appropriate including but not limited to facility availability or in the best interest of the District and/or may require additional information from the applicant other than that which is requested on the “*Application for Use of School Facilities*” form prior to making a decision. Further, the building administrator or his/her designee reserves the right to refuse or approve a concession program to a rental organization.
3. The use of school facilities for school purposes, meetings of students, programs of students, meeting of staff members, parent school organizations, and other organizations affiliated with the school community, must be approved by the building administrator or his/her designee. In the assignment of school facilities, school building programs receive priority, followed by District programs, then community groups.
4. The building administrator or the designated agent has the right to require additional supervision deemed necessary, based on his/her judgment. The organization renting the facilities would be required to designate additional supervision.
5. The applicant and/or organization agrees to assume all responsibility for damage or liability of any kind and further agrees to save and hold harmless the School District from any expense or costs in connection with the use of the school facilities under this agreement. The Board shall require the applicant and/or organization to furnish a Bond and/or a Certificate of Insurance (\$1,000,000) to guarantee the conditions of this agreement or any liability incurred by it. The certificates should be placed on file in the Office of Fiscal Resources.
6. Persons or organizations renting the facilities must abide by applicable federal, state, local laws and regulations.
7. All decorations or modifications of a building shall be pre-approved by the building administrator or his/her designee at the time of application.
8. School equipment such as projects, public address systems and stage equipment may not be used by outside organizations without the assistance and/or supervision of school personnel.
9. Typically all organizations using the school facilities will be required to pay a usage fee and a maintenance fee. EXCEPT, under normal circumstances the following organizations located within the Bay City Public School District (with pre-approval of the building administrator or his/her designee and the maintenance department) will be exempt from the usage and maintenance fees:
 - a. Regular school programs
 - b. Parent Organizations
 - c. School Board appointed committees
 - d. Community Education Programs
 - e. Bay City Public School Employee Organizations (e.g. BCEA, BCASA)
 - f. Bay City Public Schools student organizations
 - g. Police, Sheriff and Fire Department organizations for training and educational purposes
 - h. Bay County Recreation Department
10. All concession rights will be retained by the school.

11. The contact person from the organization will be deemed to be the supervisor of the event.
12. Organizations, including student groups, WILL NOT BE PERMITTED IN THE BUILDING UNTIL A SUPERVISOR IS PRESENT, AND A SUPERVISOR MUST REMAIN UNTIL ALL PARTICIPANTS HAVE LEFT THE BUILDING.
13. Supervision of pool activities MUST INCLUDE ONE ADULT HOLDING A CURRENT AMERICAN RED CROSS OR Y.M.C.A. INSTRUCTOR'S LIFE SAVING CERTIFICATE FOR EACH THIRTY (30) PARTICIPANTS OR FRACTION THEREOF. The lifeguard is to be in the immediate pool area at all times.
14. All renters, where there will be public assemblage, WILL BE REQUIRED TO FURNISH PROPER POLICE AND/OR FIREMEN for the protection of those in attendance, in compliance with local municipal ordinances and the State of Michigan regulations.
15. The possession or use of alcoholic beverages, drugs, tobacco products, firearms, profane language or gambling in any form is not permitted in school facilities or on school property.
16. Facilities may not be used for any program that reflects negatively on or discriminates against persons of any religion, race, sexual orientation, color, marital status, gender, age, marital status, national origin or handicap.
17. The right to cancel any permit, after it had been granted, is reserved by the Board of Education of their agent.

D 2610-R Charges and Fees for Use of School Facilities

The following rental rates are based on an hourly basis. Use and charges for any facility not listed will be considered as specific requests are made.

USAGE FEES

For all applicable events the following fees will be charged:

High School/Middle School		
Auditorium	\$	125 per hour
Cafeteria/Commons & Hallways	\$	100 per hour
Classroom	\$	30 per hour
Library	\$	50 per hour
Pool	\$	100 per hour
Gymnasium	\$	100 per hour
Technician Crew	\$	25 per hour
Elementary School		
Auditorium	\$	n/a
Cafeteria/Commons	\$	50 per hour
Classroom	\$	30 per hour
Library	\$	50 per hour
Pool	\$	100 per hour
Gymnasium	\$	100 per hour
Technician Crew	\$	n/a

MAINTENANCE FEES

For all events, a flat rate of \$20 per hour per custodian will be charged.

D 2810-P Purchasing Procedures

The processing of purchase orders and payments for goods and services is centralized within the Finance Department and all purchasing transactions shall be conducted accordingly. It is recognized that the Board relies upon the Superintendent and his/her staff to administer the operations of the District. The Board has established the following guidelines for implementing the purchasing policy:

1. The District shall solicit goods and services from as broad and extensive a market as is practical in order to obtain the optimum product for the minimum price.
2. Purchase Orders shall be awarded to qualified vendors. A vendor shall be deemed qualified based upon relevant factors including, but not limited to, price, quality, availability, terms, delivery, service, maintenance, suitability, conformance to stated specifications, past performance and vendor reliability. Accordingly, the vendor submitting the lowest price is not assured of being awarded the Purchase Order. The District reserves the right to accept or reject any bid if such action is determined to be in the best interest of the District. The District further reserves the right to establish the acceptable level of quality of goods and services purchased by the District.
3. Purchase Orders shall be issued to local vendors when such vendor is deemed qualified as defined in paragraph 2 above. When, in the discretion of the Board, Superintendent, or Director of Finance, local vendors are not qualified, there shall be no obligation to issue a Purchase Order to such vendor.
4. A Purchase Order shall be issued only upon submission of a properly authorized written Requisition in accordance with policies and procedures established by the District.
5. Each Requisition and Purchase Order shall identify the source of funds for such expenditure. Sufficient budgeted funds must be available in the designated numbered account for all purchases.
6. The Superintendent shall make available to the Board, upon request, the quotations/bids obtained through this policy. Such documents shall be retained on file in the Finance Office.
7. No Board member, officer or employee of the District may act as an agent for any vendor doing business with the District, nor shall any gratuities be accepted from a vendor. Further, Board members, officers and employees are precluded from endorsing any goods or services in such a good manner as would identify such individual as being affiliated with the District.
8. Purchases of supplies and materials will be in compliance with section 380.1267 and 380.1274 of the Michigan School Code of 1976 as amended. Under this section purchases of a single item or group of items from the same vendor in the same transaction over the stated specified limit must have competitive bids and be approved by the Board of Education. As an example, for the 1998-99 school year the State specified limit is \$15,837. This limit is adjusted by the State annually based on the CPI (Consumer Price Index). This limit applies to all purchases, including purchases of product and services.
9. All District purchases are reported to the Board of Education on a monthly basis for the fiscal year.
10. Any attempt to circumvent the purchasing or bidding policies shall be violation of the Board Policies and persons involved will be subject to disciplinary action.

Requisitions

Requests for Purchase Orders shall be made in writing using a Requisition, the form of which is attached hereto and incorporated herein as *D 2830-S – Sample Requisition*.

Purchase Orders

1. Purchase Order should be utilized for the purchase of goods and services. Purchase orders should be used for all purchases of goods and services over \$1,000 unless the provisions of the emergency purchase provisions hereinafter set forth apply or for situations considered impractical in conducting school operations. In addition, purchase orders will be required for textbooks, library materials, computers, vehicles, and any other items representing capital outlay regardless of amount. At the discretion of the Director of Finance requisitions not meeting these criteria can be sent back to the individual and denied for payment.
2. Open purchase orders may be established with vendors for purchases required on a day-to-day basis (for example materials and parts required by certain custodians and mechanics.) Such open purchase orders may only be utilized by individuals whose names are set forth on the purchase order, not to exceed four (4) names. Open purchase orders shall state a specific duration of time, with a maximum of 1 year. An open purchase order must state a dollar amount that is within the budgetary funds. The quotation and competitive bidding requirements of this purchasing policy apply to open purchase orders.
3. Purchases of supplies and materials should be ordered from outside vendors only after it has been determined that such items are not available at the District warehouse.
4. Reimbursements for purchases of classroom materials can be made to employees in accordance with District administrative procedures. Whenever possible, such purchases should be covered through petty cash at the buildings.

Petty Cash Accounts

In order to facilitate refunds and minor purchases, a petty cash fund may be established at each building. The total fund for each building shall not exceed $\frac{1}{2}$ of 1% of the total supply and service budget established for that building, but in no event shall such fund exceed \$500. This fund may be audited by the Director of Finance or District auditor without advance notice and as determined necessary. The petty cash fund may not be used to purchase items for an account which has insufficient budgeted funds or has not been properly approved. Petty cash funds are not to be used for activity expenditures or any other fund except general fund.

Activity Accounts

1. The provisions of this purchasing policy pertain to all activity accounts. Amounts paid to vendors for funds raising events are exempted from the bidding process set forth in this policy.
2. Activity accounts are not budgeted, however requisition shall only be approved if sufficient funds have been deposited in the accounts to cover requested purchases.
3. The Requisition shall contain the signature of the building administrator as well as the signature of the appropriate club sponsor, president, or other organized individual.
4. Activity accounts will only be used to purchase the appropriate materials and services to meet the needs of each particular group or organization. Activity accounts will not be used to pay for general operations. Requisitions not meeting these criteria can be denied for payment until such criteria can be satisfactorily proven.

Quotations / Bids

Purchases NOT Requiring Competitive Bidding

1. Purchases of a single item or group of items from the same vendor in the same transaction under \$5,000 do not need quotations or bids.
2. There are companies that normally provide purchasing services, such as Hospital Purchasing Service. In such cases, the company has already solicited bids for the products. The District is exempt from bidding such products.

Competitive Bids

1. Purchases between \$5,000 and the State limit require three (3) written quotations attached to the requisition. (For example, the limit for 1998-1999 is \$15,837 as CPI adjusted.) If less than three written quotations are provided, a written explanation will accompany the requisition as to the reasons.
2. All related shipping and transportation charges shall be included in the quoted price as part of the cost of items. Discounts are not deducted from the gross cost for compliance with three quotes; however, such discounts may be considered in making a vendor selection.
3. All Purchase Orders for goods and services for the District, in excess of the State mandated limit, shall be issued only upon formal competitive bidding pursuant to the following bidding requirements and procedures.
4. The District shall advertise for bids, for purchases which exceed the State mandated limit, in newspaper of general circulation once each week for two (2) consecutive weeks. Invitations to bid will also be posted at the Administration building.
5. The request for bids as published/posted shall provide:
 - a. Item(s) sought.
 - b. Specification or the availability of specifications.
 - c. The day, date, time, and place bids will be received and opened, including the deadline for submission of bids.
 - d. That bids must be sealed and identified.
 - e. That the District reserves the right to reject any or all bids and to waive any irregularities in the bid procedure.
 - f. Any other pertinent information.
6. A statement of "General Conditions," as approved by the Board, shall be included with all specifications submitted to suppliers for their bids. These general conditions shall be incorporated in all contracts awarded for the purchase of supplies, material, equipment, goods, services, and labor.
7. Bids shall be opened by authorized District personnel and/or his/her designee, at the time and place as stated in the bid advertisement or in the invitation to bid and all bidders and other persons shall be invited to be present. The bid contents shall be analyzed and brought to the Board at a regular or special meeting with recommendations as to which bid should be accepted.
8. All bids must be submitted in sealed envelopes, addressed to the specified authority and plainly marked with the name of the bid and the time of the bid opening. All bids received after the date and time specified shall be returned to the bidder unopened. Changes in the amount or condition of the bid will not be allowed once the bid had been received. However, computational errors and bid misunderstandings may be discussed but such discussion shall not be binding on the District as to modification or rescission of the terms or contract arising from the acceptance by the Board of the bid. Any bid may be withdrawn prior to the scheduled time for the opening of bids.
9. The District shall have discretion in determining the responsibility of the bidders and generally shall award the contract to the lowest responsible bidder, provided specifications are fully met. The District may also consider available services and delivery in determining the successful bidder. The Board may reject any or all bids. The Superintendent has the right to monitor and/or adjust the bidding process for individual employees or departments as deemed necessary.

Competitive Bids on Building Construction, Renovation and Repairs

Prior to commencing construction of a new building, or addition, repair or renovation of and existing building, the cost of which is estimated to exceed the State limit mandated by the Michigan School Code of 1976, as amended (sections 380.1267 and 380.1274), the District shall obtain competitive bids on all material and labor required to complete the proposed. Repair work normally done by District employees is excepted from this bidding requirement. The cost limit stated herein shall be adjusted to comply with escalation clauses set forth in the state law.

The procedures for obtaining competitive bids on building construction shall be as set forth in the above section "Competitive Bids." Further, each bidder shall be required to file security with the Board, representing 5% of the amount of the bid, conditioned to secure the District from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance if the bid is accepted by the Board.

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 children, employees or property.

Purchasing Rules and Regulations

The Director of Finance shall develop such further rules and regulations as he/she may deem necessary to implement this policy, including requisition and approval procedures, verification of purchases, and verification that goods have been received in an acceptable condition and services have been performed in an acceptable manner.

Contracts for Goods or Services

All contracts for goods and/or services shall clearly state the duration of such contract as well as any terms and conditions pertaining to the extension thereof. All contracts for goods or services that commit funds in excess of the state mandated limit for contracts (see #8 in *Purchasing Procedures* above) or that extend beyond one year in duration require Board approval. When contracts are approved in open board session, the requirements in the bidding procedures are waived. Contracted services shall be reviewed by the appropriate departments at least every three (3) years for competitive costs, timeliness of response and quality of work performance.

STANDARDS OF CONDUCT AND PROCUREMENT PROCEDURES FOR WIA YOUTH PURCHASES

Standards of Conduct

The minimum standards of conduct listed below are required of both the grantee (Great Lakes Bay Michigan Works!) and its' subgrantees.

1. No employee, officer or agent of the grantee or subgrantee (including Workforce Development Board (WDB) members, or Youth Council members) shall participate in selection, or in the award of administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
 - The employee, officer or agent;
 - Any member of his or her immediate family;
 - His or her partner; or
 - An organization, which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.
2. The grantee's or subgrantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or

parties to subagreements. The grantee and subgrantee may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

3. To the extent permitted by state or local law or regulations, such standards or conduct will provide for penalties, sanctions, or other disciplinary actions up to and including termination of contract, termination of employment, criminal and/or civil prosecution for violations of such standards by the grantee's and subgrantee's officers, employee, or agents, or by contractors or their agents.

Procurement Procedures for WIA Youth Purchases

The requirements listed below must be followed as part of a basic procurement policy, as a minimum standard, when procuring goods and services with the funds administered by the Bureau of Workforce Programs.

1. The proposed procurement will be analyzed to avoid the purchase of unnecessary or duplicative items.
2. When appropriate, an analysis will be made of lease versus purchase alternatives, and any other analysis to determine the most economical approach.
3. Solicitations will include a clear and accurate description of the technical requirements for the goods or service to be procured. The description shall not contain features that restrict competition.
4. Solicitations will include all the requirements the bidders must fulfill and all other factors to be used in evaluating bids or proposals.
5. Solicitations will include a description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.
6. Solicitations will include the specific features of "brand name or equal" descriptions that bidders are required to meet when such items are included in the solicitations.
7. A process must be in place that promotes the use of intergovernmental agreements for procurement or use of common goods and services, as well as, the use of Federal excess and surplus property wherever possible.
8. Solicitations will include the acceptance, to the extent practicable and economically feasible, of products and services dimensioned in the metric system of measurement.
9. Solicitations will include preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment and are energy efficient.
10. Written procedures for all types of procurement.

Procurement by Competitive Proposal – Competitive proposals are used when there is more than one prospective bidder, the lowest price is not necessarily the determining factor for award, and either a fixed-price or cost-reimbursement agreement will be awarded. The evaluation factors often focus on approach, program design, innovation, coordination, and experience.

Procurement by Noncompetitive Proposals-Procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate to fulfill the requirements of the funding agency. Noncompetitive procurements are a "last resort" option and are to be used only when there is a documented reason for the sole-source selection.

Procurement by Sealed Bids – Bids are publicly solicited and a firm fixed-priced (either lump sum or unit price) contract is awarded to the responsible bidder whose bid complies with all the material terms and conditions of the ITB and is the lowest in price. In order for sealed bidding to be feasible, the following conditions should be present: (1) a complete, adequate, and realistic specification or purchase description is available; (2) two or more responsible

bidders are willing and able to compete effectively for the business; and (3) the procurement may be made principally on the basis of price. Uses include construction contracts and information technology acquisitions.

Procurement by Small Purchase Procedures – Are relatively simple and informal procurement methods for securing goods or services that do not cost more than \$25,000. Used primarily to procure goods (supplies and equipment) when price is the overriding factor and may be easily quoted and compared, delivery is standardized, and performance outcomes are not dependent upon the content of the goods being procured.

11. Cost and/or price analysis for every procurement.
12. Conduct that ensures full and open competition.
13. Written history of procurement, with records detailing the rationale for the method of procurement (competitive proposal, noncompetitive proposal, sealed bid, small purchase). Selection of contract type, contractor selection or rejection criteria, the basis of the contract price, and an independent estimate of price.
14. Provisions that prohibit conflict of interest and discrimination.
15. A written settlement process that includes source evaluation, protests, disputes and claims. Violations of law must be referred to the appropriate local, State, or Federal agency having jurisdiction.
16. Protest procedures written to handle and resolve disputes relating to both the award and the administration of contracts. Protest procedures must have available remedies and the information related to the protest must be disclosed to the awarding agency.
17. A list of pre-qualified vendors, firms, etc. that is used in acquiring good and services are current and include enough qualified sources to ensure maximum open and free competition.
18. Documentation of all procurements regardless of dollar amount.
19. Whenever possible, procurement practices should encourage the utilization of small businesses, minority-owned firms, women's business enterprises, labor surplus area firms, and take all necessary affirmative steps to assure their utilization.

MATCHING OF EXPENDITURES TO CURRENT FISCAL YEAR (FY)

To comply with the requirement that expenditures incurred in a FY are expensed in the same FY, the agency expending funds must have its' Purchase Order (if one is issued), vendor invoice, and proof of receipt of goods/services dated between the first day of the FY and the last day of the FY.

The above requirements are a minimum standard for procurement of goods and services and are not all-inclusive. Standards included in Contracts for Reimbursement and the Saginaw County Policy Manual also must be adhered to.

D 2817-G Credit Cards - Guidelines for Use

Administrators Program through American Express

1. The District will maintain six credit cards with the name "Bay City Public Schools" appearing on the face of the card.
2. Each card will have a credit limit of not more than \$3,000. The credit card agreement with the financial institution issuing such credit cards shall stipulate that the credit card limit will not be increased without District approval.
3. Each credit card will have one authorized signer only.
4. The District credit cards may be used for the following types of purchases and only with authorization from the Superintendent or his/her designee:
 - a. Travel expenses such as air fare, bus fare, hotel, conference registration, meals, etc.
 - b. Hotel reservations for blocks of rooms for professional development purposes.
 - c. Local in-District business lunches, meals, etc. as prior approved by the Superintendent or his/her designee.
5. The purchase of gifts, alcoholic beverages, or any other unauthorized expenditures using the District credit card is expressly forbidden.
6. Cards will be maintained in a secure place at the premises of the Administration Building of the Bay City Public Schools and be used only as is properly authorized by the Superintendent or his/her designee.
7. All receipts and credit card slips for any purchases made using the District credit card will be turned in to the Finance Department upon return of the travel, business meal, etc.
8. Once each month, the Finance Department and the Board Treasurer will review the District credit card activity to insure that the purchases made are in compliance with federal and state law, Board policy, and prudent fiscal responsibility.
9. Any individual who does not strictly comply with the above guidelines will be required to reimburse the District for the purchases made using the credit card and/or will be subject to disciplinary action.

School/Department Credit Card Purchasing Program through Sunrise Family Credit Union

1. District credit cards can be used for purchases appropriate for building/department needs such as teaching supplies, office supplies or other operational needs that have an educational purpose. The credit cards should not be used for the following type of expenditures: conference registrations, hotel fees, bus fares, airfare and any other conference related expenditures. Business lunches, gifts, alcoholic beverages or any personal expenditures are not allowed.
2. If an employee makes purchases that are unallowable as shown above in (1.) that employee will be required to pay the district for such expenditures and the building/department may forfeit the use of credit cards.
3. All purchases made with a credit card require a proof of purchase. Each employee that makes a purchase must turn in a receipt and a copy of the credit card slip when the credit card is

returned. This receipt will clearly indicate what types of items were purchased. The receipts and credit card slips will be matched up to the monthly statement that the purchase appears. A requisition will be sent to the Finance Department with the monthly bill with all appropriate receipts and credit card slips attached.

4. All purchases will be made in accordance with the District purchasing policy. Purchases \$1,000 or more require a purchase order. Purchases over \$5,000 require three written quotes and purchases over \$ 17,000 (state bid limit) require formal bidding process and formal Board of Education approval.

5. Employees are to use the school/department credit card program in place of employee reimbursements. Employees that do not use the school credit card program may be denied reimbursement of sales tax.

6. Principal or administrators shall maintain district credit cards in a locked and secure area. Principal or administrators shall require any employee who used the credit card to sign for the card when it is taken out and also when it is returned. An appropriate instrument for this would be a sign-in/out sheet.

7. Each building or department that participates in the credit card program must reconcile the credit card statement to the purchases made each month. It is the responsibility of these buildings and departments to ensure the credit card payments are made on time. Any payments that result in late or finance charges will be paid by the appropriate building and department responsible.

8. When submitting bills for payment each month the appropriate general or activity fund account numbers should be indicated. If there are purchases on a credit card statement both the general fund and activity, a requisition should be submitted separately for each fund with the appropriate account numbers and receipts attached.

D 2920-P Payroll Procedures

The Director of Finance is authorized to certify payrolls. Checks are signed by two individuals as prescribed in policies D 2710 - Authorized Signatures and D 2715 - Check Writing Services.

E 3057-P Fire Drill and Fire Emergency Procedures

Each administrator in charge shall, with the assistance and cooperation of township and municipal personnel if the fire departments located in the District, develop and adopt plans and procedures for fire drills and emergencies including:

- a. The assignment of specific duties and responsibilities for each staff member and custodial personnel, including consideration of the factor of absenteeism. (These assignments shall be reviewed annually).
- b. The establishment of routes and alternate routes for exiting the building.
- c. Procedures to assist the handicapped during evacuation.
- d. A system of determining that all occupants are evacuated and accounted for.
- e. The establishment of an emergency command post.
- f. The establishment of the procedure for determining and announcing the "all clear."
- g. The posting of established plans to the occupants of the building.
- h. The filing of a copy of the building plan with the Assistant Superintendent for Quality School Management and the appropriate fire departments within the District.

PROCEDURES AND RULES TO BE INCLUDED IN ALL BUILDING PLANS

1. School evacuation drills are to be conducted as set forth by Michigan Law and so arranged as to accustom all pupils and teachers to use the various exits provided.
2. Of the ten (10) drills required per school year 6 are fire drills, 2 are tornado drills, and 2 are lockdown drills. At least 6 of the drills should be conducted in the fall or early spring.
3. Fire drills should be started as early as possible in the fall term, not later than the second week.
4. Advance notice should be given to all teachers of the first two (2) fire drills. This will permit all occupants to become familiar with the fire alarm system and to test the procedures of each building's plan. The remaining drills should be conducted without notifications.
5. Employees should know the location of each fire alarm station in his/her respective building. In large buildings, such as the high schools and middle schools, the employee should know the nearest fire alarm station to his/her classroom or area of responsibility.
6. Employees should know the location and understand the correct use of each type of fire extinguisher in the building. Fire departments have people available to conduct a demonstration at an employee meeting.
7. Pupils should be given instructions on what to do if they are away from their assigned classroom at the time a fire alarm signal is sounded.
8. Pupils should be given instructions on what to do if there is no teacher in the room at the time a fire alarm is sounded.
9. ALL PERSONNEL including the building administrator, teachers, visitors, clerks, administrative personnel, as well as students, should leave the building during a fire drill.
10. A designated person should be prepared to use fire extinguishers on small fire and direct firemen to the troubled area.
11. In the event of discovery of fire, smoke, gas odor, or any other related emergency, it is the responsibility of the person discovering such condition to:
 - a. Notify the office and alert the highest ranking administrator available, and/or
 - b. Dispatch a student to the office to report and of the above conditions.
 - c. Use discretion: If no one responds to (a) and (b) above immediately, sound the alarm to evacuate the building, irrespective of weather conditions and see that the fire department is notified.
12. In the event the "fire alarm" signal is sounded without previous warning of a fire drill, it is the responsibility of the building administrator or his/her authorized representative to assume that it is an emergency and to notify the fire department immediately.
13. **Fire drills are important!** Teachers and students should be instructed that there is to be no horseplay during a fire drill: no running, no talking, no joking.
14. A complete record of each drill should be kept by the building administrator or other person responsible for the drill. A copy of each drill report is sent to the Superintendent's designee. The Fire Marshal may ask to see this record.
15. The fire alarm system should be tested every week prior to the building being occupied by students. The test should be made using a different station for each test. A record should be kept of tests.
16. The fire alarm system must not be used for any other purpose than for which it is intended.

17. The fire department, under the direction of the Fire Marshal, may conduct at least one fire drill in each school building during the school year, for the purpose of observing under supposedly emergency conditions how well the drills are progressing.

False Fire Alarms

The Board agrees that false fire alarms:

1. Cost money.
2. Cost lives.
3. Disrupt instruction.
4. Minimize the effectiveness of fire drills.

Any student who willfully, knowingly or maliciously, gives, aids, abets, procures, attempts, or conspires in raising or creating any false alarm of fire in and to any buildings, or part of any building, structure, or property of the School District, by any means or manner whatsoever, shall be deemed to have violated the minimum standards of student conduct, and is subject to extended suspension or expulsion from school for a period of not less than ten (10) days; and, the parents of any such student will be held liable for damage thereof. In addition, such a student will also be subject to prosecution for violation of any applicable state and local criminal statutes. The State of Michigan and City of Bay City have provisions in their respective codes whereby the giving or raising of a false alarm of fire is a criminal violation.
MSA 28, 437; MCLA 750. 240; Bay City Ordinances, Section 74-153.

E 3061 – P Bomb Threat Procedures

In the event of a call or notice to the effect that a bomb has been placed in a school or any other building operated by the District, the following procedures are recommended:

1. The person receiving the call shall attempt to keep the caller on the line until the administrator can be alerted.
2. The fire department, the police department, and the Superintendent or his/her designee should be notified immediately.
3. The building administrator, or the next in line of authority, shall decide if evacuation is called for.
4. A system of alerting the staff shall be devised. The staff will make a search of the area, and if anything strange or foreign is discovered, the office will be notified.
5. Circumstances will dictate whether any strange or foreign objects should be removed or left for removal by a qualified person. If any uncertainty exists, the administrator shall evacuate the building and let the fire department and police take over.
6. If nothing is found, the chief administrative officer of the school or building shall declare the situation normal.
7. Investigation of the incident should be made by the local police department assisted by fire authorities, if requested.

E 3187-R Conduct on School Buses-Rules of Behavior

1. Pupils shall obey the bus driver at all times.
2. Pupils shall remain well back from the roadway while awaiting the arrival of the bus and refrain from throwing things or playing at a bus stop.
3. Pupils shall enter the bus in an orderly fashion and go directly to an assigned seat and remain seated until the destination is reached.

4. Younger pupils should be permitted to enter first.
5. Pupils shall wait until the bus has come to a complete stop before they attempt to enter or leave. They should remain seated until the bus stops.
6. Pupils shall keep their hands, arms, and heads, inside the bus.
7. There shall be no shouting, roughhousing, or throwing things on the bus.
8. All articles such as athletic equipment, books, musical instruments, etc., must be kept out of the aisles.
9. Pupils shall be expected to help keep the bus clean, sanitary and orderly. Containers for refuse and provided.
10. The emergency door must be used for emergency exit only. Children shall not touch safety equipment on the bus.
11. Pupils who must cross the street at a bus stop shall not do so until they receive a signal from the bus driver. When crossing a street is necessary, it shall always be done in front of the bus far enough ahead of the bus so that the driver may adequately observe them. This means that the child should be able to see the face of the bus driver. The driver shall hold his/her bus with warning lights flashing until crossing has been completed.
12. There shall be no profanity or obscene language used at any time on school buses.
13. There shall be no possession or use of tobacco products at any time on school buses.

There are some additional expectations, not subject to penalty, which should be noted:

1. Older pupils should help set an example of orderly and reasonable behavior.
2. Pupils should report to the driver any damage and unsafe or unclean situations on the bus.
3. Pupils should be on time at the designated stop. The bus driver will not wait.
4. Pupils should inform the driver when they expect to be absent from school.

Penalties shall be applied as defined and explained in *J 7310-P – Rights with Responsibilities*.

E 3188- R Conduct at Bus Stop - Parent Responsibility

The primary responsibility for the application of the following rules rests with the parent. The schools will assist parents in any way possible.

1. Pupils will leave home in time to arrive at the bus stop about 5 minutes before the bus is due. (Unless there are unusual weather conditions or the bus has an emergency problem, the established schedule should be very accurate on a daily basis.)
2. Pupils should walk to the bus stop on the left shoulder off the road facing traffic.
3. Pupils should wait for their bus off the traveled portion of the roadway.
4. Pupils should conduct themselves with courtesy and consideration for others and others' property while waiting for the bus.
DO NOT : Fight or bully other students, throw snowballs or other objects at vehicles, destroy and property, trespass on private property, obstruct the road, tailgate (run after or slide behind) a moving vehicle.
5. Pupils shall cross the road in front of the bus, not behind it.
6. Pupils will board the bus from a single file line.
DO NOT: Push, shove, cut in line, approach a moving bus.
7. Pupils should be considerate of smaller children who are waiting.
8. Pupils, when returning home, shall leave the bus in an orderly manner and proceed from the bus stop with the same kind of conduct that is expected at the boarding.

F3540-G Enrollment Projections Guidelines

Enrollment forecasts shall be prepared by the Director of Students Support Services using current enrollment information supplemented with data furnished by the appropriate planning offices. Methods for forecasting enrollment may include the following:

1. Public facility plan projections.
2. Annual census.
3. Building administrators' reports for current and projected enrollment.
4. Review and evaluation of proposed rezoning.
5. Review of approved building permits.
6. Information submitted by buildings and developers.
7. Reports indicating anticipated and approved number of dwelling units resulting from submitted site plans.
8. Effect of phase-out program and growth trends in adjacent districts.

F 3570-S Facilities Construction – Planning Timetable

To insure orderly progression of the planning process, the following guidelines should be followed.

1. Basic analysis of needs. (Note: If an educational consultant is to be engaged, selection should be made at this stage.)
 - a. Evaluation of existing plant facilities.
 - b. Pupil enrollment projection.
 - c. Determination of the educational philosophy of the District, evaluation of the instructional program.
 - d. Analysis of financial status.
2. Dissemination of information at the local level through a coordinated public information program.
3. Development of detailed written educational specifications.
4. Selection of architect.
5. Selection of school site with the assistance of the architect and other specialists.
6. Development of preliminary drawings by architect in accordance with educational Specifications.
7. Review preliminary drawings with State Department of Education for approval.
8. Complete detailed specifications drawn up for furnishings and equipment for use in the building.
9. Securing local authorization of funds.
10. Preparation of working drawings to be submitted to the State Department of Education for final approval. Prior approval of other State agencies should be secured before submission to State Department of Education.
11. Completion of necessary forms and applications prior to submission of plans for bid.
12. Advertisement of construction documents for bid, receipt and evaluation of bids, award of contract.
13. Completion of site development and building construction, including furniture and equipment.
14. Dedication and presentation of building to public and other officials.

G 4045-G Staff Ethics

An effective educational program requires the services of persons of integrity, high ideals, and human understanding. To maintain and promote these essentials, all employees of the District are expected to maintain high standards in their school relationships. These standards include the following:

1. The maintenance of just and courteous professional relationships with pupils, parents, staff members, and others.
2. The maintenance of their own efficiency and knowledge of the developments in their fields or work.
3. The transaction of all official business with the property designated authorities of the school system.
4. The establishment of friendly and intelligent cooperation between the community and the school system.
5. Representation of the positive contributions of the school system to the community on all occasions that activities are presented to the public.
6. The welfare of children is the first concern of the school system, thus appointments to positions and promotions must be based upon merit and contractual agreements. The use of pressure on school officials for appointments or promotion is unethical.
7. Restraint from using school contracts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
8. Directing any criticism of other employees or of any department of the school system toward the improvement of the school system. Such constructive criticism is to be made directly to the particular school administrator who has the responsibility for improving the situation and then to the Superintendent, if necessary.
9. The proper use and protection of all school properties, equipment and materials.

G 4100-R Personnel Files

Employee personnel files shall be maintained and managed as set forth herein:

A. Employee Personnel Information Files – Employee Personnel Information Files shall consist of two separate files for each employee. These files are as follows:

1. **Personnel Record File** – This file shall consist of all employee records that may affect or be used relative to the employee's qualifications for (a) employment, (b) promotion, (c) transfer, (d) additional compensation, or (e) disciplinary action. This file shall also include records relative to activities that occur on the District's premises or during the employee's working hours that interfere with the performance of the employee's duties or duties of other employees. The personnel Record File shall not include records which are included in the Administrative Record File.
2. **Administrative Record File** – The Administrative Record File for an employee may include the following:
 - a. Employment references.
 - b. Materials relative to more than one (1) employee.
 - c. Medical records and reports.
 - d. Personal information about a person (s) other than the employee.

- e. Investigation information regarding an investigation of possible criminal activity of the employee.
- f. Grievance Records.
- g. Student education records of the employee.

B. Additions, Removal and/or Correction to the Personnel Record File

1. No records (including but not limited to complaints, commendation, suggestions, evaluations, disciplinary reports, letters of reprimand or records of disciplinary action) shall be placed in the Personnel Record File unless it meets the following requirements:
 - a. The record is dated and signed by the person making the record; and
 - b. The employee had been advised in writing that the record is available for inspection prior to its placement in the employee's Personnel Record File.
2. If there is a disagreement with the information contained in the Personnel Record File or information to be placed therein, removal or correction of the information may be mutually agreed upon by the employee and the Assistant Superintendent for Human Resources or his/her designee.
3. If an agreement is not reached, the employee may submit a written statement explaining the employee's position, provided, however, that such statement shall not exceed five sheets of 8 ½ x 11 inch paper. Such statement shall be included with the original information as part of the employees Personnel Record File.

C. General Access to Records Management and Maintenance of the Personnel Information Files

– Access to an employee's Personnel Information files is allowed to the following persons without the consent of the employee:

1. The Superintendent, Director of Human Resources and/or his/her designee and the employee's immediate supervisor shall have access to an employee's personnel information files (both the Personnel Record File and the Administrative Record File) without the necessity of consent by the employee.
2. Information contained in either the Personnel Record File or Administrative Record File may be released pursuant to a valid subpoena or court or so long as any such information is not privileged or protected from release by law. Upon receipt of any such subpoena or court order, the Assistant Superintendent for Human Resources or his/her designee shall give written notice to the employee by first class mail to the employee's last known address and such notice shall be mailed on or before the date in any such subpoena or court order to produce. Failure to claim any such privilege or protection by the School District shall not make it liable to any employee inasmuch as the employee has the right to do so.
3. The Director of Human Resources or his/her designee shall have the care, custody and control of the employee Personnel Record File and the Employee Administrative Record File. It shall be his/her responsibility to administer this policy, provided however, that he may consult the District's attorney for a legal opinion relative thereto.

D. Review of the Personnel Record File by the Employee

1. An employee shall have an opportunity to review his/her Personnel Record File as follows:
 - a. The employee shall direct a written request to review his/her Personnel Record File to the Director of Human Resources.

- b. The review may occur not more than two times in a calendar year or as otherwise provided by law or as provided for in a collective bargaining agreement with the employee's union.
 - c. The review shall take place at the administration offices.
 - d. The review shall take place during normal and regular school hours.
 - 2. The employee may obtain a copy of the information or part of the information contained in the employee's Personnel Record File for the actual cost of duplication any such information. This cost shall be determined by the Assistant Superintendent for Human Resources.
 - 3. The employee does not have a right to review the Administrative Record File and the contents thereof and shall not be granted access thereto.
- E. Disclosure to Others** – A disciplinary report, letter of reprimand, or other disciplinary action shall not be disclosed without first providing written notice to the employee by first class mail to the employee's last known address on or before the date for releasing and disclosing any such information provided. However, that notice to the employee should not be required where the employee has waived written notice as part of a written, signed employment application with another employer or where the employee has provided the District with a written statement of consent authorizing the release and disclosure of specific information contained in his/her Personnel Record File only, such information shall then be released and disclosed to the party or person to whom the information is to be released. Such a written statement of consent shall specifically identify the personnel record(s) to be released and the person to whom the personnel record(s) are to be released. In addition, such a statement shall be dated and signed by the employee.
- F. Employee's Non-Employment Activities** – The District shall not gather or keep a record of the employee's associations, political activities, publications or communications of non-employment activities, except if the information is submitted in writing by or authorized to be kept or gathered, in writing, by the employee of the District. Any such information kept pursuant to this provision shall be part of the employee's Personnel Record File.

(*Ref.:Freedom of Information Act, MCLA 15.231, et seq; MSA 4.1801 (1), et seq Bullard – Plawecki Employee Right to Know Act, MCLA 423.501, et seq; MSA 17.62 (1), et seq Family Education Rights and Privacy Act of 1974, as amended, 20 USCA S 1232*)

G 4150-R Confidentiality Regulation

This regulation is adopted to implement an administrative rule of the Bay City Public School District (hereinafter the "District") to recognize and protect such information, records, and data recognized to be privileged, confidential or nondisclosable as provided by law regarding District business, board members, employees, staff and students. To that end, all employees, volunteers and other acting on behalf of the District and certain non-employees must recognize that because of the nature of their positions or relationships that over the course of employment or business or other dealings with the District, and employee, volunteer, or non-employee having business with the District may have access to, or receive legally protected and/or personal and confidential information concerning the Bay City Public School District, its board members, employees, staff, students, or vendors of the District. In addition, employees, volunteers or other non-employees shall not, whether during the term of employment, business relationship, or other relationship, or thereafter, access, attempt to access, release, or otherwise disclose any item of legally protected, and/or personal or confidential information of the District, its board members, benefit or for the benefit of any third party without the written consent of the District. For purposes of this administrative rule, the term "confidential information" shall mean and refer to, without limitation, the following categories of information:

1. Any information that the District designates as personal, confidential or secret, or of a confidential nature which is required to be maintained as personal, confidential or secret, either by request, assignment or label, or by the very nature of the information (as recognized by the subject or provisions of the Freedom of Information Act).
2. All information protected from disclosure by federal or state law. This includes access to information from the state or federal government that may be privileged or confidential, including, for example, information processed from the Michigan Department of State, including driving records, and vehicle registration information. If an employee is approached to provide information inappropriately, the employee must refuse to divulge the requested information in accordance with applicable District procedures, and may refer the requester to the employer's immediate supervisor.
3. Any and all information pertaining to students, including, but not limited to educational placement, grades, discipline, testing, evaluation, aptitude, medical conditions, family history or economic status (as provided by the Family Educational Rights and Privacy Act).
4. Any confidential information contained in any employee personnel file, general file, or as otherwise technologically or electronically stored. In particular, no information shall be disclosed pertaining to the employee's social security number, discipline received, performance evaluations, or medical status (except as may be required by law).

This administrative rule does not prohibit the District's release or disclosure of employee or student information to third parties as allowed by law. Further, the administrative rule does not prohibit a teacher, consultant, school psychologist, social worker, speech therapist, or other student evaluator or specialist from the authorized release or disclosure of student information to appropriate and necessary third parties for the purposes of student evaluation, placement and/or educational program planning. In addition, this administrative rule is not intended to prohibit the reporting of suspected or established child abuse to necessary and appropriate third parties.

Violation of this administrative rule by an employee may result in disciplinary action up to and including discharge.

Any questions, requests for clarification or other inquiries concerning the administration of this administrative rule shall be directed to the office of the Director of Human Resources or his/her designee. Employees, volunteers or others who have any questions regarding implementation or administration of this administrative rule shall consult with the Superintendent and/or his designee.

ACKNOWLEDGEMENT OF RECEIPT OF ADMINISTRATIVE RULE

I, _____ DO HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THE District Administrative Rule, "Confidentiality Regulation". I have received a copy of such Administrative Rule, date indicated herein, and have had an opportunity to review same.

Date

Employee

H 5055-P Michigan Freedom of Information Act (FOIA) Procedures and Guidelines

Pursuant to Public Act 563 of 2014, the District developed (revised) the Freedom of Information Act Procedures & Guidelines (formerly “Responding to Request for Access to Records – Procedures”), which include a written public summary. This information is available on the District website and via www.bcschools.net/FOIA.

H 5150-R Conduct on School Property

The board adopts the following regulations for the maintenance of public order on real property owned, leased, or otherwise used by the District.

1. No person on school property shall:
 - a. Injure or threaten to injure the person of another.
 - b. Damage the property of another or of the School District.
 - c. Violate any provision of the Penal Law of the State of Michigan or local ordinance relation to the maintenance of public order.
 - d. Conduct himself/herself in such manner as to impede, delay, or otherwise interfere with the orderly conduct of the educational program of the District or any other activity taking place on school property which has been authorized by the Board, Superintendent, building principal, or other authorized School District Administrator.
 - e. Enter upon any portion of school premises at any time for purposes other than those which are lawful and/or authorized by the Board.
 - f. Willfully violate other rules and regulations adopted by the Board and properly publicized, designed to maintain public order on school property.

2. Violators shall be dealt with as follows:
 - a. Students shall be subject to suspension and expulsion pursuant to the provisions of *J 7310-P – Rights with Responsibilities*.
 - b. Tenured faculty shall be subject to appropriate penalties as may be determined.
 - c. Non-tenured faculty shall be subject to appropriate penalties as may be determined.
 - d. Non-faculty employees shall be subject to the appropriate penalties as may be determined.
 - e. Any other person on school property may be requested by the appropriate administrator or the building principal or his or her agent to register at the proper office stating name, address, and purpose or business on school property. Any such person having no legitimate purpose or business on school property or violating or threatening to violate the above rules relating to the maintenance of public order shall be directed to leave the premises forthwith. Should he or she fail or refuse to do so, the city police, state police, or sheriff’s department shall be notified and requested to cause his or her ejection as a loiterer or trespasser as defined in the penal law of the State of Michigan.
 - f. Appropriate penalties as referred to herein shall range from reprimands to prosecution under the statutes mentioned in paragraph 3 below.

3. In addition to any rule, regulation, penalty, or punishment herein mentioned or provided, all persons on school property shall be subject to the provisions of law respecting the maintenance of public order.

4. In any case where violations of this policy and implementing rules and regulations do not cease after reasonable warning and in other cases of willful violation of such directive, the Superintendent or designee will take appropriate action. In addition, the Superintendent or designees may request public law enforcement officials and/or the courts for necessary assistance.

H 5320-P Review of Complaint on Library or Classroom Learning Resources

Any resident or employee of the School District may formally challenge learning resource used in the District's educational program on the basis of appropriateness. This procedure is for the purpose of considering the opinions of those persons in the school and the community who are not directly involved in the selection process.

Preliminary procedures for reconsideration of learning resources shall be as follows:

1. Each school office will keep on hand and make available Request for Reconsideration of a Learning Resources Forms and accompanying Board Policies. All formal challenges to learning resources must be made on these forms.
2. The Request for Reconsideration of a Learning Resource form shall be signed by the questioner(s) and filed with the building principal. (See H 5330-F – Request for Reconsideration of a Learning Resource.)
3. The district –level administrator with primary responsibility for curriculum and instruction shall be informed of the formal complaint received.
4. The request for reconsideration shall be referred to an ad hoc reconsideration committee, at the school level for reevaluation of the resource.
5. The learning resource under reconsideration will be available for review.

The reconsideration committee shall be established by the building principal, who shall serve as the committee chair. If the principal has filed the Request for Reconsideration Learning Resource, a district administrator shall serve as the Committee Chair. Upon receipt of a formal challenge, the principal shall inform all involved staff members and form a committee which shall consist of:

- one member of the District administrative staff chosen by the district-level administrator responsible for curriculum.
- The principal
- One member of the school's library media specialist staff. (A library media specialist from another school will be chosen if a school is without professional media services.)
- Two members of the faculty.
- One student (if secondary) chosen by the representative student government.
- One parent chosen by the school parent advisory group and the administration.
- The complainant or a representative of a group of the complainant represents may sit on the committee as a non-voting member.

The principal Committee Chair shall notify committee members so that they may prepare, and shall supply; them with the materials in question, a copy of the selection and complaint policies, and reviews of the learning resources, if possible.

The reconsideration committee shall meet within ten working days after the formal complaint is received.

The reconsideration committee may choose to consult with District support staff and/or community persons with related professional knowledge.

The challenges learning resources shall be judged by the ad hoc reevaluation committee on whether it conforms to the principles of selection outlined in the School District's selection policy. Resolution of the challenge shall follow these procedures, requiring the ad hoc reconsideration committee to:

1. Examine the challenged learning resource.

2. Determine professional acceptance by reading critical reviews of the resource.
3. Weight values and faults and form opinions based on the resource as a whole, rather than on passages or selections taken out of context.
4. Discuss the challenged resource in the context of the educational program.
5. Discuss the challenged resource with the questioner(s) when appropriate.
6. Make a decision (which shall be reached by a simple majority vote.)
7. Prepare a written report on the committee's work and decision.

The report shall be compiled by the reconsideration committee chair, and be discussed with the questioner(s). The written report shall retained by the building principal, with a copy forwarded to the District administration, Board members, and a copy provided the individual requesting the reconsideration of the resource. A copy will also be kept on file with the school library media specialist staff, should the challenged resource belong to the library media center collection.

The reconsideration committee's decision shall be given to the building or district-level administrator, who will see that implementation, takes place. Should a Reconsideration Committee decided that a learning resource should be removed and the resource is part of other building collections. The decision for full district removal will be made by a district-wide committee convened by the district level administrator.

An appeal of the reconsideration committee's decision may be made within ten working days through the Superintendent to the Board as a final review panel. Otherwise, the committee's decision is binding.

Files will be kept on all challenges to learning resources. (*See also I 6310-G – Library materials and Other Learning Resources Selection and Adoption; I 6320 – Special Interest Material; I 6300 – Library Media Centers; I 6300 – Statement of Intellectual Freedom; H 5330 – Request for Reconsideration of a Learning Resource.*)

H 5375-G Requests from Booster Clubs and Other Outside Groups For Approval and/or Assistance with Specific Projects – Guidelines

The administration has established the following guidelines to be used by booster clubs and other outside groups requesting assistance:

1. The group in question should present their proposal, concern or request in writing, to the appropriate building administrator. The proposal should be specific and identify the need and rationale for any recommended project or change, and it must include details of any costs or requested assistance from the District.
2. Any group interested in the District's financial assistance must apply in writing through their appropriate building administrator by November 1st.
3. The building administrator should study the proposal or concern and evaluate its practicality and benefit to the school.
4. The building administrator should contact the appropriate central office administrator to discuss the proposal.
5. The building administrator and the appropriate central office administrator should respond to the group's proposal in writing.
6. If the request is deemed to be feasible and appropriate, the building administrator and central office administrator should present the request to the Superintendent.
7. If the Superintendent agrees that the request appears to be practical and appropriate, he/she will then present the specific request, along with any others submitted, to a review committee established by the Superintendent or his/her designee to study, evaluate and prioritize all such project proposals.
8. The review committee will then recommend to the Superintendent any projects which the committee deems worthy of further consideration.

9. The Superintendent would then submit to the Board any beneficial and acceptable proposals for consideration at a regular Board meeting.

I 6052-G Curriculum Development Guidelines

Curriculum development is to be pursued within these guidelines:

1. The curriculum shall comply with requirements of the School Code of Michigan.
2. Curriculum development is the responsibility of the professional staff. However, in mist circumstances, community involvement in determining the basic purposes and evaluating the impact of curricula should be a standard procedure.
3. Curriculum development activities are to utilize the technical assistance necessary for the up-to-date, valid study and development of curricula.
4. In order to effectively and efficiently use District resources for the development of curricula, requests and/or proposals for the study and addition/revision of curriculum will be evaluated in accordance with specified administrative practices. Such practices will be reviewed annually by the K-12 Instructional Council and the Assistant Superintendent for Quality School Improvement.
5. Curriculum development in the District is based on these assumptions:
 - a. A school District philosophy are District goals and objectives for the respective content/program areas are to be developed and continuously updated to provide a basis for all curriculum development.
 - b. The District's curriculum development process should be flexible enough to allow for buildings, departments, or other functional groups to adjust to needs and/or desires of the population they serve as long as District goals and objectives remain the basis of their program.
 - c. In many cases, curriculum development will occur on a district-wide basis because the needs to be addressed are similar throughout the District.
 - d. Individual buildings, departments, or other functional units should be allowed to deviate from adopted District programs providing they furnish to the Assistant Superintendent:
 - i. A request for "Approved Variation" which contains a rationale and/or evidence supporting the advisability or potential benefit to deviating from adopted program(s).
 - ii. An alternate program proposal which defines its purpose, supports its selection of alternate program(s), and establishes a clear relationship between it and goals and objectives of the District.
6. It is important to encourage different approaches to improving the education of the District's students, particularly in areas where present practices are not having the desired results.
7. All curriculum development activities should involve, either directly or through representation, the staff which will be responsible for implementing the curriculum.

**I 6072-G Curriculum Guides and Course
Outlines Development Guidelines**

1. **Development of Guides:** (Done within procedures outlined by the Assistant Superintendent for Quality School Improvement.) It is assumed that:
 - a. Curriculum guides are best developed by the staff and teachers who are used to them .
 - b. Where entire staff participation is not feasible, a system of representatives of staff and/or departments concerned shall form system wide committees for study, creation, and revision of any particular guide.
 - c. When work is completed on a guide, it shall be reviewed by the K-12 Instructional Council. The Council may accept, suggest revisions, or reject it. When a guide is approved, it shall be presented for adoption to the Board by the Assistant Superintendent for Quality School Improvement.

2. **Use of Guides**
 - a. Curriculum guides are to serve as a framework from which teachers will develop units of study, individual lesson plans, and approaches to instruction which will serve the pupil's particular needs at a particular time. The guides shall be used to map the logical sequences of instruction.
 - b. Guides should provide sufficient latitude for the teacher to teach to the current, topical, and incidental events which add to motivation and meaningful teaching and learning.
 - c. The principals, department heads, chairmen, and coordinators shall see that optimum use is made of available curriculum guides.

**I 6167-G Student Organizations
Guidelines**

Any group of students may form an organization or club provided it conforms with Board policy. This group must have the approval of the Student Council and the building principal.

Before a group becomes an organization, it must develop a constitution and a set of by-laws. The constitution must state the basic principles and general structure of the organization. The club by-laws shall list the rules by which the organization will operate.

Sample constitution outline:

1. Name of the Organization
2. Purpose of the organization
 - a. General statement of purpose
 - b. How the purpose is to be achieved
3. Membership requirements
 - a. Qualifications for membership
 - b. How members are selected
 - c. Membership dues (if any)
4. Officers in the organization
 - a. Titles and descriptions of duties
 - b. Length of term in office
 - c. How officers are elected
5. Committees
 - a. Names and duties of standing committees
 - b. Procedure for creating special committees
 - c. How committees members and chairmen are chosen
6. Meetings
 - a. When regular meetings are held

- b. How special meetings are called
 - c. Selection of an authoritative book on parliamentary procedure
 - d. Special rules governing meetings
7. Amendments
- a. How the constitution and bylaws are amended
 - b. The vote required to adopt the amendments

After the constitution has been approved by the Student Council and administration, an account will be opened for the club in accordance with procedures established by the Office of Finance and Accounting.

I 6220-R Interscholastic and Intramural Activities
Administrative Rules

BAY CITY PUBLIC SCHOOLS
ATHLETIC CODE OF CONDUCT

A student participation in school athletic programs is a privilege and not a right. Our student athletes (“students”) represent not only themselves, but the school, school district, and the surrounding community. Therefore, these students are held to a higher standard than the general student body and are required to follow certain rules. A student that violates these rules is subject to the penalties outlined herein.

The following rules remain in effect during the entire school year beginning with the first M.H.S.A.A. scheduled practice in August. They will be in effect until the last day of school, the conclusion of out spring seasons, or spring sport award programs, whichever is last.

A copy of this Athletic Code shall be given to each student. The student and his/her parents(s) or legal guardian are required to sign and return to the school a copy of the attached form acknowledging that they have read and agree to abide by the provisions of this athletic Code.

Rules

1. Students are required to follow the laws of the State of Michigan, and shall refrain from involvement in activities of a criminal nature, in or out of school.
2. Students are required to follow the guidelines outlined in the Student Handbook, including Board approved Student Code of Conduct.
3. Students are required to follow all of the rules issued by his/her coach.
4. Students are required to refrain from the sale, use or possession of alcoholic beverages, tobacco products, and illegal controlled substances.
5. An athlete is expected to attend at least a half day of school in order to participate on any day when a practice or contest is scheduled. Exceptions to this rule must be approved by the athletic director or principal.

Self-Disclosure of violations

A student is required to voluntarily disclose all of his/her violations of any of the rules listed above which occurred after the date the student and his/her parent(s) or legal guardian signed the form acknowledging that they have read and agree to abide by the provisions of the athletic code. Students must report any violations of criminal law.

Investigation for violation of Rules

Before disciplinary action is taken, the athletic director shall review all of the evidence connected with the alleged activity or conduct. The student and parent or legal guardian shall be given notice advising of the nature of the alleged violation of the Athletic code, of the intended punishment and an explanation of the nature of the charge, and shall be given an opportunity to

respond and present information in response. The Athletic Director shall promptly schedule a meeting with the student, parent or legal guardian if requested.

Disciplinary Action

Upon completion of the school's investigation, the principal shall determine, within his/her discretion, whether a preponderance of the evidence indicates that the criminal activity or conduct occurred and whether disciplinary action should be taken. The school may take prompt disciplinary action. The district does not have to await prosecution by the criminal justice system before taking disciplinary action.

Disciplinary Action for violation of Rules 1, 2, or 3

The school may impose any of the following disciplinary actions:

1. Suspension for a specified number of contest dates; or
2. Suspension for the remainder of a sport season.
3. Permanent exclusion from the sports program.

The extent of discipline shall be commensurate with the violation involved.

Felony is defined as any criminal offense that carries a maximum possible penalty of more than one year of incarceration.

Misdemeanor is defined as any criminal offense that carries a maximum possible penalty of one year of incarceration or less.

Criminal offenses are defined based upon a person being charged as an adult. However, these definitions shall apply regardless of the age of the student athlete.

The guidelines for penalties for a violation of criminal activity shall be as follows for a "first" VIOLATION committed during the season:

1. A misdemeanor involving a non-violent, non-assaultive offense; suspension as generally provided for Rule 4 offenses (see below)
2. A misdemeanor involving violent or assaultive conduct; twice the penalties provided for Rule 4 offenses (2.3 of season).
3. Commission of a felony shall result in removal from the sports program for a minimum of one calendar year.
4. Violations of criminal activity, committed out of season, but during the school year, shall result in disciplinary action of ½ of the scheduled discipline.
5. Other misconduct, as generally defined in The Student Code of Conduct, may result in suspension or removal from the sports program as may be determined from the circumstances.

Disciplinary Action for Violation of Rule 4 "In Season"

The school shall suspend the student for one-third of the scheduled contest dates in the sport season he/she is currently participating in. If there are not enough contests remaining in that particular sport season to equal one-third, then the student is suspended during the next sport season he/she participates in, regardless of the nature of the sport the student is participating in. This suspension over two sport seasons represents one third of any one sport season.

Disciplinary Action for Violation of Rule 4 "Out of Season"

The school shall impose the following disciplinary action:

1. The school shall suspend the student for one-sixth of the next sport season in which he/she participates;
2. The school shall assign the student twenty hours of community service; and
3. The student is required to take a drug/alcohol class that is a minimum of three hours.

If a community service assignment and drug/alcohol class are not available, the school shall suspend the student for one-third of the next sport season he/she participates in.

In the event of a “second” offense, or repeated violations of these rule, the penalties may be increase up to and including permanent exclusion from sports programs with the Bay City Public Schools.

Appeal Process (can be used at any level of discipline.)

The student, and/or his/her parent(s) or legal guardian, may appeal a decision of the principal by following the following procedures:

1. Within three (3) days the student and/or his/her parent(s) or legal guardian may submit a request for an appeal of the principal’s decision to a panel consisting of two Central Office Administrators. . The panel will review the matter, render a decision, and send a copy of the written decision to the student’s parent(s) or legal guardian.
2. If the panel denies the appeal, the student and/or his/her parent(s) or legal guardian may send to the school superintendent, within three (3) days, a written request for an appeal of the panel’s decision. The superintendent will review the matter, render a decision, and send a copy of the written decision to the student’s parent(s) or legal guardian.
3. If the appeal is denied by the school superintendent and the student and/or his/her parent(s) or legal guardian wish further appeal, they must , within three (3) days, request, in writing, directed to the superintendent or secretary of the Board of Education a meeting with the Board of Education. The Board of Education shall make a final decision and send a copy of the written decision to the student, parent(s) or legal guardian.

Definitions

1. **Activities of a criminal nature** include activities of conduct which, if proven, could result in a felony or misdemeanor conviction under the laws of the State of Michigan or the Cod of Ordinances of a municipality located within the Bay City Public School District.
2. **In Season** means when the student is participating in a current sport season.
3. **Out of Season** means when the student is participating in a current sport season during the school year.
4. **Middle School** – Middle school students participating in and involved in interscholastic sports must have a Physical and must follow Athletic Code of Conduct rules
5. **High School** – High school student participating in activities receiving athletic funding must have a Physical and must follow Athletic Code of conduct rules.

I 6257-G Independent Study Guidelines

The purpose of the independent study program is to provide additional meaningful, individual educational experiences for students in which they have optimal involvement in initiating, planning, and evaluation. Independent study may vary in length of time from study projects of several weeks within a given course to programs for a semester or year-long duration. These experiences will make available content and/or materials and personnel resources not available or practical in regular classroom study. Although guidance, contractual procedures, and assessment will be under the leadership of professional personnel at the school, independence study may take the student into the greater school community for experiences under the co-sponsorship of people in other professions, business, government, or industry. The range of opportunities for independent study and eligibility is established by the professional staff of the school and the students and thoroughly discussed with students to insure their awareness of such programs.

Development of a Program

As staff allocation and other factors permit, independent study programs are developed for senior high school students. The following guidelines are implemented when an independent study program is established:

1. The program is established as part of, in lieu of, or in addition to regular courses and may vary in time from several weeks to a semester or a full school year.
2. The program normally will be for credit when completed as part of the work or in lieu of work for a credit-bearing course.
3. A faculty sponsor-advisor to whom each participating student reports on a regular basis must be assigned. Members of the community may serve as co-sponsor/advisors with members of the professional staff.
4. The program may permit the student to do all or part of the project outside the school building.

Principal's Responsibilities

The principal is responsible for developing, in cooperation with the staff and students, procedures for achieving the following through designated faculty members:

1. Screening, approving, and evaluating the programs and individual projects.
2. Assuring that the program is available to all qualified and interested students within the order of their requests and within the limits of staffing and funding.
3. Approving/disapproving applications from students interested in participating in the program.
4. Approving/disapproving a request to do all or part of a study project outside the school building. In those instances when approval is granted for a student to participate in a project outside the school building, application to participate in an activity away from school must be completed.
5. Informing all students and staff of the possibility of an independent program as part of the students' school experiences.
6. Securing written authorization from the parent or guardian for the student to participate in independent study activities away from school. Without parent or guardian approval, or having achieved age 18, the student will be ineligible for participation in an out-of-school program.

The principal is also responsible for involving the community, as appropriate, and making use of community resources; developing specific procedures for recording the attendance of students participating in the program to insure that they are marked "present" for the period of approved independent study; and forwarding a copy of the school procedures to the Assistant Superintendent for Quality School Improvement.

I 6310-G Library Materials and Other Learning Resources Selection and Adoption

The primary objective of learning resources is to support, enrich, and help to implement the educational program of the School District through the interaction of professional personnel and the members of the school community. It is the duty of the professional staff to provide students with a wide range of items at varying levels of difficulty with diversity of appeal, and the presentation of different points of view.

All resources selected shall be consistent with stated principles of selection and shall meet stated specific selection criteria. To this end, the Board of Education affirms that it is the responsibility of its professional staff to:

1. Provide resources that will enrich and support the curriculum, taking into consideration the varied interests, abilities, learning styles, and maturity levels of the student served.
2. Provide resources that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and societal standards.
3. Provide resources on various sides of controversial issues so that students may have an opportunity to develop under guidance the practice of critical analysis and to make informed judgments in their daily lives.
4. Provide resources which are designed to give a background of information which will motivate students and staff to examine their own attitudes and behavior and which will help them to comprehend their duties, responsibilities, rights, and privileges as participating citizens in society.
5. Provide resources representative of the many cultural, ethnic, and religious groups and their contributions to our local, national, and global heritage.
6. Support the principals of intellectual freedom and insure that the basic rights of each student are upheld.
7. Place principle above personal opinion and reason above prejudice in the selection of resources of the highest quality in order to assure a comprehensive balanced collection appropriate to the school community.

The Board is legally responsible for the selection of learning resources and delegates the responsibility to the professional staff, and declares that the selections made shall be held to have been made by the Board. While selection of learning resources involves many people (teachers, administrators, library media specialists, students, community persons) the responsibility for coordinating the selection of resources and making the recommendation for purchases rests with the building principal and professional personnel.

The following criteria for the selection of learning resources will be used as they apply:

1. Learning resources shall be chosen to enrich and support the curriculum and the personal needs of the users.
2. Learning resources shall meet high standards of quality. Factors influencing selection may include:
 - Overall purpose,
 - Timeliness or permanence,
 - Importance of subject matter,
 - Quality of the writing/production,
 - Significance to the existing collection,
 - Importance and intent of the author/producer,
 - Presentation,
 - Physical quality, format, and price,
 - Educational significance,

- Readability,
 - Authenticity,
 - Artistic quality and/or literary style,
 - Factual content, and
 - Degree of specialization and technicality.
3. Learning resources shall be appropriate for the subject area and for the age, emotional development, ability level, learning styles, and social development of the students for whom the resources are selected.
 4. Learning resources shall clarify historical and contemporary forces by presenting and analyzing inter-group tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems.
 5. The selection of learning resources on controversial issues will be directed towards maintaining a balanced collection representing various views.
 6. The fact of sexual incidence or profanity appearing in a learning resource will not automatically disqualify it. Rather, the decision will be made on the basis of whether the learning resource presents life in its true proportions, whether circumstances are realistically dealt with, and whether the learning resource is of literary or social merit. Factual material of an educational nature on the level of the student or for teacher use will be included in the collection.
 7. Magazine subscriptions are reviewed annually. Periodicals are purchased because of their overall reputation and are not ejected because of an occasional article which may be offensive. The annual reviews makes it possible to remove those periodicals which undergo a radical change of editorial policy not in keeping with the needs of the school.
 8. Gifts of resources will be accepted when they meet the same standards as original purchases, require no special conditions, and may be disposed of when warranted.
- (See H 5160- Gifts to the Schools.)**

In selecting learning resources, professional personnel will evaluate available items and curriculum needs and will consult reputable, professionally prepared aids to selection and other appropriate sources.

Whenever possible, the actual resource (book, periodical, CD, tape, ect.) will be examined.

Selection is an ongoing process which will include the removal of resources no longer appropriate and the replacement of lost and worn materials still of educational use.

Lost, damaged, or worn resources are not automatically replaced. The decision to replace resources is based on the availability of duplicates, the number of other resources on the same subject, the availability of more recent or better resources, and the continued demand for the resources in question.

The student or staff member is responsible for the resources borrowed. All resources should be returned on time and in good condition. The District is to be compensated for all lost or damaged resources.

(See also I 6320 – Special Interest Material; I 6300 – Library Media Centers; I 6300 – Statement of Intellectual Freedom; H 5320 – Review of Complaint on Library or Classroom Learning Resources – Procedure.)

I 6355 – R Field Trips and Excursions Rules and Regulations

Basic Regulations Governing Field Trips and Excursions

1. “Local” field trips shall be considered any within a 50-mile radius to include the thirteen county area of Iosco, Gladwin, Isabella, Genesee, Lapeer, Tuscola, Huron,

- Arenac, Bay, Midland, Gratiot, Saginaw, and Shiawassee counties. “Local” field trips may be taken with the approval of the principal providing all regulations are met.
2. Requests for buses for field trips must be made on regular forms at least two weeks prior to the time the buses are needed. It should be noted that greatest availability of buses is between the hours of 9:30 a.m. and 1:30 p.m.
 3. The above limits do not apply to local trips not requiring school bus transportation. Visits to local resources should be encouraged, particularly in the primary grades.
 4. Pupils may walk, be transported by private cars, or commercial transportation. When private vehicles are used, the driver shall be informed that in case of an accident their own insurance company is liable. Drivers should be carefully selected and only cars carrying SUFFICIENT medical and liability insurance shall be used.
 5. A signed parental or guardian permission slip must be filed with the teacher to permit any pupil to take a field trip with his/her class. Permission must be obtained for each trip and not as a “blanket” coverage for the year.
 6. For extended in-state field trips beyond the area described for “local” field trips above, a written request must be submitted by the principal, indicating all details, to the Superintendent or designated representative, for approval.
 7. Field experiences requiring overnight arrangements or travel to another state for foreign country require prior approval of the Superintendent or delegated representative if they are to be considered as school-sponsored activities.
 8. Non-school Sponsored Trips – Inasmuch as faculty members, as individuals, do conduct extended educational trips and camps involving the participation of Bay City students, the School District states the following position:
The school does not regulate the activities of faculty and students during non school time. The District will, therefore, neither sanction, prohibit, nor assume any responsibility for such activities. Precautions must be taken to avoid assumption that such trips are related or school sponsored.
 9. All students must follow the rules of conduct established by Board policy or administrative regulations. Rules concerning the use of tobacco, drugs, alcohol or other dangerous substances will be strictly enforced in accordance with J 7310-P – Student Rights With Responsibility.
 10. Teachers should remember that the same degree of liability extends to teachers on trips as at school. The consent of parents, though necessary, does not absolve the teacher of liability in case of negligence.

General Procedures and Expectations

1. Students going on field trips should be counted as present and permitted to make up any regular school work that has been missed.
2. Proper procedures are to be followed and deadlines observed in requesting school transportation services.
3. Payment for trips are to be coordinated through building procedures approved by the principal.
4. Adequate travel time must be allowed for the field trip. The driver must return in time to make regularly scheduled runs.
5. The route of travel should be left to the discretion of the driver. If principals or teachers have a preferred route, the preference should be mutually agreed upon at the beginning of the trip.
6. Pupils on field trips should obey all rules listed for pupils on regular runs.
7. Appropriate levels of supervision will be provided through use of teachers, parents, and volunteers as chaperones.
8. Children will not be permitted to leave the field trip group during the trip unless prior written arrangements are made by parents and approved by the Superintendent or designee.
9. If children return to the school from a trip after school hours, the teachers and the principal should make provisions for their safe departure home, taking into account the age of the students and the hour. Parents shall be advised.

Responsibilities of the Teacher

1. The teacher is responsible for determining which field trips are beneficial and have educational value for their pupils.
2. The teacher is responsible for submitting a general plan to the principal for reviewing and approval.
3. Upon approval of the trip, the teacher is responsible for notifying parents in writing of the plans and obtaining signed parent permission slips. Notification to parents should include the following information: purpose and destination of trip, transportation arrangements, and date and time of departure and estimated time of return and a detailed itinerary when a field trip will extend beyond the school day.
4. The teacher is responsible for providing parents with additional information such as: chaperone arrangements, appropriate clothing, overnight accommodations, and a detailed itinerary when a field trip will extend beyond the school day,
5. The teacher is responsible for immediately notifying the principal or designee by telephone in the event of an emergency situation.
6. The teacher is responsible for notifying the principal or designee of any situation that will cause a change in plans.
7. The teacher shall review acceptable standards of conduct with students in advance of the trip. Children who cannot be self-controlled or teacher-controlled may be excluded from the field trips. The teacher planning the trip will be responsible for arranging an appropriate educational experience and supervision for students who do not participate in the field trip.
8. The teacher is responsible for having an accurate written list of names of all persons to be transported. A copy shall be provided to the building administrator.
9. The teacher is responsible for department and discipline of the pupils for the duration of the trip.
10. The teacher is responsible for notifying the school principal or designee before returning if a pupil is missing.
11. Teachers are responsible for informing accompanying adults of their duties and responsibilities.
12. If children return to the school from a trip after school hours, the teachers shall make provisions for their safe departure home, taking into account the age of the students and the hour.

Responsibilities of the Principal

1. The principal is responsible for reviewing and approving plans with the faculty members involved to determine the educational value of the trip to the participants as well as ascertaining that all possible precautions to provide for the health and welfare of all the individuals concerned have been met, and that sufficient supervision is provided.
2. The principal is responsible for making arrangements with the Director of Transportation for all transportation plans. Private vehicles may be used when other transportation is either too expensive or not available. Minimal insurance coverage is required and such vehicles shall not be operated by a student. (*See also: E 3200 – Private Vehicles for Academic Field Trips.*)
3. In the event of an emergency, the principal will notify the Superintendent or designee.
4. The principal is responsible for approving and handling all financial arrangements for field trips and excursions.

Frequently Asked Questions and Answers

1. May parents take children to field trip destination?
Yes, written notification to teacher 24 hours before trip.
2. May parents take children home from trip?

- Yes, written notification to teacher 24 hours before trip.
3. May parents take other children to and from field trip?
No.
 4. May parents ride with other parents and take both children?
Yes, written notification to teacher 24 hours before trip.
 5. May parents take siblings?
Yes, but MUST have a field trip form filled out on the sibling.
 6. Can parents go to destination night before with their children?
Yes, but written documentation to teacher for transportation purposes is necessary.
 7. If parents take siblings, may school require them to take a second adult?
If child requires "special care or attention," they will not be able to supervise the field trip. Therefore, they would not be a suitable chaperone for trip. (There can be no additional adults for budget to pay for...)
 8. Does the school have written policies?
Yes. (See 16350 – Field Trips and Excursions and I 6355-R Field Trips and excursions Rules and Regulations.)
 9. May individual buildings have different policies?
No. All schools are treated equally.
 10. Who is ultimately responsible for answering these kinds of questions?
The Board Policy Manual and the building administrator.
 11. Can anything be done to deal with these questions year after year?
Follow the Board policies on transportation and field trips.
 12. What information should a teacher take on the field trip?
 - a. Signed field trip forms (district).
 - b. Classroom roster with phone numbers and addresses.
 - c. Anything written documentations from parents (pick up notices.)

I-6385-P Grading and Reporting Systems (Student Evaluation)

Report cards will be distributed as follows:

Elementary	Three reports and three mid-markings
Middle School	Three report cards, three mid-term progress reports
High School	Three report cards, three mid-term progress reports

I 6390-R Grading and Reporting System Procedures

Purpose for Grading/Reporting

1. To communicate clearly to a student the skill and achievement levels attained.
2. To contribute to the maintenance of progress in achievement, growth, and development of students.
3. To influence a student's success through development of:
 - a. Positive attitude.
 - b. Effective interpersonal relationships.
 - c. A positive self-image and feeling of worth.
 - d. Efficient and productive work habits.
 - e. Self- confidence and self-motivation.
4. To communicate clearly student achievement to parents; to help parents understand the child's level of achievement, areas of deficiency, and the attitudes and behaviors exhibited in the learning environment.
5. To communicate student achievement to other teachers in terms of objectives attained and objectives not attained.
6. To provide a permanent record to use in communicating with:

- a. The graduate.
- b. Colleges and other post high school instructions.
- c. Potential employers.

Grading and Reporting procedures for Elementary School Students

Parents of students in Grades K-5 will receive a report card from school three times each year after the 12th week, the 24th week, and the 36th week. Mid-marking reports will be distributed to parent/guardian three times each year after the 6th week, the 18th week and the 30th week. Indicators will be used in Grades K, 1, 2 and 3 while traditional letter grades will represent academic performance in Grades 4 and 5. Student behaviors, motivation, and attitudes are to be reported through comments on the reports.

Coded comments for attitude, behavior, and motivation will include:

1. Meets Standards
2. Progressing
3. Needs assistance

Academic grading will be based on the student's measured achievement in that subject area.

The use of the symbol “*” will indicate individual accommodation in conjunction with indicators and/or academic grades in Kindergarten – 5. The symbol “*” may be used only when the student is achieving below grade level expectations, significant accommodations have been made to insure the student's success in the class, and appropriate documentation is on file.

Grading and Reporting Procedures for Middle Schools Students

1. Grades will reflect academic achievement only.
 2. Coded comments on the report cards will provide significant information regarding citizenship, motivation, behavior, and attitude of the student in each class. Behavior/citizenship will be reported for each class.
 3. For each term, the student and his parent will receive a mid-term progress report and a report card at the end of each trimester from the school. Traditional letter grades will be used to indicate achievement in each course.
 4. The use of the symbol “*” and the coded explanation, “Objectives have been altered for this subject,” in conjunction with academic grades in Grades 6-8 may be used only when the student is achieving below grade level expectations, significant accommodations have been made to insure the student's success in the class, and appropriate documentation is on file.
- 1) A grade point average will be calculated and reported for each marking period. The scale for assigning a numeric value to academic grades in the calculation of the GPA will be as follows:

A (4.0)	EXCELLENT ACHIEVEMENT (Course objectives achieved at a superior level.)	at
A- (3.7)		
B+ (3.3)		
B (3.0)	GOOD ACHIEVEMENT (Course objectives achieved at a highly satisfactory level.)	
B- (2.7)		
C+ (2.3)		
C (2.0)	ACCEPTABLE ACHIEVEMENT (Course objectives achieved.)	

C- (1.7)

D+ (1.3)

D (1.0) BELOW EXPECTATIONS (Course objectives met only at a minimal level.)

D- (0.7)

E (0.0) FAILURE (Course objectives not achieved.)

I (0.0) INCOMPLETE (Expectations for course not yet met.)

- 2) Coded comments on the report card will provide added information to parents. Comments available on the card will include:
 1. Contact teachers or counselor.
 2. Uses time well; good study habits.
 3. Is courteous and cooperative.
 4. Shows improvement.
 5. Subject is difficult for student.
 6. Capable of doing better work.
 7. Absences and tardiness affecting school work.
 8. Incomplete or missing assignments affecting grades.
 9. Inattentive; wastes time.
 10. Learning limited by poor attitude/inappropriate behavior.
- 3) One final academic grade will be recorded and reported at the end of each course. The final grade is not intended to be an average of the marking period grades: rather it is to indicate the degree to which the objective of the course have been met.
- 4) Academic Honor Rolls and Growth Honor Rolls will be prepared and published for each semester. Guidelines for recognition on these honor rolls will be the same for the Middle School students as for the High School students.
- 5) Non-attendance and tardiness will be recorded and reported as follows:
 - a. The number of hours absent is to be reported for each marking period. This number is to exclude any school-authorized absences.
 - b. The total number of hours missed each year and the total number of times tardy each year are to be recorded on the students' permanent record.

Grading and Reporting for High School Students

1. Assigning Grades in a Course

- A. For each term, the student and his parent will receive a mid-term progress report and a report card at the end of each trimester from the school. Traditional letter grades will be used to indicate achievement in each course. While these letter grades will represent only academic performance, other areas, such as behaviors, motivation, and attitudes, are to be reported through comments on the report card. Letter grades may be affected when a student does not make up his/her work following an absence.

The course grading process begins with the teacher's establishing expectations, criteria, and a grading scale for a given class and communicating these to students. Each student then performs work toward meeting the objectives of the course. The

teacher evaluates the student's work and, using his/her grading scale, assigns a letter grade at the end of each marking period and for the final exam.

- B. Coded comments on the report cards will provide significant information regarding citizenship, motivation, behavior, and attitude of the student in each class. These comments will include but are not limited to:

Comment Codes

Positive Comments		Area of Concern Comments	
G	<i>Users time effectively; good study habits</i>	1	<i>Contact teacher</i>
H	Is courteous and cooperative	2	Capable of better work
I	Shows improvement	3	Absences and tardiness affecting school work
J	Pleasure to have in class	4	Incomplete, missing, or late assignments affecting grade
K	Demonstrates positive leadership	5	Inattentive, wastes time
L	Completes assignments	6	Learning limited by poor attitude
M	Doing satisfactory work	7	Disturbs class/inappropriate behavior
N	Follows directions	8	Low test/quiz scores
O	Good test scores	9	Subject is difficult for student
P	Puts for good effort	10	Not meeting course expectations
Q	Works well in groups toward completion of tasks	11	Needs to improve participation
R	Demonstrates creativity	12	Needs to follow directions/examples/demos
S	Self-directed learner	13	Prerequisite skills weak or lacking
T	Journal/notebook/sketchbook meets criteria	14	Does not make up missed tests/quizzes
U	*Objectives for student have been altered (neutral comment)	15	Does not come prepared for class
PC	Personal Curriculum	16	Inadequate journal/notebook/sketch book
		17	Number of non-dress days affecting grade
		18	Scheduled make-up days not completed
		19	Safety equipment not worn in class
		20	Needs to notify employer when absent

2. Determining a Student's Final Term Grade

- A. The assignment of a final grade in a given course is based solely and exclusively on the accumulative grades a student earns in a term and the final examination.
- B. The final grade is composed of two parts as follows: the accumulative grade from a term, which counts for 80% of the final term grade, and the final exam which counts for 20% of the final the term grade. For calculation purposes, the percentage of points earned will be used for the final term grade and the final exam grade. In order to pass a term course, a student must pass a combinations of the class grade and the final exam to achieve an overall grade of D- or higher. Exception: for final term seniors who choose to be exempted from the final examination.

- C. The use of the symbol “*” and the coded explanation “Objectives have been altered for this subject,” in conjunction with academic grades may be used only when the student is achieving below grade level expectations and significant accommodations have been made to insure the student’s success in the class and appropriate documentation is on file.
- D. Final examinations are to be given to all students in all courses, with the following exemption. Seniors may earn the opportunity to exempt themselves from the final exam in their final two terms if they meet all of the following criteria: 1.) they have no more than three excused and no unexcused absences in the class (school-related absences do not count.) 2.) they have at least a B average in the class (for the twelve weeks in the term) 3.) they have no suspensions or detentions. Eligibility for this exemption will be determined prior to the scheduled exams in the term. All final examinations are to be weighted as one-fifth of the term grade earned by the student for the course, with the following exceptions: If the student is exempted from the final examination, the term grade will be weighted as one-fifth of the final grade.
- E. Plus and minus grades will be used in all courses by all teachers except in courses approved for Pass/Fail grading. The plus/minus exceptions: there is no E-, E+, nor A+.
- F. Since Parent awareness is critical to the effectiveness of the mutual responsibility of the school and the parent for the success of the student, it is extremely important that parents receive each of the progress reports. Therefore, provision will be made for the parent to personally pick up the report or for the report to be mailed to the parent if they don’t have access to electronic reports through Skyward.
- G. Generally, a student will be allowed two days for every day of absence, up to two weeks, to complete the work missed. This may extended by a teacher in extenuating circumstances. Incomplete grades that appear on a report card must be made up and corrected within 10 calendar days from the beginning of the next following trimester. At the end of the 10-day period, the teacher must enter a grade. A request by the student regarding extenuating circumstances may be approved by the principal. It is the student’s responsibility to see that work is completed and the teacher’s responsibility to see that an “I” on the card is replaced by the appropriate mark. Scheduling changes shall be based on need.
- H. Any student who has not satisfactorily met the objectives in any term long course in a Bay City Public School (that is, has received a term grade of C+ and below) may re-enroll in a Bay City Public Schools and repeat the identical term course in order to master the skills and knowledge identified in the objectives. Whenever a course is repeated under this guideline in a Bay City Public School, the better grade will be recorded; the previous grade, credit, and honor points will be deleted from the transcript and only the better grade will be included in the calculation of credits and Grade Point Average.

3. Calculating GPA/Cumulative Standing

Once final course grades are posted by each teacher, a cumulative grade point average will be calculated and reported. The following Table will be used to assign a numeric value to term letter grades as earned by the student.

Table 1
Advanced Placement Scale
(For computing GPA)

A (5.0)	Excellent Achievement (Course Objectives achieved at a superior level.)
A- (4.7)	
B+ (4.3)	
B (4.0)	Good Achievement (Course objectives achieved at a highly Satisfactory Level.)
B- (3.7)	
C+ (2.3)	
C (2.0)	Acceptable Achievement (Course objectives achieved.)
C- (1.7)	
D+ (1.3)	Below Expectations (Course objectives met only a minimal Level.)
D (1.0)	
D- (0.70)	

Table 2
Standard Scale
(For computing GPA)

A (4.0)	Excellent Achievement (Course objectives achieved at a superior level.)
A- (3.7)	
B+ (3.3)	
B (3.0)	Good Achievement (Course objectives achieved at a highly satisfactory Level.)
B- (2.7)	
C+ (2.3)	
C (2.0)	Acceptable Achievement (Course objectives achieved.)
C- (1.7)	
D+ (1.3)	
D (1.0)	Below Expectations (Course objectives met only at a minimal level.)
D- (0.7)	
E (0.0)	Failure (Course objectives not achieved.)
CR (0.0)	Credit (Course objectives satisfactorily achieved.)
NC (0.0)	No credit (Course objectives not achieved.)
I (0.0)	Incomplete (Expectations for course not yet met.)
W (0.0)	Withdrawn (Enrollment from course withdrawn from course prior to Completion.)
Pass/Fail	(Not included in GPA calculations.)

4. Bay City Public Schools Requirements for Opting Out of Course

According to Section 380.1279b and 380.1279e of the Michigan School Code, a student who is not enrolled in a course may choose to opt out of the class by demonstrating a reasonable level of mastery of the subject matter. The Bay City Board of Education hereby establishes the following requirements:

- A. Student must have completed Grade 8 (Section 380.1279b, School Code.)
 - B. Teachers must provide assessment tool which is the final exam (Section 380.1270b, School Code.)
 - C. Pass/Fail grade will be assigned based on attaining at least a C+ on the final exam (Section 390.1279b, School Code).
 - D. Credit towards graduation will be earned and prerequisites waived. Passing of the "Opt-Out" exams with a C+ or better grade means that credit towards graduation has been earned, prerequisites waived, and relevant graduation requirements fulfilled.
 - E. Opt-out exams will be administered during the second full week of August and the second full week of December. Notification by a student to opt out of a course offered by his or her respective high school (with foreign language exception) must be received by the building principal by June 15 or October 15.
 - F. Bay City Public Schools will grant high school credit in a foreign language to a pupil enrolled in high school who has demonstrated proficiency in a foreign language outside of a public or private high school curriculum. Proficiency may be demonstrated by a competency test or other criteria established by the Board. (380.1279e, School Code)
5. Requests for a grade review by a teacher must take place no later than the term immediately following the issuance of the grade.
 6. All classes will receive a letter grade with the exception of summer school/credit recovery, and any self-initiated class taken beyond the school day and school year outside the high school program, which will be pass/fail.
 7. All classes will receive a letter grade with the exception of summer school/credit recovery, and any self-initiated class taken beyond the school day and school year outside the high school program, which will be pass/fail.

Non-Attendance and Tardiness

The following information regarding non-attendance and tardiness will be recorded and reported for each student:

1. Times absent from each class will be reported on each marking period report. This number is to include absences for any reason, including school related and parent authorized.
2. The number of hours absent is to be reported for each marking period. This number is to exclude any school-authorized absences.
3. The number of times tardy to class is to be reported for each marking period.
4. The total number of school days the pupil was in attendance, the total number of days absent, as well as the total number of school days in session each semester will be recorded on the student's permanent record.

Academic Honor Roll

Preparation and publication of Academic Honor Rolls will be used to enhance self-confidence, positive attitudes, and self-motivation. Honor Rolls will be prepared for each marking period and may be prepared for each semester. An All A Honor Roll and a regular Honor Roll will be prepared for each 9 through 12 in high school. To be recognized on the All A Honor Roll, a student must earn all A's or A-'s in classes taken. To be included in the regular Honor Roll, a student must achieve a grade of B- or higher in all subjects; any grade below B- will disqualify the student from the regular Honor Roll.

An “I” (Incomplete) will defer a student’s consideration for published honor roll recognition until the work is completed.

Growth Honor Roll

A Growth Honor Roll will be prepared and publicized at the end of the marking period of a term to recognize students who improve academic achievement. A term marking period will be compared to the second trimester or third term marking period. To be included on the Growth Honor Roll, a student must improve his grade point average for that marking period by 0.5 over his grade point average the previous marking period.

Graduation Guidelines

If a student does not graduate with his/her class, a diploma will be given based on completion of graduation credits provided the student completes the course work prior to the beginning of the following second semester.

Participation in Graduation – Related Ceremonies – Guidelines

1. A student must be within five (5) credits of satisfying all graduation requirements to be allowed to participate in graduation activities.
2. No student who is on disciplinary suspension shall be allowed to participate in graduation activities.
3. Students who complete courses through other recognized programs and request to graduate and receive their diplomas from their home school in the Bay City Public Schools District must complete the requirements for the then current graduation class.
4. No student who has previously received his/her diploma will be allowed to participate in graduation ceremonies.
5. When 12th grade students transfer into the Bay City Public Schools District, they will be allowed to graduate from the Bay City high school provided:
 - a. They have satisfactorily completed the required courses, or their equivalent, that are expected in Bay City high schools, and
 - b. They have satisfactorily met the credit requirements.

Graduation Honors

Graduating seniors who achieve high grade point averages will be recognized according to these four categories:

Summa Cum Laude:	3.95 and above
Magna Cum Laude:	3.8-3.94
Cum Laude:	3.65-3.79
Honors:	3.50-3.64

Grade point averages are to be computed at the end of each term, and graduation honors are to be determined by cumulative grade point averages through a minimum of eleven terms of high school. Class rank will be determined by the highest grade point average (GPA) earned through eleven terms of high school. No additional classes beyond a full class load as determined by the high school may be used for purposes of calculating class rank. Prior to the 2001/2002 school year, a full load was defined as a maximum of 6 classes at Western High School and 7 classes at Central High School. Beginning with the 2009-10 school year, a full load is a maximum of 5 classes at Central High School and Western High School. For purposes of calculating the GPA, the highest 5 classes (GPA) will be determined cumulatively at each term. In calculating GPA and rank in class of students with an overload, it may occur that a course having more than five

credits may be divided so that the GPA is based on the best set of grade/credit combinations at each respective school (see Tables 2 and 3). Students transferring into the Bay City School District must be enrolled and attending and complete a minimum of three (3) trimesters in a Bay City Public Schools High School to be considered for graduation honors. Any transferring student is eligible to receive AP credit only in AP courses currently being offered by the Bay City Public School in which they are graduating from.

An Independent Study is a course currently not being offered in any given term or a course taken due to a scheduling conflict. A weighted grade cannot be earned in an Independent Study class. AP courses cannot be taken as an Independent Study.

DUAL ENROLLMENT (Post Secondary Enrollment Options)

Students in the Bay City Public Schools are eligible for dual enrollment under Public Acts 159,160, and 161 of Michigan School Laws. Any student who enrolls for dual enrollment for full-time equivalency must have the course and grade appear on their high school transcript and it will be included in GPA computations. No weighted grades will be awarded for post secondary enrollment courses. College courses with a value of one or two credits will equal high school credits; courses with a value of three to five college credits will equal high school credits.

Any class taken through dual enrollment above and beyond a full load will be awarded credit, but the grade will not be part of the GPA computation.

* The GPA method of determining class rank will begin with the incoming freshmen students (1999-2000 school year) who will be the graduating Class of 2002- 2003.

I 6412-G Homework Guidelines

In accordance with the District's policy on homework, the assignment of homework is encouraged when it is of benefit to the student, is not used as punishment, and is used within the following guidelines:

1. Homework should supplement well-planned lessons.
2. A homework assignment should include all the explanations, instructions, and definitions needed for a student to engage in independent study or to complete an assignment on his own.
3. All assigned homework should be evaluated and used in the instructional process.
4. Homework assignments should be as individualized as possible and necessary.
5. Before assigning homework, teachers should be sure that the students will be able to complete the assignment with materials normally found in a home or with materials available to them.
6. The timing of homework assignments should reflect other school related or home-related activities which place time demands on students.
7. Especially in elementary and middle grades, the homework assignment should be in writing and, in addition to spelling out what is to be done, state the purpose for the assignment. This will help parents know when work is complete. It will also help them when providing assistance.

The homework assigned in the District will be one basis by which parents make judgments about teachers and the school system. Before sending a homework assignment home, the teacher will evaluate it for:

1. **Clarity** – A clear indication of what is expected builds confidence in the teachers' and schools' planning and organization. Can the student or parent understand your questions or instructions? Do they make sense?

2. **Purpose** – A clear statement is important to getting the results you want. In addition, it presents the assignment as well conceived and important in contrast to haphazard, unimportant, busywork.
3. **Appearance** – What you send home in writing represents you and the school. Your materials should model what we are trying to achieve with students. Your materials should be neat, legible, and should set standards for spelling and grammar.

I 6562 – G Controversial Issues Guidelines

The guidelines which follow have been devised to achieve an educational environment through which the teachers and the students of the District may enter the marketplace of free ideas with hope, anticipation, and enthusiasm for the achievement of individual excellence consistent with individual ability.

1. Controversial issues shall be handled as they arise in the classroom and shall not be avoided in order to restrict or restrain the academic freedom of either the teacher or the student. Neither the teacher nor the student in the classroom shall avoid an issue simply because it is of a controversial nature, nor shall an issue be raised merely because it is of a controversial nature.
2. When handling controversial issues the teacher may not present his or her own personal position as the only acceptable position which may be taken on that particular issue, nor shall the teacher seek to bring about a single conclusion to which all students must subscribe.
3. Controversial issues shall be studied with as much objectivity as the ability of both teacher and students will permit. When handling a controversial issue all sides will be explored, and the teacher will provide suggested resources materials or sources of information on as many aspects of the issue as he or she can in order that all students may pursue individual reading and study so that they may reach individual conclusions with respect to that particular issue.
4. Materials and references presenting primary argument of a controversial issue should be made available by the school library.
5. In handling a controversial issue the teacher shall not suppress a student's view on that issue as long as the expression of that view is not derogatory, malicious, or abusive toward other students' views, but on the other hand, one student shall not be permitted to dominate the discussion. In handling controversial issues in the classroom both teachers and students shall be encouraged to keep the problem-solving attitude in mind; in other words, rather than determining what is right and what is wrong in certain issues, students shall be encouraged to come to their own conclusions to a particular problem after independent inquiry.
6. The handling of controversial issues does not always require an extensive examination, but all the competency of both teacher and student shall be exerted to make a clear definition of the issue.
7. Propaganda when recognized should always be distinguished from fact.
8. Speakers dealing with special fields and printed or visual material from organizations which are thought of as "pressure groups" should be secured or used only with the written consent of the principal.

I 6572 – G Controversial Speakers Guidelines

The Board, in an effort to uphold the students' freedom to learn while also recognizing obligations which the exercise of this freedom entails, establishes the following guidelines:

- A. The teacher/sponsor and school building administrator are expected to exercise judgment and to investigate fully those proposed resource persons to whom questions may arise.
- B. Teachers/sponsors should encourage the use of resource persons representing various approaches or points of view on a given topic in order to afford the students a more comprehensive understanding of it.
- C. An appropriate record shall be made of each resource person used and of his or her presentation.
- D. The ideas presented and the resource person invited to present them shall have a demonstrable relation to the curricular or co-curricular activity in which the participating students are involved.
- E. Prior to his or her appearance or participation, the resource person shall be given in writing and shall agree to abide by the following Board regulations:
 - 1. Profanity, vulgarity, and lewd comments are prohibited.
 - 2. Smoking is not permitted while speaking or consulting with students.
 - 3. The teacher/sponsor responsible for inviting the resource person, or any member of the school administration, has the right and duty to interrupt or suspend any proceedings if the conduct of the resource person is judged to be in poor taste or endangering to the health and safety of students and staff.

J 7150-P Building Choice Request Procedures

It shall be the policy of the Bay City Public Schools to place students in neighborhood schools according to established attendance boundaries. However, in an effort to offer flexibility in meeting the vast, varied, and different educational needs of the students, the District will consider requests for building choice within the guidelines and limitations in the procedures below.

1. By March 15, the Director of Student Support Services, after consultation with building administrators and other District administrators as necessary, shall establish by school and grade for the next school year building capacities, projected enrollments, and the projected number of slots available for students residing outside of the building's attendance boundaries.
2. By April 1, the Director of Student Support Services shall publish to the community and distribute to parents/guardians a copy of this policy and the information listed in Item 1 above.
3. Parents/guardians wishing to request a school under this policy shall present their request for transfer to the building administrator at the requested school no later than April 30.
4. No later than June 15, the receiving building administrator shall notify parents and/or guardians regarding the status of their request for transfer. No student shall be denied a transfer unless the number of requests exceeds the number of openings available. Priority for transfer will be granted first to students who have a sibling currently enrolled at the school and second by a random selection process.
5. Transfer requests after April 30 will be considered at the discretion of the administration.
6. The district shall continue to allow a pupil who has been approved to attend a building outside of their attendance area to remain in that building as long as the placement is in the best interest of the student.
7. Any of the above provisions may be waived at the discretion of the Superintendent.

Additional provisions and limitations are as follows:

1. Transportation to a school of choice will be the responsibility of the parent/guardian.
2. No provision(s) of this policy shall take precedence over a placement deemed by the administration to be in the best interest of a student.

3. Parents/guardians of students grades 9-12 will make commitments on high school placement in the following manner:
 - a. By April 30 of the 8th grade year student will be accepted for building choice for the remainder of their high school years.
 - b. Out-of-District transfers into the Bay City Public School District, upon approval and registration, for the remainder of high school years.
 - c. Transfer requests received after April 30 of the 8th grade year (or in the case of out-of-district students transfer requests received after high school registration) will be considered only on an exception/emergency basis, at the discretion of the administration.
4. All transfers will be subject to space availability. If the receiving school does not have space available the first day of school, the school reserves the right to rescind a previously approved transfer. Rescinded transfers will be determined using a reverse of the priorities for transfers in.
5. No provision(s) of this policy shall take precedence over a placement deemed by the administration to be in the best interest of a student.
6. No provision(s) of this policy shall precedence over the rules of an athletic association of which the district is a member.
7. No provision(s) of this policy shall take precedence over any existing standard of racial and/or ethnic integration established by the District.
8. Access to counseling about requests for building choice shall be provided by the Office of Student Support Services.

J 7170-P District Procedures for a Child Being Educated at Home

Section 1561(3) of the Revised School Code states: A child shall not be required to attend the public schools in the following cases:

Exemption (a) : State approved school – A child who is attending regularly and is being taught in a state approved nonpublic school which teaches subjects comparable to those taught in the public schools to children of corresponding age and grade, as determined by the course of study for the public schools of the district within which the nonpublic school is located.

If a child is educated under Exemption (a), home school will register with the State on SM 4325, and meet the same requirements as other approved nonpublic schools as provided in MCL 388.551 “the sanitary conditions of such schools, the courses of study therein, and the qualifications of the teachers thereof shall be of the same standard as provided by the general school laws of the state. “Home schools meeting those requirements are considered State approved nonpublic schools and are eligible for Auxiliary Services.

Exemption (f): Not registered with the State – The child is being educated at the child’s home by his or her parent or legal guardian in an organized educational program in the subject areas of reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar.

If a home school family chooses to operate under Exemption (f), the conditions listed below apply:

1. the home school family is not a nonpublic school.
2. The Michigan Department of Education plays no role with this home school family.
3. The home school family does not report to the Department of Education.
4. Intermediate and local school districts are responsible for interpreting and enforcing the Compulsory School Attendance Law.
5. There are no minimum qualification for teachers except that they must be the parents or legal guardian of the children.

6. The home school family must provide “an organized educational program in the subject areas of reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar.
7. Students in home school families operating under Exemption (f) solely, are not entitled to Auxiliary Services, but may enroll in non-core courses such as band, physical education, music, or driver’s education in public schools.

For a child being educated at the child’s home by his or her parent or legal guardian, exemption from the requirement to attend public school may exist under subsection (a) State approved or (f) Not registered with the State.

In compliance with Section 1561 (3), Bay City Public Schools has established the following guidelines for students being educated in home programs:

Participation in School

Students who are not in attendance at a District school by reason of home education will be deemed to have withdrawn from enrollment in District schools during the period of home education.

- A. Home schooled students under Exemption (a) or Exemption (f) are eligible to attend Bay City Public Schools on a part-time basis in non-core curriculum courses such as band, physical education, art, vocational education, and driver education.

If that student is enrolled as a part-time student in the district for non-core curriculum courses, he/she may be eligible to participate in a school-sponsored co-curricular or extra-curricular programs including athletics. However, the student must meet all Michigan High School Athletic Association eligibility requirement including passing a minimum number of academic hours toward graduation.

If the student is not enrolled in a district school on a part-time basis, he/she may not participate in any of the district co-curricular activities.

- B. If the home school is operating under Exemption (a) and has met the State reporting requirements, the student may qualify for auxiliary services, Title I and Title VI, and REMC services from public school districts.
 - Auxiliary Services** – Auxiliary services may include health services, speech and language teacher services, social work services, school psychological services, teacher consultant services for children with disabilities, and other services determined by the Legislature.
 - Title I Services** – Home school students may be eligible for Title I services at a neutral site based on criteria set by the Compensatory Education program Unit in the Michigan Department of Education. Call (517) 373-3931 for more information.
 - Title VI Services** – Home school students may be eligible for Title VI services. Contact Bay-Arenac ISD for information, phone (517) 667-3280.
 - REMC** – Regional Educational Media Centers offer the use of instructional materials and equipment. Contact Bay-Arenac ISD for information, phone (517) 667-3235.
- C. If the home is operating under **Exemption (f)** and has not registered with Michigan Department of Education, the students are not eligible for Auxiliary Services, Title I, Title VI, and REMC services.

Assessment

The District strongly recommends that the parents maintain a record of the educational program, including assessment of their child's academic progress, as this information will be useful, should the parents decide to re-enroll their child in a public school. Such assessment could include:

- A. Resources and books used in the course;
- B. Courses the students has completed, including grades awarded;
- C. The number of hours devoted to each course of study;
- D. A portfolio or work done;
- E. Examples of tests and test scores; and
- F. Standardized test scores demonstrating the student's ability.

The home schooled student will be permitted to take MEAP or HSPT and any other achievement/ability tests normally given to each grade by the District. This is to be done cost free but must be done during the regular testing cycle. It is the parent's responsibility to make the appropriate arrangements with the building administrator. The student may take tests such as the PSAT, ACT, SAT, etc. normally given at the high school level at the same cost charged District students.

Re-Enrollment in Public School

If a parent wishes to have his/her child return to a District school, she/he must follow normal enrollment guidelines. The following guidelines will apply to determine the appropriate grade placement which will be made by the building administrator and appropriate staff.

Placement will be based upon:

Kindergarten through 8th grade

- A. the child's academic assessment report based on the district assessment upon the re-admittance of the student; and
- B. The age and readiness to participate properly in the grade-level program.

Grades 9 through 12

- A. To enter high school, the student will need to provide an academic assessment report for each course taught in the home school.
- B. Placement into a grade (e.g., 10th) and subjects (e.g. English) will be may according to : 1) age appropriateness; 2) the results of the review of the academic assessment report submitted; and 3) the results of the assessments the high school will do to determine what knowledge and skills the student possesses and at what level of proficiency.

Athletic eligibility will be determined by Michigan High School Athletic Association rules and District athletic policy.

Students are encouraged to enroll at the beginning of a semester.

Credit Transfers

For credit or course work to be accepted for courses taken in home schools, assurance of compliance with minimum requirements established by the State must be provided. Recognition of credits or course work shall be granted with the proper documentation and receipt of the nonpublic student's transcript. Transfer course work reported in terms of clock hours would require a minimum of 60 clock hours per course.

Transfer of Letter Grades

All courses taken at a home school will be given a letter grade based on proper documentation and receipt of transcripts. District transcripts will denote “home education.” If a parent wishes to have his/her child return to a District school, he/she must follow normal enrollment guidelines. The conditions described in *J 7175 – Student Transfer from Nonpublic/Home Schools* will apply. If a student provides transcripts from any other type of nonpublic school, District transcripts will denote the courses taken at that school.

Graduation Honors

Students transferring into the Bay City School District must complete a minimum of second and third terms to be considered for graduation honors. Class rank will be determined by the total number of honor points earned through eleven terms of high school. Class ranking will be calculated based on a student’s normal load. (See *I 6390-P – Grading and Reporting System Procedures*.)

Graduation Requirements

In order to qualify for a Bay City Public Schools diploma, transfer students must be in attendance the second semester of the senior year and have accrued a minimum of thirty (30) credits in the District. If the student seeks a State endorsed diploma, he/she must pass the proficiency tests and meet other requirements of the State. (See *I 6450 – Graduation Requirements*.)

J 7275-R Removal of Child From School – Authorization

No child shall be permitted to be removed from a school in the District unless the request for same is verified by the building administrator.

1. In all telephone requests, verification shall be made by returning the call using the telephone number of the legal guardian as listed in the child’s records.
2. If the request is written, verification shall be made by calling the home or work telephone number listed on the child’s records to obtain approval from the guardian of record.
3. When a request is made by physical presence, and the person is unknown to the building administrator, the individual must present three evidences of identification, one of which must be a Michigan driver license or photo ID card. The administrator must always be sure the child is, in fact, being released to the legal guardian of record or by permission of same.
4. When the guardian has been contacted directly, the child may be released from school.

This policy is to be posted in each office.

J 7305-P RIGHTS WITH RESPONSIBILITIES IN THE SCHOOL DISTRICT OF THE CITY OF BAY CITY, BAY AND SAGINAW COUNTIES, MICHIGAN

Preamble

The educational process of the schools of the Bay City School District must assure the development of youth as citizens who have self-respect, respect for others, and respect for the law – the essence of good citizenship.

Education must encourage responsible involvement in the resolution of the problems of our society. It must create within the schools system an atmosphere of social justice and equality

which will enable students to carry a positive attitude about human differences into their working and community relationships in later life.

Education must recognize and protect the individual rights of all students as citizens, regardless of age, sex, race, religion, national origin, pregnancy, parenthood, sexual orientation, marriage, economic status, or for any other reason not related to his/her individual capabilities. Together with these rights, students must accept responsibilities and disciplines essential to our society.

All rules and regulations of the Board of Education, along with the rights of students as set forth herein, have been developed within the framework of the Constitution of the United States and the State of Michigan, court decisions, and the laws of the State of Michigan as they apply to local school districts.

Objectives

The primary objective of students discipline and control is to produce a school environment in which complete attention may be concentrated on teaching/learning activities. The school system has an obligation to assist each individual pupil to assume more responsibility for his own actions as he matures and gains experience. Within the framework of established guidelines, discipline and control must apply to each individual pupil according to his age, maturity, experience, abilities, interests and values. School authorities must undertake to provide the child and his parents with knowledge of the behavioral expectations of the school.

DISCIPLINE POLICY OF THE SCHOOL DISTRICT OF THE CITY OF BAY CITY, BAY AND SAGINAW COUNTIES, MICHIGAN

A. Sanctions

On the basis of the present status of school law, a building administrator of any District school is delegated and vested by the Board with the authority to exclude a student from school and/or any activity under school sponsorship, and the Director of Transportation is delegated and vested by the Board with the authority to exclude a student from a school bus. In both cases, such exclusion is temporary, not to exceed ten (10) days as described under #1. Suspension below. Students going to or from school and at school-sponsored off-campus events shall be governed by School District rules and regulations and are subject to the authority of District officials.

Exclusions from school for misconduct may vary in length depending upon the age of the student, the nature of the misconduct, the cumulative misconduct of the student, and the availability of alternative disciplinary measures. Disciplinary measures shall not be greatly disproportionate to the misconduct.

Every effort should be made by the staff to solve disciplinary problems within the school setting and without excluding a student from school. If this cannot be done, exclusions may be necessary for the purpose of discipline, to maintain immediate order, to protect persons or property. These exclusions shall fall within the following categories:

1. Suspension is defined as exclusion of a student from school and/or school-sponsored activities for a specific period of time not to exceed 10 days, terminating at the end of the specific period or upon the fulfillment of a specific set of conditions.
2. Expulsion is defined as the permanent exclusion of a student from school and/or school-sponsored activities by the Board of Education for the balance of the semester, the remainder of the school year, or permanently from the District's schools. A student may be suspended pending Board action on a recommended expulsion.

In the event of a suspension, the building administrator shall notify the Superintendent or his/her designee in writing of the separation and reasons for it. In the event of a recommended expulsion, the building administrator shall set forth the recommendation in writing to the

Superintendent, including the conduct which led to the recommendation, efforts made to solve the disciplinary problem(s), and shall indicate the length of the recommended expulsion.

If any parent, teacher or administrator believes that any conduct which may be the subject of disciplinary action may be affected by a disability as defined by state or federal law, the Director of Special Education shall be contacted for review and/or evaluation.

B. Procedural Safeguards

When it is necessary to consider the possibility of excluding a student from school or school activities for alleged misconduct, the building administrator or his designee shall first advise the student orally or in writing of what he/she is accused of doing and the basis for the accusation, and the student shall be given an opportunity to explain his/her version of the facts.

In the event that a student's presence poses a continuing danger to persons or property or an on going threat of disrupting the academic process, a student may be immediately excluded from school. Necessary notice and opportunity for a rudimentary hearing shall follow as soon as practicable.

Due process demands that procedures followed by school officials comport with fundamental fairness. Thus, should exclusion be deemed necessary, the following procedure shall be followed:

1. Suspension:

- a. The administrator will ascertain that all reasonable means have been used in an effort to resolve the problem and to keep the student in school.
- b. The student will be informed of what he is accused of doing and the basis for the accusation, and the student will be given an opportunity to explain his version of the facts.
- c. If the student is excluded from school and/or school-sponsored activities, he/she shall be informed of the period of what time such exclusion and what must be done before he/she can return to school. The parent or legal guardian will be notified immediately by the building administrator if at all possible.
- d. Written notice will be mailed to the parent or guardian on the day of the exclusion stating why the exclusion was made and whom to contact if they wish a conference to review the circumstances that led to the decision to suspend the student from school.
- e. If such a review is requested, the student and parent(s) will be provided an opportunity to discuss with the building administrator the student's conduct and reasons for the decision to suspend the student. At the end of this conference, the student and parent(s) shall be informed of the building administrator's decision. In addition, a written decision of the review conference will be sent by mail to the student and parent(s) within two school days of the conference.
- f. The student or parent(s) may appeal the building administrator's decision from the review conference by requesting that the decision be reviewed by the Superintendent or his designee. A written response will be provided within three days of the conference.
- g. The student or parent(s) may appeal the building administrator's decision from the review conference by requesting that the decision be reviewed by the Superintendent or his/her designee. A written response will be provided within three school days.
- h. Out of school suspensions from 3 to 10 days in length for Bay City Public School students in grades six through twelve must be served at Project Success. The program is located at the Boys and Girls Club, 300 Lafayette Street, Bay City.

2. Expulsion:

Situations may arise whereby a building administrator or duly authorized school official may find that the problem of a student are such nature that the student should be denied the privilege of attending school and/or school-sponsored activities for the balance of the semester, the remainder of the year, or permanently. In such cases, the building administrator will follow

procedures leading to a recommendation to the Board through the Superintendent that the student be expelled.

- A. When such a situation arises, the building administrator or his/her designee shall gather facts, views, and information related to the situation. This will include discussions with the student and the student's parent(s). In such discussions, student and parent(s) shall be informed of what the student is accused of doing and the basis for the accusation(s).
- B. Completion by the building administrator of the "Notification/Confirmation of Exclusion for School" form constitutes the decision to recommend expulsion.
- C. Upon the decision to recommend expulsion, the following notifications shall be made:
 - 1) The building administrator shall mail a written notice to the parent or guardian on the day of the decision to recommend the expulsion. This notification will include the reasons for the recommendation to expel and will inform them that they may request a hearing on the recommended expulsion through the Superintendent.
 - 2) Upon receipt of a copy of the "Notification/Confirmation of Exclusion from School," the Office of Pupil Services will send a certified letter to the parent or guardian on behalf of the Superintendent, which shall include:
 - a) The date of the Board of Education meeting at which the Board will take action on the recommendation to expel the student.
 - b) The specific charge(s) against the student which will be presented to the Board.
 - c) Explanation of appeal process. (Note: Parent has 10 days from date of receipt of the recommendation of expulsion to request an appeal hearing.)
 - 3) Both notifications shall include the following:
 - a) That prior to any hearing, the student or parent(s) may request the names of all witnesses in support of the recommendation.
 - b) The right of the student to be represented by an attorney at the student's or parent's expense.
 - c) The opportunity to question the witness who will testify against him/her.
 - d) The opportunity for the student to call witnesses on his/her behalf and/or present written affidavits for that purpose.
- D. If an appeal hearing is requested, the Board authorizes the Superintendent or his/her designee to sever as hearing officer who shall conduct the hearing within five days from receipt of the parent request. The written decision and record of the hearing shall be mailed to the student and parent(s) within two school days. If expulsion of the student continues to be recommended, the written notice shall inform the student and parent(s) of:
 - 1) The date of the Board of Education meeting at which the Board will take final action on the recommendation to expel the student.
 - 2) The specific findings of the hearing officer regarding the student which will be presented to the Board of Education.
 - 3) The right of the student to have a hearing before the Board of Education in open or closed session and the requirement that such request must be made in writing within 10 days of the days of the written notice.
- E. If the student requests a hearing before the Board, he/she will be informed of:
 - 1) The names of the witnesses who will testify at the hearing.
 - 2) His/her right to question those who will appear against the student.
 - 3) His/her right to call witnesses on behalf of the student and/or present written affidavits for that purpose.
 - 4) His/her right to be represented by an attorney at the student's or parents' expense.
- F. The Board shall review the request for expulsion, the reason for the request, conduct the hearing, and determine whether the student's conduct constituted a gross misdemeanor or persistent disobedience. If expulsion is ordered, the Board shall also set the term of expulsion.

Expulsion shall be provided automatically for those pupils who possess a weapon in a weapon-free school zone, commit arson in school building or on school grounds, or commit rape (sexual misconduct) in a school building or on school grounds as provided by Section 1311 of the Michigan School Code.

Alternative placement may be allowed as provided in the Revised School Code, MCL 380.1311.

The Board shall consider petitions for reinstatement, in compliance with the procedures set forth in Section 1311(5) of the Michigan School Code, and shall follow the procedure established therein, as amended. The decision of the School Board on petitions of reinstatement shall be final.

- G. The Superintendent shall develop procedures for reporting violations of this policy to the Board, procedures for referring permanently expelled students to appropriate Family Independence Agencies or County Community Health Agencies or as otherwise might be required by state or federal law or regulation.

Definitions of Misconduct Which Will Result in Disciplinary Action Shall Include but Not Be Limited to the Following:

Arson – The willful or malicious burning of, or attempt to burn, any building or part of any building structure, or property of the District, staff or student.

Assault, Physical – Intentionally causing or attempting to cause physical harm to another through force or violence. (MCLA 380.1311a(12)(B) and MCL 380.1310(3)(B))

Assault, Verbal – Any willful verbal, either oral or written, threat to inflict injury upon another person, under such circumstances which create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury. Any bomb threat or similar threat directed at a school building, other school property, or a school related event is included in this definition.

Battery – An unlawful physical attack upon another by beating, wounding, or touching in an offensive manner without his/her consent.

Body Conditions – The condition under which any pupil is suspected of having a communicable disease, or who has persistent and neglected body odors.

Bomb Threat – See Assault, Verbal.

Bullying, Intimidation, Harassment – Infliction of physical, verbal, written, electronically transmitted or emotional abuse, or physical, verbal or emotional attacks upon the person or property of another which could include: verbal taunts, name-calling and put downs, Religious, ethnically, gender based or sexual orientation put downs, extortion, threats or similar conduct.

Bus Violation – The failure to respond or carry out a reasonable request by a bus driver to remain seated when the bus is moving, to cross at least ten feet in front of the bus when the bus is stopped, to keep all parts of the body inside the bus, not to block the aisles of the bus, or any other misconduct while being transported to or from school or school-sponsored activities.

Drugs, Alcoholic Beverages, etc. – Possession, Use, or evidence of substance abuse such as Huffing, or transfer of drugs, alcoholic beverages or other illegal substances in drug free school zone. Drug free school zone is defined as: in, on, or within 1,000 feet of the real property comprising a public elementary, vocational, or secondary school. P.L. 105-22, section 841(a).

Ethnic/Racial Harassment – Behavior directed toward another person's racial or ethnic background that makes that person feel uncomfortable, threatened, unsafe, angry, powerless or demeaned.

Explosives, Fireworks, and Foul substances – Carrying or possessing or placing in, upon, against or near any District property any article containing an explosive or combustible substance – including fireworks – or foul, offensive, or injurious substances or compound.

Extortion – The use of threats of physical harm, or accusation of crime or other offense, to wrongfully take money, property, or things of value from any other person.

Failure to Provide Records (to include birth certificate, immunization, vision screening, and other records required by law) – (1) Birth Certificate: The failure to produce for inspection a certified record of birth of those entering kindergarten or enrolling in school in this state for the first time. **(2) Immunization:** The failure of a child enrolling in school in this state for the first time to submit one of the following: (a) a statement signed by a physician that the child has been immunized or protected against diphtheria, measles, mumps, pertussis, polio, rubella, tetanus, and hepatitis B (effective 2000/2001), or (b) a written statement that this requirement cannot be met because of religious convictions or other objection to immunization, or (c) a certifying statement from a physician that a specific immunization is or may be detrimental to a child's health or is not appropriate. State law permits a building administrator to admit new entrants to school with a record of having received at least one dose of each vaccine. For the student to remain in school, parents must provide the school a record showing that the student has received all of the immunizations as required by Act 368 of P.A. 1978 as amended. **(3) Vision Screening:** The failure to submit a statement signed by a District, county, or city health department director stating that the child has passed the Department of Health preschool vision screening test, or a statement signed by a licensed medical or osteopathic physician or a licensed optometrist indicating that the child has had his eyes examined during the preschool years after age three and prior to initial entrance in school, or a statement signed by the parent or guardian to the effect that the child cannot be submitted to such tests because of religious convictions.

Fighting – Participating in an altercation with another person.

Forgery – The act of making a false statement in writing using the name of another person falsifying documents or information, including but not limited to School District forms or records.

Gambling – Direct or indirect taking, receiving or accepting from any person any money or valuable thing contingent upon the result of an uncertain event.

Gang Activity – Gang activity includes but is not limited to such things as apparel, signs, and writing or related activity. Gangs are groups that pose a threat to public safety and order through violence, intimidation or other illegal activities. Gang activity will not be tolerated in the Bay City Public School District.

Gross Misconduct - The act of deliberate or willful conduct, verbal and/or physical, detrimental or disruptive to normal functions of the program or activity under school sponsorship; the act of threats or physical violence to staff members or to other pupils; acts that pose a continuing danger to persons or property; or acts, physical or verbal, that threaten to disrupt the academic process.

Hazing – the abuse, annoyance, or harassment of another by means of banter, ridicule, or criticism.

Improper Clothing – Ant attire promoting offensive messages such as obscenity, profanity, drugs, sex, alcohol, tobacco, or gang activity will be prohibited.

Indecent Exposure – The act of knowingly making any open or indecent exposure of his or her person.

Insubordination – The failure to respond or carry out a reasonable request by a staff member, including failure to abide by reasonable school and/or classroom rules.

Littering – The dumping, depositing, placing, throwing, or leaving of litter in and upon school property other than in receptacles set aside for such purposes.

Nuisance Devices – Unauthorized possession or use of nuisance devices, e.g., cell phones laser pointers, pocket pagers, or other electronic communication devices, including Palm Pilots and similar devices. A student may possess such a device under special circumstances approved by the building principal.

Obscenity/Profanity – Use of obscene, vulgar or profane language by pupils, in verbal or written form, in gestures, or in pictures or caricatures in or on any school property.

Persistent Disobedience – Repetition of the same misconduct or accumulation of instances of varied misconduct.

Public Display of Affection – Caressing, petting, fondling, cuddling, kissing.

Rape – Rape shall be defined as criminal sexual conduct as defined in the Michigan School Code Section 1311, or Michigan Criminal Code.

Sexual harassment – Sexual harassment shall be defined in A 0400 – *Sexual Harassment*: “Any unwelcome communication or conduct of a sexual nature where submission to the conduct is explicitly or implicitly made a term or condition of the individual’s employment or educational opportunity and/or submission to or rejection of the conduct is a factor in any decision effecting the individual’s employment, and/or education opportunities, or the conduct unreasonably interferes with the individual’s work performance, or educational performance, or creates a hostile or offensive environment on the basis of sex.”

Smoking or Using Tobacco Products – Smoking and/or the possession of lighted tobacco in any form; chewing, possessing or transferring any tobacco products in any form in or upon any school property and/or at any school-sponsored activity, or encouraging the assembly of others for such purposes.

Technology Violations – The purposes for technology in the Bay City Public Schools are to enhance learning, to improve communication, and to improve productivity. Any other use of BCPS computer technology is not authorized. (Please see technology policy in the Student Code of Conduct for specific guidelines and procedures.)

Throwing Snowballs, Stones, or Other Missiles – The act of possessing, throwing or threatening to throw any snowball, ice ball, stone or other missile, in or upon school property, or while going to or from school, including any activity under school sponsorship, at the person or property of another.

Theft – The act of acquiring and/or knowingly and willfully having in one’s possession the property of another without consent; stealing, receiving, or concealing stolen property.

Trespass – The willful entering upon the lands, premises or area of the facilities of the School District without authority, or willfully being in areas of the facilities or grounds at times when such presence is unauthorized.

Truancy – Unauthorized absence from school or any required school activity for any period of time. Chronic tardiness may be considered truancy.

Vandalism – That act of willful or malicious destruction of school property or property belonging to another.

Violation of Law – Violation of any federal, state or local law.

Weapons (Dangerous) – Possession or use of other objects defined as weapons but not meeting the description of “dangerous weapons” as identified in Section 1311 and 1313, such as knife with a blade less than 3 inches in length, utility knife or any knife with a razor type blade.

Weapons (Other) – Possession or use of weapons here defined as objects used as weapons but not meeting description of “dangerous weapons” identified in Section 1311 and 1313, e.g., knife with blade less than three inches in length, etc.

DISCIPLINARY ACTIONS

A Summary of Disciplinary and Attendance Guidelines

Rules are only a means of providing logical minimum standards of conduct, which are necessary for the preservation of a wholesome and workable educational atmosphere for learning.

Violations of these standards at the schools or during events sponsored by the schools will be dealt with through discipline that takes into consideration:

1. The nature of the misconduct involved, and
2. The age of the student, and
3. The cumulative misconduct of the student, and
4. Available alternative disciplinary measures.

While the following list identifies types of misconduct and explains the standard discipline for the violations, the school reserves the right and discretion to deviate from this and impose any other available disciplinary measure, and in addition, may refer a particular incident of misconduct to the appropriate law enforcement agency or the school attorney.

DISCIPLINARY STEPS FOR ELEMENTARY STUDENTS

NOTE: Steps listed and defined below represents a range of options. It is not to be construed that these steps will be sequential nor that all steps will be incorporated with each offense.

Placement and movement on the step system will be proportionate to the severity of the misconduct. The elementary administration reserves the right to deal with each offense on an individual review basis which may result in disciplinary action being less or more severe than outlined.

In addition to the steps provided for possession of prohibited articles, the School District may confiscate any such article and return same to the student, parent, guardian and/or law enforcement authority as the circumstances require.

Step 1 – Warnings: Verbal. The infraction will result in warnings by the adult in charge.

Step 2 – Conference: Conference with the student that will include reviewing the disciplinary policy and procedures by the adult in charge.

Step 3 – Teacher/Student Conference. Conferences with the student and possible parent contract.

Step 4 – Notify the Parent. Notification by the adult in charge Example: Classroom teacher would make the parent contact.

Step 5 – Lunch and/or After-school Detention.

Step 6 – In-school (1-3 days) Time-out. Student will be isolated from the class and expected to complete required assignments.

Step 7 – 1 to 3 days Out-of-school Suspension.

Step 8 – 4 to 10 days Out-of-school Suspension.

Step 9 – Expulsion form School. Board of Education action required.

ELEMENTARY STUDENT MISCONDUCT THAT WILL RESULT IN DISCIPLINARY ACTION AND THE RECOMMENDED PENALTY INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:

(The recommended beginning step follows the listed offense.)

<u>Misconduct</u>	<u>Beginning</u>
Step	
ARSON (State law sets certain mandatory penalties. Consult existing law.)	Rec. Expulsion
ASSAULT, Physical	Step 1 to 9
ASSAULT, Verbal	Step 1 to 9
BATTERY	Step 4 to 9
BOMB THREAT	Step 1 to 9
BULLY, INTIMIDATION, HARASSMENT, HAZING	Step 1 to 9
BUS DISCIPLINE	Step 1 to 9
DRUGS, ALCOHOL, TOBACCO (Possession, use or evidence of use, Including look-alike, selling, chewing or smoking.)	Step 4 to 9
ETHNIC HARASSMENT	Step 4 to 9
EXPLOSIVES, FIREWORKS, AND FOUL SUBSTANCES	Step 4 to 8
FAILURE TO PROVIDE RECORDS	Step 1 to 8
FIGHTING	Step 3 to 8
GANG (apparel, signs, writings or related activities)	Step 4 to 9
GROSS MISCONDUCT	Step 6 to 9
IMPROPER CLOTHING	Step 1 to 4
INSUBORDINATION	Step 2 to 9
NUISANCE DEVICES	Step 4 to 9
PERSISTENT DISOBEDIENCE	Step 5 to 9
SEXUAL HARASSMENT	Step 4 to 9
SWEARING/PROFANITY	Step 3 to 7
TECHNOLOGY VIOLATION	Step 1 to 9

THEFT	Step 4 to 9
THROWING SNOWBALLS, STONES, OR OTHER MISSILES	Step 1 to 5
TRESPASS	Step 3 to 8
VANDALISM	Step 4 to 9
WEAPONS (Other) (See earlier definitions.)	Step 4 to 9
WEAPONS (Dangerous) (See earlier definitions.)	Rec. Expulsion,

And referral to the criminal justice or juvenile delinquency system, as per the GFSA, Part F of Title XIV.

Special Notes Regarding Elementary Schools:

1. Except where required by law, such as for possession or use of dangerous weapon, arson or rape, the schools reserve the option of contacting authorities and/or pressing charges in situations where laws have been violated.
2. More detailed information of the Board of Education’s policies on Student Rights with Responsibilities, including information on due process expectations and appeal procedures, is available through the individual school offices.

MIDDLE AND HIGH SCHOOL STUDENT MISCONDUCT THAT WILL RESULT IN DISCIPLINARY ACTION AND THE RECOMMENDED PENALTY INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:

ARSON: Arson on a school building or on school grounds shall result in expulsion as provided in Section 1311 of the Michigan School Code.

ASSAULT, PHYSICAL (Against School Personnel): As per state law, the Board shall permanently expel a student in grade 6 or above if the student commits a physical assault, 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 at a school sponsored activity or event.

ASSAULT, PHYSICAL (Against Other Students): As per state law, the Board shall expel a student in grade 6 or above for up to 180 days if the student commits a physical assault against another student on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event.

ASSAULT, VERBAL (Against School Personnel): - As per state law, any student in grade 6 or above who commits a verbal 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, or makes a bomb threat or similar threat directed at a school building or other school property, or a school related event, shall be expelled by the Board for up to 180 days.

ASSAULT, VERBAL (Against Other Students): Administrative reprimand, up to five days suspension.

BATTERY: Five days suspension.

BOMB THREAT: - See ASSAULT, VERBAL (Against School Personnel).

BULLYING, INTIMIDATION, HARASSMENT, HAZING – Administrative Reprimand to expulsion

BUS VIOLATIONS: Same as school punishments.

DAMAGE TO PROPERTY, LOSS OF MATERIALS, FEES/FINES NOT PAID: Penalties as per administrative procedures and/or civil remedies.

DISORDERLY PERSON: Separation pending parent conference.

DRUGS, ALCOHOLIC BEVERAGES – (Possession, Use, or evidence of substance abuse such as Huffing) (Including Look-Alike): Five days suspension, or three days suspension and approved counseling program.

DRUGS, ALCOHOL – (Selling and distributing): Recommend expulsion.

DRUGS – (Selling Look-Alike Drugs): Recommend expulsion.

ETHNIC HARASSMENT: Administrative reprimand or suspension as appropriate.

EXCESSIVE TARDINESS: Make up time.

EXPLOSIVES, FIREWORKS, AND FOUL SUBSTANCES – (Possession or Use): Five days suspension to recommended expulsion.

EXTORTION: Five days suspension.

FAILURE TO PROVIDE RECORDS: Administrative reprimand or suspension as appropriate.

FALSE FIRE ALARM: Ten-day suspension.

FIGHTING: Three days suspension.

FORGERY: Administrative reprimand to suspension as appropriate.

GAMBLING: Confiscate paraphernalia and administer reprimand or suspension as appropriate.

GANG ACTIVITY: Administrative reprimand, parent notification, suspension as appropriate.

GROSS MISCONDUCT: Three days suspension to expulsion. If the offense occurred in a class, the student may be removed from the class.

IMPROPER CLOTHING: Change clothes if possible, and contact parent.

INDECENT EXPOSURE: Three days suspension.

INSUBORDINATION: Administrative reprimand, up to three days suspension.

LITTERING: One hour clean up.

LOITERING: Three days suspension.

NUISANCE DEVICE: Confiscate. Administrative reprimand or suspension as appropriate.

OBSCENITY/ PROFANITY: Parent notification and administrative reprimand or suspension as appropriate.

PARKING VIOLATION (Improper, Wrong Area, and No Authorization): Refer to High School Handbook.

PERSISTENT DISOBEDIENCE: Three days suspension to expulsion. If the offense occurs in a class, the student may be removed from the class.

POSSESSION OR USE OF WEAPONS: Shall result in expulsion and referral to criminal justice or juvenile delinquency system as provided in Michigan School Code and GFSA.

PUBLIC DISPLAY OF AFFECTION: Administrative reprimand and parent contact; second offense, suspension.

RAPE (Criminal Sexual Conduct): Commission of rape in a school building or on school grounds shall result in expulsion as required by Section 1311 of the Michigan School Code.

RECKLESS DRIVING: Refer to High School Handbook.

RECORDS VIOLATION – (Birth Certificate, Immunization or Vision Records Not Provided): Separation from school pending parent conference or until required documentation is provided.

SEXUAL HARASSMENT: Administrative reprimands to recommended expulsion.

SEXUAL MISCONDUCT: Administrative reprimands to recommended expulsion.

TAKING LIBRARY MATERIALS WITHOUT SIGNING THEM OUT (Insubordination): Three days suspension.

TECHNOLOGY VIOLATION: Administrative warning to expulsion.

THEFT: Five days suspension.

THROWING SNOWBALLS, STONES, OR OTHER MISSILES: Administrative reprimands up to one-day suspension.

TOBACCO PRODUCTS – (Possession): Confiscate and administrative reprimand up to suspension with possible ticket for Minor's in Possession.

TOBACCO PRODUCTS – (Use: Smoking, Chewing, or Using):

On school grounds and/or within Drug Free School Zone:

First Offense: 3 days out of school suspension at Project Success.

Second Offense: 5 days out of school suspension at Project Success.

In the building or on the bus:

First Offense: 5 days out of school suspension at Project Success

Second Offense: 10 days out of school suspension at Project Success

TRESPASS: Administrative reprimands up to suspension.

TRUANCY: Administrative reprimands up to suspension.

VANDALISM: Restitution plus administrative reprimand up to recommended expulsion.

WRITING ON OR DEFACING LOCKERS OR WALLS: Restitution and/or other administrative remedy as appropriate.

Special Notes Regarding Middle and High School Students:

1. The student should be aware that school penalties are separate and distinct from potential law enforcement consequences. The District may also refer appropriate matters to law enforcement authorities for criminal or juvenile proceedings. Where required by law, for possession or use of dangerous weapons, arson or rape, such referral to law enforcement authorities will be automatic.

2. Where expulsion of a student is for weapons possession, criminal sexual conduct, or arson, the School District shall refer the student to the Family Independence Agency or Community Mental Health Agency. In addition, any student who brings or uses a firearm or weapon on school grounds shall be referred to the local law enforcement agency having jurisdiction, juvenile authority, and parent.

3. When a student is suspended from the Career Center following appropriate disciplinary procedures, he/she will also be suspended from the home school; and any student suspended from his/her home school is suspended from his/her total program, including the Career Center assignment.

4. If a suspended student is taking Drivers Education and receives a short suspension for a violation other than truancy, he/she may be able to attend driver training sessions.

5. More detailed information on the Board's policies on Student Rights with Responsibilities, including information on due process expectations and appeal procedures, is available through the individual school offices.

LAW ENFORCEMENT

A. Investigation

Law enforcement officers may be allowed access to students during school hours, in and upon school property, for purposes of investigation of crimes. Juveniles and children are however entitled to procedural safeguards determined by the requirements of each situation. What constitutes due process of law must be determined by the facts and circumstances of each case. Such access to students shall include, but not be limited to, the following procedures:

1. Law enforcement officers shall advise, upon request of administration, the duly authorized building administrator of the student or students to whom they desire to have access and the general purpose of the investigation. Law enforcement officers should advise whether the student is a "suspect" or merely a "witness." If in the course of the investigation a "witness" becomes a "suspect," the building administrator shall be notified and if at all possible, he/she will notify and so advise the parent or legal guardian.
2. If at all possible, prior to custodial interrogation (questioning of a student considered to be a suspect) or upon arrest of a minor student, the parent or legal guardian of the student will be notified immediately by telephone by the building administrator or his/her designee. If phone contact is not possible, written notice will be mailed by the building administrator or his/her designee on the day of the investigation.
3. Access to students shall be limited so as not to disrupt the educational process, interrupt classes or embarrass or unreasonably draw attention to students.
4. Questioning of a student, within a school, by law enforcement officers, shall ordinarily take place privately, outside the presence of any other students. Any questioning at the request of law enforcement officers must take place in accordance with Board policy.

B. Student Arrest

In the event that a student arrest becomes necessary during the school day and on school property, the following guidelines are to be followed:

1. The police shall notify the building administrator of the impending arrest.
2. The Superintendent, or his/her designee, shall be immediately notified by phone of the student arrest.
3. The building administrator shall make an attempt to notify the parent(s)/guardian of the pending arrest. (*See A-2 above.*)
4. An administrator shall accompany the arresting officer to the classroom and request the student to come into the hallway to be turned over to the arresting officer.

RESPONSIBILITIES AND LIMITATIONS

A. Search and Seizure

The right of inspection of students' lockers, desks, or articles carried upon their person or in personal property either in or on school premises, is inherent in the authority granted boards of education and school administrators in order to safeguard the health and safety of all students, to promote the safety and security of all persons and their property, to enforce reasonable rules and regulations approved by the Board, and to maintain an atmosphere conducive to enhancing the educational process.

It is the goal of the Bay City Public Schools to provide a safe learning environment for students. Students are advised that it may be necessary for the administration or staff to search a student or vehicle on school property if there is a reasonable suspicion or cause to believe that a student is in possession of an illegal object or substance, including but not limited to weapons, controlled substances (drugs), counterfeit substances or drugs or property not belonging to the student. Search of a student or vehicle will ordinarily be limited to that necessary under the circumstances to respond to the information available and the least intrusive possible to confirm or disprove the belief. Students are also advised that administration may utilize outside resources to ensure safety and check for regulated substances or objects including such resources as metal detectors, trained scent dogs or similar resources.

Illegal controlled substances, drugs or look alike drugs, or illegal objects will be turned over to the appropriate authorities. Students will be disciplined in accordance with the District policy. Regulations and handbook. Such policies and procedures are subject to review and revision by administration and the Board of Education. Disruptive, unruly or uncooperative students when appropriate will be referred to the appropriate law enforcement agency.

Although school authorities will respect the rights of the student in his/her locker and property, it should be made clear to all students that lockers are the property of the School District. At no time does the District relinquish its exclusive control of lockers provided for the convenience of students. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. Lockers are assigned to students for purposes of storing supplies, clothing, coats or other items essential to the formal education process and their physical well being.

The following rules shall apply to the search of school property assigned to a specific student (locker, desk, etc.) and the seizure of items in his/her possession:

1. Searches of school property, such as lockers, desks, physical education lockers, athletic lockers, etc., may be conducted at any time.
2. Illegal items (firearms, weapons, controlled substances, stolen property, etc.), or other possessions reasonably determined to be a threat to the safety or security of the school or of others may be seized by school authorities.
3. Locker inspections may be carried on by administrators for the purpose of ensuring cleanliness, return of library books and other school-owned materials.

4. Vehicles parked upon school property are subject to this policy, and administrative regulation regarding search and inspection.
5. The school retains the right to conduct to search in emergency situations, such as bomb threats or a belief that there are weapons or dangerous materials on the premises.
6. Items seized or confiscated may be returned to the student at the end of the school day at the discretion of the building administrator if in his/her judgment such items do not impose danger to the student or others who may come in contact with him/her.

The Superintendent shall be responsible to establish guidelines for inspections and searches.

B. Freedom to Publish

1. Students are entitled to express in writing their personal opinions. The distribution of such materials may not interfere with or disrupt the educational process. Such written expressions must be signed by the authors.
2. Students who edit, publish, or distribute handwritten, printed, or duplicated matter among their fellow students within the schools must assume responsibility for the content of such publications.
3. Libel, obscenity and profanity are prohibited in all publications.
4. Unauthorized commercial solicitations will not be allowed on school property at any time. An exception to this rule will be the sale of non-school-sponsored student newspapers published by students of the District at times in places as designed by the school authorities.
5. The distribution by students in school buildings or on school grounds of material the content of which reflects the special interest of an organization is prohibited unless it has prior approval of the building administrator.

C. Freedom of Speech and Assembly

1. Students are entitled to verbally express their personal opinions. Such verbal opinions shall not interfere with the freedom of others to express themselves. Obscenities and profanity are prohibited.
2. All student meetings in school buildings or on school grounds may function only as a part of the formal educational process or as authorized by the building administrator.
3. Students have the freedom to assemble peacefully. Conducting demonstrations which interfere with the operation of the school or classroom is prohibited.

D. Dress and Appearance

The District believes that decorum in student dress and appearance is the responsibility of the parent. It is assumed, therefore, that the way a student appears in school has the sanction and approval of the parent. The following minimum standards are established:

1. Reasonable cleanliness of person and wearing apparel is expected. This is a matter of health and consideration of the students and staff.
2. To avoid injury to feet and to curtail the possibility of disease, footwear shall be worn.
3. Students shall not wear clothing or hair styles that can be hazardous to school property, themselves, or other students in school activities such as shop, lab work, physical education, swimming, art, etc.
4. Personal dress and grooming practices shall not create a disruption of the learning process.

5. There may be cases where individual sponsors, directors, or coaches may require, because of certain activities, a more rigid dress and grooming policy.

School-Owned Textbooks and Other School Supplies and Materials

Students and parents of an unmarried student who has not reached 18 years of age, not having been declared emancipated by a court of law, living with his/her parents, will be held responsible for and charged for damage to books and other school supplies and materials, over and above ordinary wear and tear, and for the loss of such books, supplies, and materials loaned to students for their use.

Access and Maintenance of Student Records

The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, provides for and governs the access to student education records by parents and legal guardians of students who have not reached 18 years of age and are not attending an institution of post secondary education, students who have reached 18 years of age or are attending institutions of post secondary education (adult students), and certain other persons. In order for a parent or legal guardian or an adult student to gain access to education records, they must first obtain written consent from the adult student.

Education records, which are available for examination, include all records, files, documents including disciplinary records, and other materials, which contain information directly, related to the student. However, such education records do not include the following: observations or notes made by a teacher, counselor, or administrator which are in the possession of the marker and not communicated to other persons except a substitute; employee personnel records; certain medical records; and law enforcement records created and maintained by a law enforcement unit working in the schools.

Education records will not be made available to anyone other than the parent, legal guardian (both parents, custodial and non custodial, are guaranteed equal access to student information unless the school has evidence of a court order revoking these rights), or adult student without the express written consent of the parent, legal guardian or adult student, except: (1) to teachers or school officials of this School District who have a legitimate educational interest in examining such records; and (2) to school officials of other school systems in which the student intends to enroll; and (3) to certain federal and state agencies and officials thereof; and (4) in connection with a student's application for financial aid, (5) in cases where the School District is bringing legal action against a parent or student and the records are relevant to the action being pursued, and (6) in cases where a parent or student is suing the District and the records are relevant to the District's defense.

Information which includes but is not limited to a particular student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photo of students and the most recent educational institution attended by the student are designated as directory information and may be made public unless the parent, legal guardian or adult student informs the Director of Student Support Services, Bay City Public Schools, 910 N. Walnut, Bay City, MI 48706, telephone 671-8121, in writing, which directory information is not to be made public. Individuals requesting directory information must present a written request to the Director of Student Services listing a reason for the request. A response to the request will be made within 3 days. The district must provide at least the same access to the high school campus and to pupil directory information as is provided to other entities offering educational or employment opportunities (unless parent/guardian or 18 years old student denies access as stated above) to official recruiting representatives of the armed forces of the United States for the purpose of informing pupils of educational and career opportunities available.

According to FERPA law as mended, student records may disclose information from education records without the consent of parents in response in response to subpoenas or court orders. A school official must make a reasonable effort to notify the parent before complying with

the subpoena is issued to enforce a law and specifies not to notify the parent. In emergencies, school officials can provide information from education records to protect the health or safety of the student or others. Parents have the right to review the education records of their children. In order to examine the student's education records, a written or verbal request must be directed to the administrator of the school. The building administrator will then provide the parent, legal guardian or adult student access to the student's education records within 45 days of such request.

Should the parent, legal guardian or adult student wish to challenge the content of the student's education records, an appeal to this effect shall be directed to the building administrator. Informal means to settle disputes regarding the contents of the student's education records should be pursued. (This provision does not apply to grades and educational decisions about children that school personnel make.) However, in the event such informal proceedings are unsatisfactory to either party, then a request for a formal hearing shall be directed to the Director of Student Support Services, Bay City Public Schools, 910 N. Walnut St., Bay City, Michigan 48706, telephone 671-8121. School officials conducting proceedings challenging the contents of the student's education records shall be guided by the principle that students' education records should not include false, incorrect, or otherwise harmful entries found not to be factual. In the event the school official conducting the hearing cannot resolve the complaint, the parent, legal guardian or adult student has the privilege to make a written statement for placement in the student's education records objecting to or clarifying the alleged inaccuracy. Such a written statement shall be signed and dated by the party making the statement.

Should a parent, legal guardian or adult student desire copies of the student's education records, there will be a twenty-five cent per page reproduction charge; in case of a transcript of credits, they will be provided for a reasonable fee.

The Family Educational Rights and Privacy Act may be modified or amended, and this policy is expressly subject to such changes, and the District is committed to full compliance with such Act.

Inquiries relating to student records should be directed to the building administrator or the Superintendent or his/her designee, 910 N. Walnut St., Bay City, Michigan 48706, telephone 671-8121. (*See also H 5030 – Freedom of Information Act – Policies for Implementation and J 7900 – Cumulative Student Records.*)

ATTENDANCE POLICIES

The Board of Education believes that if students are to receive the best education possible, they must be in daily attendance. Attendance in the classroom helps to instill concepts of self-discipline and expose students to group interactions with their teachers and other students. Participation in class instruction, discussion, and other related experiences are appropriate educational expectations.

The primary purpose of this attendance policy is to encourage students to be present in their classes in order to realize the maximum potential from classroom instruction. Absences and tardies will affect a student's achievement and may affect marks and class credit.

The District recognizes that education requires the cooperation of students, parents, teachers, and administration. To assure the cooperative and successful implementation of the policy, the following responsibilities are identified:

Student Responsibilities:

1. Be prompt and regular in attendance.
2. Be aware of the importance of regular school attendance and understand that much of the classroom participation cannot be met, credit for classes is lost, and grade point average is reduced.
3. Be aware of attendance procedures and be aware that unauthorized absences shall be made up. Return directly to class following any parent or school authorized absence. (An admit slip or office contact is needed only in the case where there has been no parent contact.)

4. Secure and complete any missed assignments. It is the responsibility of the student, not the teacher, to see that missed work is made up and turned in promptly.
5. Realize that exemplary attendance will be recognized and rewarded.

Parent Responsibilities:

1. Send the child to school each day on time and in good health.
2. Call the school when the child is absent. A call confirming and authorizing the absence should be made no later than 1:00 p.m. the same day of the absence. (If no phone call can be made, send a not verifying dates and reasons for absences upon the child's return to school.)
3. Schedule appointments, such as medical and dental, after school hours when possible.
4. Consult with the school staff when in doubt about school attendance procedures, or the child's attendance patterns.
5. Be aware of the child's attitudes and feelings about school that may adversely affect his/her attendance.
6. Understand that absences will affect achievement and may affect credit.
7. Understand that vacations which take students out of school are discouraged and will affect a student's attendance records.
8. Provide transportation for a student placed in a detention room to make up work or time missed through unauthorized absences.

Teacher Responsibilities:

1. Keep daily record of attendance and tardiness and the reason for absence of each child in an attendance book. (In the high schools, reasons are logged by the Attendance Office.)
2. When in doubt about the reason for a student absence, request information from the office or the parent.
3. Identify patterns of absence and tardiness that may require counseling with the student and/or parents, and report same to the office.
4. Contact home and counsel with students and parents on attendance problems.
5. Refer attendance problems that are of serious nature to counselor or building administrator.
6. Be aware of attitudes and feelings that may adversely affect the child's attendance.
7. Refer student with unauthorized absences to the school office for further action as outlined in procedures.
8. Request notes from students when there has been no parent contact following an absence. (At the high school and middle level, requests admit slips from the office.)
9. Provide opportunities to students to complete missed assignments as outlined in grading policies and procedures. (*See I 6385 – Grading, Reporting System and I 6390 P – Grading, Reporting System Procedures.*)
10. Provide requested information to counselors and/or administrators.

Counselor Responsibilities (Middle and High School):

1. Inform parents and students of attendance expectations and procedures.
2. Compile a daily list of absences.
3. Call parents for reasons of absence if parent fail to call when an attendance problem exists.
4. Provide counsel with parents and/or student upon referral from the child's teacher or counselor.
5. Utilized special services personnel when advised.
6. Assign suspension and/or detention to students as prescribed in procedures and policies.
7. Present awards and recognition for exemplary attendance.

ATTENDANCE – ADMINISTRATIVE PROCEDURES

Regular attendance is expected, and unexcused absence (absence not authorized by parent, guardian, or school official) is not permitted. As they enforce attendance expectations, building administrators may take into consideration the following extenuating circumstances:

1. Hospitalization, doctor's excuse, documented medical or dental appointments.
2. School-authorized absences (i.e., field trips, athletic trips, counselor appointments, student government meetings, separations or suspensions, emergencies approved by the building administrator.)
3. Death in the immediate family.
4. Religious observances.

Elementary School Attendance Procedures:

First Step – 1 to 4 unexcused absences: Verbal warning to student, notification to teacher/parent/counselor/school services worker.

Second Step – 5 or more unexcused absences: Formal notification to the parent.

Third Step – Referral to the District Attendance Officer based on Bay County protocol system.

Middle School Attendance Procedures:

1. When a student has accumulated three (3) absences within a semester, and there are no extenuating circumstances, the school will make a reasonable attempt to contact the parent or guardian by phone to inform the parent of the record and counsel the parent on the importance of attendance. If the school cannot contact the parent or guardian by phone, a letter will be sent to the parent or guardian and a copy will be placed in the student's file.
2. When a student has accumulated six (6) absences within a semester in any given class, the instructor will contact the counselor, who will review the student's attendance record. Unless there are extenuating circumstances, a parent conference will be requested and an action plan developed which prescribes what will occur if absences persist. If such a conference is conducted by phone, a follow-up letter will be mailed to the parent or guardian summarizing the plan.
3. Should a student be absent a seventh time, the actions or penalties stipulated in the parent conference report shall be implemented.
4. Should a student be absent a tenth time, the case shall be referred to the district Attendance Officer for consideration and action.
5. Unauthorized absences are not allowed; such unexcused absences are deemed to be insubordination, and the consequences of such shall be:
 - First unexcused absence – warning, detention, and parent notification.
 - Second unexcused absence – detention, written reprimand for insubordination, and notification to the parent.
 - Third unexcused absence – two day in-house suspension, plus detention and a parent conference.
 - Fourth unexcused absence – three-day out-of-school suspension and referral to district Attendance Officer.
6. A student is deemed to be tardy when he/she arrives late to school. The first incident of tardiness will result in a warning to the student. Subsequent incidents will be dealt with by building administration in such a way as to reduce and eliminate tardy behavior on the part of the student. Efforts will be directed toward both the student and parent(s), including use of the district Attendance Officer. Teachers are responsible for helping students arrive at individual classes on time, ready to work.

High School Attendance Procedures:

Attendance is recorded for each class each day at the high schools. Appropriate marks will be used to distinguish between excused and unexcused absences on the student's attendance record. Students who are absent have to opportunity to make up their missed assignments. Failure to complete missed assignments will be reflected in the course evaluation.

Other procedures related to attendance will be developed at each high school. These procedures must be consistent with the following guidelines:

- Attendance procedures shall be enumerated in Student Handbooks and considered Administrative Procedures. Any and all changes will be forwarded to the Board pursuant to Board Governance rules. (See B 1570 – *Administrative Rules – Development and Board Review.*)

- The building plans must be consistent with the Educational Philosophy of the District. (See A 0120 – *Educational Philosophy and Beliefs.*)

- The building plans must be consistent with the Belief Statements of the District (See A 0120 – *Educational Philosophy and Beliefs.*)

- The building plan must be consistent with the current guidelines on Grading and Reporting. (See I 6385 – *Grading, Reporting System* and I 6390-P – *Grading, Reporting and System Procedures.*)

The building plans must be consistent within a department; integrated within the building.

- The difference between excused and unexcused absences will be indicated when a student's absence is recorded.

- The building plan must distinguish between students who have been absent and who have made up missed work, and students who have been absent and who have not made up missed work.

- In the review of class goals and expectations during the first week of school, each teacher will include attendance and the consequences of absences and lack of make-up work.

- All staff will model attendance and punctuality in their own behavior.

- The building plan must consider the issue of tardiness to class.

J 7315-G Physical and Verbal Assault and Bomb Threat Administrative Guidelines for School Safety Legislation P.A. 102 and P.A. 104 of 1999

(For implementation of Board Policy J 7310-P)

On August 25, 1999, the Bay City Board of Education adopted revisions to the *Student Rights with Responsibilities* section of Board policy J 7310-P to include school safety requirements found in Section 1310 and 1311a (P.A. 102 and P.A. 104 of 1999) of the Michigan Revised School Code. Following are administrative guidelines for implementation of the approved revisions.

Student to Student Assault – Section 1310, P.A. 102 of 1999

If a student enrolled in grade 6 or above commits a physical assault at school against another pupil and the physical assault is reported to the school board, school district superintendent or building administrator, the school board shall expel the pupil from the school district for up to 180 days.

1. Student to student assault under Section 1310 and 1311(a) of the Michigan School Code shall be defined as: an incident where a student in grade 6 or above has physically attacked another student at school intentionally causing or attempting to cause physical harm to the other student through force or violence on school property, on a school bus or other related vehicle, or at a school spender activity or event.

2. At school shall be defined as 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.
3. If a student in grade 6 or above commits a physical assault believed to fall under Section 1310 described above, the behavior shall be reported to the building administrator immediately.
4. The building administrator shall investigate the incident following procedures outlined on pages 3 and 4 of the *High School and Middle School Student Code of Conduct*.
5. If the investigation indicates the incident requires action under Section 1310, the building administrator shall recommend the students for expulsion to the Board of Education for up to 180 days. The length of the recommended expulsion will be determined by the severity of the incident, the age of the student, and the cumulative misconduct of the student, but shall not exceed 180 school days.
6. Due process procedures and time lines for student appeal will be followed as stated on page 4 of the *High School and Middle School Student Code of Conduct*.
7. If a student is expelled pursuant to Section 1310, it is the responsibility of that student and his/her parent or legal guardian to locate a suitable educational program and to enroll the student in such a program during the expulsion period.
8. If an individual expelled pursuant to this section is not placed in an alternative education program or strict discipline academy, instructional services may be provided to the individual at home if appropriate in the same manner as services for homebound pupils are provided.
9. The Bay City Public Schools district is not required to allow an individual expelled from another school district under this section to attend Bay City Public Schools during the expulsion.
10. This section does not diminish the due process rights under federal law of pupil who has been determined to be eligible for special education programs and services.

Student to Staff Member Physical Assault – Section 1311a(1), P.A. 104 of 1999

If a student enrolled in grade 6 or above commits at school against a person employed by the district or a person who is engaged as a volunteer or contractor for the district, and the incident is reported to the school board, superintendent or building administrator by the victim or another person on the victim's behalf, the school board or its designee shall expel the pupil **permanently** subject to possible reinstatement after at least 180 school days have passed.

1. Student to Staff member Physical Assault shall be defined as: An incident where a student in grade 6 or above has physically attacked an employee, volunteer or contractor at school intentionally causing or attempting to cause physical harm to that person through force or violence.
2. At school shall be defined as 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.
3. If a student in grade 6 or above commits a physical assault believed to fall under Section 1311a(1) described above, the behavior shall be reported to the building administrator immediately.

4. The building administrator shall investigate the incident following procedures outlined on pages 3 and 4 of the *High School and Middle School Student Code of Conduct*.
5. If the investigation indicates the incident requires action under Section 1311a(1), the building administrator shall recommend the student for permanent expulsion following similar procedures as provided in Section 1311(2) Dangerous Weapons Act. Expulsion and reinstatement processes will be followed as stated on pages 21 and 22 of the *High School and Middle School Student Code of Conduct*.
6. If a student is permanently expelled pursuant to Section 1311a(1), the Office of Student Support Services shall enter on the individual's permanent record that he/she has been permanently expelled from all public schools in the state except for appropriate alternative education and strict discipline academy programs. The student shall not be enrolled in any school other than alternative and strict discipline programs unless he/she has been reinstated and the student shall not be reinstated before the expiration of 180 school days after the date of the expulsion. The reinstatement process and time lines are found on pages 21 and 22 of the *High School and Middle School Code of Conduct*.
7. If a student is expelled pursuant to Section 1311a(1), the Office of Student Support Services shall refer the student to the Bay County Family Independence Agency and the Bay-Arenac Community Mental health Department within 3 days after the expulsion, and the family shall be notified of the referral. Assaults described in Section 1311a(1) shall be reported by the Office of Student Support Services to appropriate state or local law enforcement officials as provided in the Statewide School Safety Information Policy (SSSIP).
8. If a student is expelled pursuant to Section 1311a(1), it is the responsibility of that student and his/her parent or legal guardian to locate a suitable educational program and to enroll the student in such a program during the expulsion period.
9. If an individual permanently expelled pursuant to this section is not placed in an alternative education program or strict discipline academy, instructional services may be provided if appropriate to the individual at home in the same manner as services for homebound pupils are provided.
10. This section does not diminish the due process rights under federal law of a pupil who has been determined to be eligible for a special education programs and services.

Student to Employee Verbal Assault and Bomb Threat – Section 1311a(2), P.A. 104 of 1999

If a student enrolled in grade 6 or above commits a verbal assault at school against a person employed by the district or a person who is engaged as a volunteer or contractor for the district, and the incident is reported to the school board, superintendent or building administrator by the victim or another person on the victim's behalf, the school board or designee shall expel the pupil for up to 180 school days.

Bomb Threat – If a student in grade 6 or above makes a bomb threat or similar threat directed at a school building, other school property, or at a school related event, then the school board or designee shall expel the student from the school district for up to 180 school days.

1. Student to Employee Verbal Assault shall be defined as: Any willful verbal, either oral or written, threat to inflict injury upon another person, under such circumstances

which create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury.

1. (a). Any bomb threat or similar threat directed at a school building, other school property, or a school related event is included in the definition above, subject to the penalties provided.
2. At school shall be defined as 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.
3. If a student in grade 6 or above commits a verbal assault believed to fall under Section 1311a(2) described above, the behavior shall be reported to the building administrator immediately.
4. The building administrator shall investigate the incident following procedures outlined on pages 3 and 4 of the *High School Student Code of Conduct*.
5. If the investigation indicates the incident requires action under Section 1311a(2), the building administrator shall recommend the student for expulsion to the Board of Education or its designee for up to 180 school days. The length of the recommended expulsion will be determined by the severity of the incident, the age of the student, and the cumulative misconduct of the student, but will not exceed 180 school days.
6. Due process procedures and time lines for student appeal will be followed as stated on page 4 of the *High School and Middle School Student Code of Conduct*.
7. If a student is expelled pursuant to Section 1311a(2), it is the responsibility of that student and his/her parent or legal guardian to locate a suitable educational program and to enroll the student in such a program during the expulsion period.
8. The Bay City Public Schools district is not required to allow an individual expelled from another district under this section to attend school in the school district during the expulsion.
9. If a student is expelled pursuant to Section 1311a(2), the Office of Student Support Services shall refer the student to the Bay County Family Independence Agency and the Bay-Arenac Community Mental Health Department within 3 days after the expulsion, and the family shall be notified of the referral. Assaults described in Section 1311a(2) shall be reported by the Office of Student Support Services to appropriate state or local law enforcement officials as provided in the Statewide School Safety Information Policy (SSSIP).
10. If a student is expelled pursuant to Section 1311a(2), it is the responsibility of that student and/or his/her parent or legal guardian to locate a suitable educational program and to enroll the student in such a program during the expulsion period.
11. If an individual expelled pursuant to this section is not placed in an alternative education program or strict discipline academy, instructional services may be provided to the individual at home, if appropriate, in the same manner as services for homebound pupils are provided.
12. This section does not diminish the due process rights under federal law of pupil who has been determined to be eligible for special education programs and services.

J 7320-P School Safety Information Procedures

BAY AREA SCHOOL SAFETY INFORMATION POLICY AGREEMENT BAY CITY PUBLIC SCHOOL DISTRICT AND BAY COUNTY PROSECUTING ATTORNEY, BAY COUNTY SHERIFF DEPARTMENT, BAY CITY POLICE DEPARTMENT, AUBURN POLICE DEPARTMENT, MICHIGAN STATE POLICE, HAMPTON TOWNSHIP POLICE DEPARTMENT, BAY COUNTY PROBATE COURT, BAY COUNTY DISTRICT COURT, AND BAY COUNTY CIRCUIT COURT.

Statement of Intent

The parties to this agreement are committed to maintaining a safe school environment. We acknowledge and agree that school safety will be enhanced through the effective sharing of information and resources. The goal of this agreement is to establish procedures to be followed when an incident defined in the School Safety Response Guide section of the Statewide School Safety Information Policy occurs. The parties further agree to develop internal policies and cooperative procedures as needed to implement the local School Safety Information Policy.

We each agree to:

1. Promote a coordinated effort among agencies and staff to achieve maximum public safety with the goal of reducing juvenile crime.
2. Participate in interagency planning meetings, as appropriate. Such meetings shall occur, no less than annually, shall be coordinated by the office of Student Support Services, Bay City Public Schools, and shall be focused on school policies for safety.
3. Jointly plan, and/or provide information and access to, training opportunities, where feasible.
4. Develop internal policies and cooperative procedures, as needed, to implement this policy and the Statewide School Safety Information Policy. Such shall be reviewed annually.
5. Comply with relevant state and federal law and other applicable local rules which relate to records use, security, dissemination, and retention/destruction.

The Bay City Public Schools Agree to:

1. Designate a contact person to be responsible for receiving information from law enforcement, prosecutors and courts and inform all parties as to the school's designee. The initial coordinator shall be the Director of Student Support Services. All information shall be directed to that office for coordination. Any change shall be promptly reported to all parties.
2. Upon receipt of information from law enforcement, prosecutors or the court system. Student Support Services shall notify the building principal or designee within 48 hours. Relevant building personnel shall be immediately notified of such information.
3. Student Support Services shall notify the appropriate law enforcement agency when the District is advised that an adult or student commits any of the offenses listed in the School Safety Response Guide on school property, on school sponsored transportation or at school sponsored activities.
4. The District shall develop appropriate internal written policies to insure that confidential criminal history information is disseminated only to appropriate school personnel. Such shall be consistent with Board Policy J7310-P and applicable law.

Each Law Enforcement Agency Agrees to:

1. Designate a contact person to be primarily responsible for forwarding information to the Office of Student Support Services. Each agency shall inform parties to the agreement of the identity of their coordinator.

2. Notify the Office of Student Services of crimes reported to them which have been committed on school property. Notification shall be within 24 hours or the next business day following notice when school is in session, and shall include the details of the crime committed. Notification shall be within 7 days during the summer.
3. Each law enforcement agency shall notify the Office of Student Support Services of crimes committed off school property of which the agency is aware when they have reason to believe such may pose a significant threat of imminent danger to students. Staff or school property.
4. A law enforcement agency may delay reporting of crimes to a school district if such report may compromise an ongoing investigation.

The Office of Bay County Prosecuting Attorney agrees to:

1. Designate a contact person to be responsible for forwarding information to Student Support Services. The initial designee shall be Ms. Margaret Leaming, Assistant Prosecuting Attorney. Any changes shall be promptly reported to all parties.
2. The Prosecuting Attorney's Office shall notify the Student Support Services Office of any criminal or juvenile court action initiated or taken by their office against a pupil of the school district by the Prosecuting Attorneys Office, including, convictions, sentencing or disposition involving students ages 17-19. The notification shall be initiated within a reasonable time after the charge is made when school is in session and include the details of the charge.
3. The Prosecuting Attorneys Office, through its designee, shall report of each school age individual involved in a court action described in this subsection whether the individual is a pupil in a school district and, if so, in which school district.
4. The Prosecuting Attorneys Office shall attempt to notify the school district where the pupil attends if it is determined that the individual is a pupil in a school district not located within the county.

The Bay County Juvenile Court (Probate Court) Agrees to:

1. Designate a contact person to be responsible for forwarding information to the Office of the Student Support Services, and inform all parties as to the court's designee. The initial designee shall be Marge Marchlewicz, Court Administrator. Any changes shall be promptly reported to all parties.
2. Notify the Office of Student Support Services of the name of the individual assigned to monitor a convicted or adjudicated youth attending a public school and advise how that individual may be contacted and shall provide information regarding adjudication/disposition of the juvenile.

The Bay County District Court Agrees to:

1. Designate a contact person to be responsible for forwarding information to the Office of Student Support Services, and inform all parties as to the court's designee. The initial designee shall be Shirley Huntley, Court Supervisor. Any changes shall be promptly reported to all parties.
2. Notify the Offices of Student Support Services of the name of the individual assigned to monitor a convicted or adjudicated youth attending a public school and advise how that individual may be contacted.

The Bay County Circuit (18th Judicial) Agrees to:

1. Designate a contact person to be responsible for forwarding information to the Office of Student Support Services, and inform all parties as to the court's designee. The initial designee shall be Supervisor of Probation. Any changes shall be promptly reported to all parties.
2. The Circuit Court Probation Department shall, upon request, notify the Office of Student Support Services of the name of the individual assigned to monitor a convicted or adjudicated youth attending a public school and advise how that individual may be contacted.

J 7355-G Suspension by Teacher Administrative Guidelines
(For Implementation of Policy 7350)

On August 25, 1999 the Bay City Public Schools Board of Education adopted board policy J 7350 – *Suspension by Teacher from Class, Subject, or Activity*. Following are the administrative guidelines for implementation.

1. Per Section 1309 of the Michigan Revised School Code and Bay City Public Schools policy J 7350, *a teacher is authorized to immediately remove and suspend a student from a class, subject, or activity when the student's behavior is so unruly, disruptive, or abusive that it materially interferes with the teacher's ability to effectively teach the class, subject or activity, or the student's behavior interferes with the ability of other students to learn.*
2. The teacher shall immediately report the suspension and the reason for the suspension to the building administrator and send the student to the building administrator for appropriate action.
3. The suspension will be served the remainder of the hour that the infraction occurred during that day for middle school and high school students, and will be served the remainder of the day that the infraction occurred for elementary students. The student will not be returned to the class, subject, or activity during that day without the concurrence of the teacher. The student will be allowed to return to the class he/she was suspended from on the following school day unless disciplined further by the building administrator.
4. The teacher will document the suspension and prepare a written report of the incident on the *Building Discipline referral Form to be delivered to the building administrator by the end of the day.*
5. The teacher shall assist in the completion of the Notification/Confirmation of Exclusion from School form.
6. The teacher shall immediately contact the parent/guardian to advise of such suspension and to request a parent/teacher conference.
7. Whenever practicable, a school counselor, school psychologist, or school social worker shall attend the conferences.
8. A school administrator shall attend the conference if the teacher or the parent or guardian so requests or if the administrator so chooses.

J 7520-P Drug Abuse Procedures

- A. Procedures for dealing with the self-referred user.
 1. The secondary school student's parents should not be contacted without the student's consent unless the administrator feels the student's health is in immediate danger. The counselor (the professional who is working with the student), however, should encourage the student to either allow him to involve the parents, or the student himself tell the parents of the problem.
 2. The counselor (the professional who is working with the student) will notify the building administrator that he is working with the students.
 3. No contact with the police to be made unless required by law.

4. Confidential records shall be kept for the purpose of counseling and referral. These records shall be kept separate from the student's CA 39 file.

M.C.L.A. 333.6121 – The student may be treated for this problem in complete confidence as spelled out in Article 6 (Substance Abuse) of the Public Health Code of 1995 as follows: Minors' consent to care and treatment; disclosure; liability for services provided:

(1) The consent to the provision of substances abuse related medical or surgical care, treatment, or service by a hospital, clinic or health professional authorized by law executed by a minor who is or professes to be a substance abuser is valid and binding as if the minor had achieved the age of majority. The consent is not subject to later disaffirmance by reason of minority. The consent of any other person, including a spouse, parent, guardian, or person in loco parentis, is not necessary to authorize these services to be provided to a minor.

(2) For medical reasons the treating physician and on the advice and direction of the treating physician, a member of the medical staff, or a hospital or clinic or other health professional may, but is not obligated to, inform the spouse, parent, guardian, or person in loco parentis as to the treatment given or needed. The information may be given to or withheld from these persons without consent of the minor and notwithstanding the express refusal of the minor to the providing of the information.

(3) A spouse, parent, guardian, or person in loco parentis of a minor is not legally responsible for service provided under this section.

The act further defines a "minor" as "an individual 14 or more years of age and less than 18 years of age."

- B. Procedure for dealing with the **user**, i.e., in possession of drugs or under influence.
 1. If the student's life is in danger, as may be the case under No. 1 above, parents should be contacted immediately and the student taken to the appropriate health care facility.
 2. If the student's health is not a concern, and the student is found to be in possession of drugs or under the influence the administrator shall:
 - (a) contact the appropriate law enforcement agency to make a formal report, and
 - (b) give a three (3) day suspension, and
 - (c) contact the student's parents by phone.
- C. Procedures for dealing with the **distributor** of drugs.
 1. The appropriate law enforcement agency shall be notified.
 2. Parents are notified.
 3. Administrators may confer with the student, with his/her parents, and/or adult advisor.
 4. The appropriate director shall be notified.
 5. If it is determined by the school administrator that the student has sold, exchanged, distributed, or given away any illicit substance on school property, the administrator will follow procedures in *J 7310-P – Rights with Responsibilities*.
 6. Expulsion proceedings may be initiated if the offense was serious and/or egregious enough to merit same.
- D. **In all cases**, it is imperative that school personnel adhere to the following guidelines:
 1. Keep accurate, objective records of all proceedings.
 2. Keep all information in strictest confidence.
 3. Make judgment, which are in the best interest of the student.
 4. When an administrator feels that a student's health is in immediate danger, the student's parents should be notified and he should be taken to an appropriate medical facility.

J 7755-P Communicable Diseases – Procedures

The District is committed to providing educational opportunities to all students in a safe environment. It is the District's intent to ensure that students and staff members who have contracted a communicable disease which is serious in nature will be able to have their individual situation reviewed by a competent panel and have that panel recommend to the Board whether they should continue to be involved in the public school setting.

These procedures are established to ensure the proper steps are taken to protect both the rights of the individual having a serious communicable disease, as well as the rights of other students and staff, and to insure and answer the concerns of the community. The Board acknowledges the importance of developing District guidelines for the education of children affected with Acquired Immune Deficiency Syndrome (AIDS), Human Immune Deficiency Virus (HI), Cytomegalovirus (CMV), Herpes Simplex Virus (HSV), Aids Related Complex (ARC), all serious communicable diseases (SCD), HSV related diseases such as chicken pox, shingles, infectious mononucleosis, infections hepatitis B, tuberculosis, and other like disease that may be transmitted and which may present potentially serious health problems for those affected by the disease or for those who come in contact with the disease and/or the disease carrier.

The Board particularly recognizes the difficulty in fairly balancing competing interests with respect to those who contract Human Immune deficiency Virus (HI) and Acquired Immune Deficiency Syndrome (AIDS). HI is the virus which attacks the human immune system. This virus can lay dormant in the human body for years, and carriers of the virus can lead perfectly normal lives until the virus begins to attack their immune systems. Once the virus begins its attack, the person with the virus develops AIDS and becomes extremely susceptible to infection. The Board is particularly concerned with this disease because there is no known cure at this time. The Board has the authority to implement this policy within the following guidelines and regulations under the Michigan School Code Section 380.11(a), 380.1169.

Introduction

The Board recognizes the following principles:

1. Decisions regarding the type of educational and care setting for HI and AIDS infected children, and others similarly affected by similar serious communicable diseases, should be based upon the behavior, neurological development and other physical conditions of the child and the expected type of interaction with others in that setting. These decisions are best made using the team approach. If the affected individual is an employee, similarly a team approach should be implemented to review, determine and evaluate the immediate health risk to the affected employee, and others in the community.
2. The confidentiality and privacy of the affected individual should be of the highest concern and should be respected in accordance with all applicable statutes and regulations. In case of students and teachers infected with the HI virus or suffering from AIDS, the name and condition of the person infected should not be disclosed to anyone other than the Communicable Disease Panel and the School Board. In cases of other, more infectious, communicable diseases, information regarding the presence of the disease should be released to the community for the protection of the other people in the school environment. However, in these cases, the person's identity should never be revealed to anyone other than the Communicable Disease Panel and the School Board. In all cases, the risks to others in the school environment should be considered by the committee and the Board in determining and appropriate placement for the student or staff member.
3. Administration shall not permit a student to enter school who is out of compliance with the required immunization schedule. School personnel shall cooperate with the appropriate public health personnel in completing and coordinating all

immunization data, waivers and exclusions including the necessary immunization assessment program forms.

4. All reportable communicable diseases will be referred to the Bay County Health Department in accordance with Michigan statutory and administrative guidelines.
5. A communicable disease is considered a serious concern to the community and the infected individual will be addressed by a Communicable Disease Review Panel. The Communicable Disease Review Panel (hereinafter 'CDRP') will serve as a review panel for the purpose of reviewing appropriate placement of an affected student or staff member and shall make recommendations to the Board.

Communicable Disease Panel

- A. Purpose – The Communicable Disease Review Panel (CDRP) shall serve as an advisory Board for purposes of reviewing the appropriate placement of any infected student or staff member, who is affected with a specific communicable disease. The panel shall review placement promptly, and confidentially, and shall make a recommendation to the Board of Education concerning appropriate action under the circumstances.
- B. CDRP Membership – CDRP shall consist of a panel limited to the following:
 1. The Superintendent or his designee who shall serve as chairperson.
 2. An expert physician with expertise in the related disease.
 3. Treating physician.
 4. A physician or health-care professional from the County Health Department.
 5. The building administrator, or his designee, or other supervising administrator, or the affected building, or unit.
 6. In addition, the parent/guardian, if an individual student case, or the staff person, or adult student infected, or a representative or staff member's collective bargaining unit may appear before the panel, and present whatever relevant information they feel is appropriate. They shall not be a voting member of the panel, but shall be encouraged to share input for purposes of assisting the panel in making its recommendation.

Procedural Guidelines for the CDRP

1. When an administrator or other employee becomes aware that there is an individual within the school community who has a serious communicable disease, the person shall immediately be referred to the Superintendent or his designee.
2. If the Superintendent is informed that a person in the school environment is infected with a communicable disease, the course of action will depend upon the disease in question and will follow these guidelines:
 - a. In the event there is probable cause to believe a student has been found to be infected with HI, the Superintendent will make the initial determination about placement of the student. If the student is not actively suffering from AIDS, but is merely a carrier of the virus, he or she should continue to attend school until the CDRP and School Board have made their determinations. If the student is suffering from AIDS, the Superintendent should determine if the school environment contains any hazards from which the student should be protected, including any current outbreaks of influenza, chicken pox, measles or other infections or viruses. The Superintendent should also determine if the student with AIDS has the strength and ability to continue to keep up the curriculum. If the Superintendent determines that the student's health or the school environment warrants it, he may temporarily place the student on a homebound educational program. In no instance should a student be removed from school for merely carrying HI or AIDS. The consideration should solely rest on the student's current health situation.

The Superintendent may also take into account any activities of the infected student which may expose other students to the blood of the infected student (i.e. contact sports). If the Superintendent feels it is warranted, the infected student should be temporarily removed from the dangerous activity. All temporary suspensions should be reevaluated following the decision of the School Board.

In the event that the person infected with the HI is a staff member, he/she shall remain in his/her present position pending the determination of the CDRP and the Board. If the staff member is currently suffering from AIDS, the Superintendent will make a determination if the school environment would pose a risk to the infected staff member's health. The strength and ability of the staff member may also be considered in determining if he/she should remain in the school environment. Should the Superintendent determine that the staff member should be temporarily removed, the staff member will be suspended with pay and referred to the appropriate sick leave provision, their collective bargaining agent notified, and the matter referred to the CDRP.

- b. In the case of other serious communicable diseases, the Superintendent may temporarily exclude the infected person, whether he/she be a student of staff member, pending the determination of the CDRP and the Board, if he determines that the infected person poses a threat of infection to others in the school environment. In the event of exclusion of a student, alternative provisions for the delivery of educational services will be made by the appropriate school administrators pending the case review process.
 - c. The Superintendent shall immediately request the infected person's medical records for determining the immediate health risks to the infected person and others in the school environment.
3. The CDRP shall make every effort to meet within five days from notification by the Superintendent. The CDRP shall have access to any and all relevant material information or testimony concerning the affected individual, his or her behavior as it relates to the communicability of the disease. The CDRP shall consider all existing federal, state and local guidelines and have the authority to consult such experts as they may deem necessary.
 4. The CDRP shall make a written recommendation as to whether the affected person should continue to be involved in the public school setting. This recommendation shall be made to the Board within five days from the conclusion or presentation of information to the panel.
 5. The CDRP's recommendation should be based upon the behavior, neurological developments, physical and medical condition of the affected person, as well as the setting and relationship of that person to the school environment, considering the risks and benefits to both the infected person and others in the educational setting.
 6. In the event that the recommendation is to allow the person to continue in the public school setting, then the CDRP shall make a written recommendation to the Board advising as to what precautions should be taken to protect the school environment. If the recommendation is to exclude the person from the school setting, the CDRP shall make a written statement as to conditions under which they might reconsider the denial. The CDRP shall also make a recommendation for students regarding the alternative delivery of educational programs.
 7. The CDRP shall make a recommendation as to the need to review the case on a periodic basis, and shall recommend time-lines for any such review.
 8. The CDRP's recommendation shall be made within five days of the conclusion of the presentation, and such recommendation shall be presented in writing to the Board at a regular or special meeting.
 9. Copies of the recommendation shall be sent to the affected person, parent/guardian of the affected person, the Board and members of the CDRP.

10. The Board shall meet within five working days of receipt of the CDRP's recommendation to review the recommendation and make a final determination as to the status of the affected person. The Superintendent, or his designee, shall present the recommendation and may present any other information necessary to advise the Board as to the recommended plan of action. The affected person, his parent or guardian, or other designated representative may also present information and evidence to the Board. Upon conclusion of the hearing, the Board shall render its decision within two days, and shall, in writing, advise the affected staff member, parent or guardian of the affected student and the Superintendent of its decision.
11. In the event that the affected student is a Special Education student, the director of Special Education shall be so advised and have an opportunity to participate in the appeal process. In the event that the ultimate recommendation affects the Special Education student, the director shall then convene an individual education planning conference (IEPC) within three business days of the report.
12. All persons involved in these proceedings shall be required to treat all proceedings, deliberations, documentation, medical reports and evidence confidentially, in accordance with applicable state and federal law and regulations.
13. Any proceedings of the Board may be conducted in a closed session upon request of the affected member in accordance with the Michigan Open Meetings Act.

General Provisions:

1. The District shall develop a public information program to inform the community of policy concerning students and staff members for serious communicable diseases, including Acquired Immune Deficiency Syndrome (AIDS).
2. The Bay County Health Department, primary care physicians, parents or guardians, and affected individuals, including employees, shall be requested to inform the Superintendent when they have knowledge that a student or staff member has a serious communicable disease.

The persons who shall have knowledge of the identity, condition or location of a person infected with HI or suffering from AIDS shall be limited to the CDRP panel and the school Board. All school personnel should be instructed in the appropriate way to safely handle body fluids but only in the rarest of instances should anyone other than the CDRP or the Board be given any information about a person infected with HI or suffering from AIDS. In the rare instance that someone else is given any information about a person infected with HI or suffering from AIDS, he/she shall be made aware of and comply with the confidentiality requirements.

In cases of other serious communicable diseases, the Superintendent shall determine those persons who shall have knowledge of the infected person's condition, including building administrator, classroom teachers, special education staff and any other appropriate staff member. These persons shall be provided information concerning such precautions as may be necessary depending on the facts and circumstances of each case. They shall be made aware of and comply with the confidentiality requirements. The District recognizes the right of privacy of all infected individuals.
3. Anyone with a serious communicable disease who may be immune-deficient, such as a person with AIDS, shall be advised that they may need to be removed from the classroom or work environment for their own protection. They shall be provided with information regarding their rights to participate in the CDRP as set forth herein. Any student or staff member with a serious communicable disease who comes to the school environment with a lack of control over body fluids, increasing the risk of transmitting the disease, whether or not the CDRP has already made a recommendation, may be notified by the Superintendent and may be required to leave the school environment until such time as this matter may be reviewed. All employees will be required to report and such condition to the office of the Superintendent or his designee.

4. Routine and standard procedures which are recommended by the local health department will be implemented and used to ensure proper sanitation and hygiene by all students and staff members at all times. Staff members shall consult with the health department to deal with accidents or injuries which may occur at school to those who may be affected with a serious communicable disease. Staff members shall be advised that blood or any other body fluids which may emanate from any person should be treated cautiously. Gloves should be worn when cleaning up any blood spills, vomitus, and fecal or urinary incontinence. Staff members should be instructed to disinfect any such infected area with bleach and/or other appropriate disinfectant, and any persons coming into contact with them should wash the affected skin area immediately afterwards.

Staff members should be advised that an intermediate level disinfectant registered by the U.S. Environmental Protection Agency for use as a disinfectant in medical facilities and hospitals should be used to clean surfaces contaminated with bodily fluids. Material such as gloves, bleach, disinfectants and leak-proof bags should be readily available in all school buildings. All staff members should be made knowledgeable about serious communicable diseases, how they are transmitted, and how to deal with spills or other contamination.

J 7760-P Head Lice – Administrative Procedures

A head lice infestation can pose a problem for a student or staff member regardless of socioeconomic status, hair length, or personal hygiene. Unless untreated, head lice does not pose a major health concern other than personal discomfort.

Procedures for Dealing with Specific Cases of Head Lice

When a student is suspected of having head lice, the following procedures will be applied:

- Head inspections will be done by the building administrator or his/her designee.
- If evidence of infestation is found, the student infested will be excluded from the classroom, and the parents/guardians will be notified to pick up the student from school.
- The school will provide the parent/guardian with a written notification and suggested guidelines. The student may return to school the next day, provided they have been treated, and no lice or nits exist in the child's hair.
- When head lice is a concern in a particular classroom, the school will send home written notice to all parents of children in that classroom. At times, it may be necessary to conduct student-by-student head inspections to determine the extent of the head lice problem.
- A recheck of student's hair may be performed before student is admitted back to the classroom.
- Students who have a chronic head lice problem may be referred to the Bay County Health Department or other human service agency for evaluation of the problem.

SCHOOL DISTRICT OF THE CITY OF BAY CITY
FAMILY AND MEDICAL LEAVE ADMINISTRATIVE REGULATION

PURPOSE

The School District of the City of Bay City's Family and Medical Leave Administrative Regulation allows eligible employees to take up to twelve weeks of unpaid leave per year for their own serious health condition, childbirth, or to provide care for the employee's newborn child, newly-adopted child, newly-placed foster child, or a child, parent or spouse with a serious health condition.

The following provisions provide information about the Administrative Regulation. Please read the Administrative Regulation carefully and keep it for future reference. Additional information and forms relating to Family and Medical Leaves are available from the Human Resources office.

DEFINITIONS

"Twelve-month" period. The District has adopted the rolling twelve-month method of calculating FMLA leave entitlement. This method determines FMLA leave entitlement based upon how much FMLA leave an employee has taken the preceding twelve months, measured backwards from the date the leave is to commence.

Qualifiers as a "Spouse". "Spouse" means a husband, wife, or any other partner as defined by the FMLA. If both spouses work for the school district, their total leave in any 12-month period may be limited to an aggregate of 12 weeks if the leave is taken for either the birth or placement for adoption or foster care of a child or to care for a sick parent.

Qualifiers as a "Parent". "Parent" means a biological parent or an individual who stood in place of a biological parent (in loco parentis) to the employee when the employee was a child. A Parent-in-law does not meet this definition.

Qualifiers as a "Child". "Child" means a child (son or daughter) either under 18 years of age or older who is incapable of self-care because of mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster, stepchild, or legal ward.

Type of Ailments Qualifying as a "Serious Health Condition". A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves: (1) inpatient care (an overnight stay), (2) a period of incapacity requiring continuing treatment by a healthcare provider, (3) a period of incapacity requiring continuing treatment by a healthcare provider, (3) a period of incapacity due to pregnancy or for prenatal care, (4) a period of incapacity or treatment for chronic or permanent/long-term conditions (e.g., asthma, diabetes, epilepsy, cancer) , or (5) a period of absence to receive multiple treatments by a healthcare provider for a non-chronic condition that, if left untreated, could result in a period of incapacity of more than three consecutive calendar days (e.g., dialysis for kidney disease or chemotherapy of cancer).

By way of example, "continuing treatment by a healthcare provider" includes a period of incapacity of more than 3 consecutive calendar days (including subsequent treatments or periods of incapacity relation to the same condition) that requires treatment on two or more times by a healthcare provider or treatment once by a healthcare provider that results in a regime of continuing treatment under the supervision of a healthcare provider (e.g., a course of prescription drugs, physical therapy).

Unless complications arise, the common cold, flu, upset stomachs, headaches, routine dental problems and cosmetic treatments do not meet the definition of "serious health condition."

Qualifiers as an “Instructional Employee”. An “Instructional Employee” means a person whose principle function is to teach and instruct students in a class, a small group or an individual setting. This term includes teachers and may encompass paraprofessionals or auxiliary personnel principally engaged in direct delivery of instruction (e.g., signers for hearing impaired). This definition **excludes** auxiliary personnel such as counselors, aides, psychologists, social workers, and non-instructional support personnel. There are provisions within the FMLA regarding “Instructional Employees”.

Definition of the “District”. “District” means the School District of the City of Bay City. This Administrative Regulation shall be implemented by the Superintendent or his/her designee.

GENERAL

Eligibility. An employee is eligible for FMLA Leave after being employed by the District for a least 12 months and actually working at least 1250 hours during the previous 12-month period.

Eligible employees may use FMLA leave for one or more of the following reasons:

- The birth of a child and care of a newborn;
- The care for a newly-adopted child or child recently placed in an employee’s home for foster care;
- To care of a spouse, child or a parent (but not parent-in-law) who has a serious health condition; or
- An employee’s own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job.

Family leave to care for a newborn child or for adoption or foster care placement of a child must be completed within 12 months of the birth, adoption or placement of the child.

Amount of Leave Available under the FMLA Administrative Regulation. Eligible employees may take up to 12 weeks of unpaid leave during any 12-month rolling period for a purpose which qualifies for a leave under the FMLA Administrative Regulation. The 12-month rolling period is calculated backwards from the date the requested leave commences. For example, a leave beginning on April 1, 2001 would provide the next 12 week eligibility period beginning April 1, 2002.

An eligible part-time employee is entitled to leave on a pro-rata basis.

If spouses are both employed by the District and both are eligible for FMLA leave, spouses may take up to a combined total of 12 weeks of leave for the birth and care of a newborn child, the placement of a child in the spouse’s home for adoption or foster care, or the care of a seriously ill parent. This limitation does not apply to the care of a spouse or child with a serious health condition or to the employee’s own serious health condition. For example, if spouses each take 4 weeks to care for a newborn child, each spouse will have eight weeks remaining within the 12-month period to use for other kinds of FMLA leaves, if necessary.

NOTICE

When to give notice of the need for FMLA Leave. If the need for FMLA leave is foreseeable, you must give at least 30-days notice of your intent to use the leave (i.e., for birth of a child, adoption, foster placement, or planned medical treatment for yourself or a family member). If the employee fails to give 30-days notice, the District reserves the right to delay the employee’s FMLA leave until at least thirty days after the employee makes the leave request. When the need for FMLA is unexpected, you must provide notice as soon as possible after the need for the leave is known.

At the time of requesting any time off from work, employees are required to complete District-approved forms for leave utilization. When any time off work is requested, the District will inquire about the circumstances to determine if the requested time off appears to qualify as FMLA leave. Any time off work request determined by the District to qualify as FMLA leave will be credited against the employee's FMLA leave for the twelve-month rolling period described in the "Definitions" section of this Administrative Regulation. Employees will be told whether the time off work requested is determined to be FMLA leave before the start of the requested leave, or as soon thereafter as practical.

SUBSTITUTION OF PAID LEAVE TIME

Although FMLA leaves are **unpaid** leaves, there are several ways in which the district's policies on salary continuation, sick days, and vacation pay work in conjunction with certain kinds of FMLA leaves to provide you with some form of income during such a leave.

- Employees must exhaust earned and/or accrued paid time off. When time off work which qualifies as FMLA leave is to be taken, employees shall first be required to exhaust earned and/or accrued paid time off which will be credited against their FMLA leave. For example, if an employee has earned and/or accrued paid vacation or personal leave, the District shall require that the employee first apply that leave time to his/her FMLA leave until the earned and/or accrued paid leave time is exhausted. The District shall also require that any earned and/or accrued paid vacation or personal/sick leave be exhausted before the employee takes any unpaid FMLA leave to care for the employee's own serious health condition or that of a spouse, child, or parent (where permitted for the latter purpose under the contract or policy governing the employee). Any remaining FMLA leave to which the employee is entitled will then be taken on an unpaid basis. An Employee also is entitled to substitute accumulated paid time off for FMLA leave.
- District Notification of FMLA Leave. Once the District receives notice (or sufficient information) that leave is being taken for an FMLA required reason, the district shall (within two business days, absent extenuating circumstances) notify the employee, in writing via first class mail, that accrued paid leave (as described above) has been designated as FMLA leave.

MEDICAL CERTIFICATION

If an employee requests FMLA leave due to a serious health condition or to care for a parent, child, or spouse with a serious health condition, the employee will be required to provide medical certification from a healthcare provider of a serious health condition involved and, if applicable, verification that the employee is needed to care for the ill family member and for how long. Forms for this purpose will be provided by the Human Resources office when the employee notifies the District of the need for the leave. Employees must provide the requested medical certification within fifteen days of being supplied with the necessary certification form from the Human Resources office or a request for FMLA leave may be delayed or denied.

After an employee submits the required medical certification, the District may require, at its option and its expense, that a medical certification be obtained from a healthcare provider of the District's own choosing to verify the need for the requested FMLA leave. If the first and second certifications differ, the District may require (at its option and at its own expense) that a third certification be obtained from a third healthcare provider who is jointly selected by the prior two healthcare providers. The third medical certification will be final and binding on both parties. If the employee refuses to be examined by the third

healthcare provider or refuses to cooperate in the examination, the employee will be bound by the second certification.

The District may also require periodic medical re-certifications at its own expense. The District also retains the right to require the employee who is absent on FMLA due to his/her own serious health condition to present medical certification on return to work. Failure to provide this information will delay restoration of employment and may result in separation from employment status.

INTERMITTENT/REDUCED LEAVE SCHEDULE

If an employee needs intermittent leave, or leave on a reduced schedule (or if the intermittent/reduced leave is allowed for the birth of a child or for placement of a child for adoption or foster care), the employee must advise the District why the intermittent/reduced leave schedule is necessary. An employee must meet with the District and attempt to work out a leave schedule which meets the employee's needs for leave without unduly disrupting the District's operations. The employee should meet with the District before treatment is scheduled. If the meeting takes place after treatment has been scheduled, the district may, in certain instances, require an employee to attempt to reschedule treatment.

The District may assign an employee to an alternative position with equivalent pay and benefits, but not necessarily equivalent job duties that better accommodate the employee's intermittent or reduced leave schedule. The District may also transfer the employee to a part-time job with the same rate of pay and benefits, but the employee will not be required to take more leave than is medically necessary. Where benefits (e.g., vacation) are based on the number of hours worked, the employee will receive appropriate benefits, based upon hours worked. When a transfer to a part-time position has been made to accommodate an intermittent or reduced leave schedule, the District will continue group health benefits on the same basis as provided for full-time employees until the 12 weeks of FMLA leave are used.

Intermittent and reduced leave schedules are available to all employees for prenatal care, to attend to a serious health condition requiring periodic treatment by a healthcare provider, because the employee (or family member) is incapacitated to a chronic serious health condition, or because of childbirth, adoption or foster care placement.

If an eligible instructional employee requests intermittent leave or leave on a reduced leave schedule to care for a family member having a serious health condition, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment, and the instructional employee would be on leave for more than 20% of the total number of working days over the period the leave would extend, the District may require the instructional employee to choose either to: (1) take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or (2) transfer temporarily to an available alternative position for which the instructional employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the instructional employee's regular assignment.

BENEFITS

Status of Benefits while on Leave. During the period of an approved FMLA leave, your health insurance will continue uninterrupted. If you make a contribution toward your

coverage, however, you must make arrangements to continue your contributions during the term of your leave in order to continue your basic health insurance coverage at existing levels. Failure of an employee to pay his or her share of health insurance premium during FMLA leave may result in loss of coverage if the employee's contribution is more than 30 days late. If the employee's premiums are in arrears, the District shall provide the employee at least 15 days written notice to the employee, via first class mail, prior to canceling insurance plan coverage.

Except as required under COBRA, the District's obligations to maintain health benefit premium contributions for an employee on FMLA ceases when: (1) the employment relationship would have terminated, irrespective of the FMLA leave (e.g., reduction in force); or (2) when the employee advises the District of intent not to return from leave; or (3) when FMLA expires and the employee has not returned from leave.

Employee contributions will be required either through payroll deduction or by direct payment to the Finance office. The employee will be advised in writing at the beginning of the leave as to the amount and method of payment. Employee contribution amounts are subject to any change in premium rates that occur while the employee is on leave.

If the District remits any employee premium contributions in arrears from the employee while on FMLA leave, the employee will be required to reimburse the District for delinquent payments (through authorized payroll deduction or otherwise) upon return from leave. If the employee fails to return from unpaid family/medical for reasons other than: (1) the continuation, recurrence or onset of a serious health condition of the employee or a covered family member, or; (2) circumstances beyond the employee's control (certification required within thirty days of failure to return for either reason), the District may seek reimbursement from the employee for the portion of the premiums paid by the District on behalf of that employee (also known as the "employer contribution") during the period of leave, excluding period where the District or the employee has substituted paid leave for FMLA leave.

An employee is not entitled to seniority or benefits accrual (e.g., holidays, vacations) during period of unpaid leave, unless otherwise specified by the terms of a collective bargaining agreement or individual contract of employment. An employee who takes FMLA leave will not lose any seniority or employment benefits that accrued before the date leave began.

Relation to Workers' Compensation Leave. If you have a work-related illness or injury that qualifies as a "serious health condition" under this Administrative Regulation, time away from the job for which you receive Workers' Compensation payments will be considered an FMLA leave and will reduce your entitlement to up to 12 weeks of FMLA leave in any 12-month period.

RETURN TO WORK

Position placed in after Leave. Upon conclusion of FMLA leave, an employee will be returned to the same position the employee held when leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. The definition of an "equivalent" position may be accomplished through a collective bargaining agreement between the District and labor organization having exclusive representation right in a defined bargaining unit of District employees.

Position placed in after Leave for Instructional employees. If an instructional employee begins leave under the Family and Medical Leave Act more than 5 weeks before the end of a semester, the district may require that leave be taken until the conclusion of the

semester if the leave is to last up to 3 weeks and the instructional employee would return to work during the 3-week period immediately before the conclusion of the semester.

If an instructional employee begins leave under FMLA (other than for the instructional employee's own serious health condition) during the 5-week period before the end of a semester, the District may require that leave be taken until the end of the semester if the instructional employee would return to work during the 2-week period immediately before the end of the semester and if the leave period is to last more than 2 weeks.

If an instructional employee begins leave under FMLA (other than for the instructional employee's own serious health condition) during the 3-week period before the end of the semester and the leave will last more than five working days, the District may require the instructional employee to take leave until the end of the semester.

KEY EMPLOYEES

Qualifiers for a "Key" employee. A "key" employee is an eligible salaried FMLA eligible employee who is among the highest paid 10% of District employees.

Job Restoration for "Key" employees. While the District will not deny FMLA leave to an eligible key employee, the District may deny job restoration to a key employee where the restoration of the key employee to employment will cause the District substantial and grievous economic injury or substantial, long-term economic injury.

Notification for "Key" employees. Each employee who is designated as a "key" employee will be notified of that fact when he/she requests FMLA leave, or at the commencement of such leave, whichever occurs first, or if the notice cannot be given then because of the need to determine whether the employee is a "key" employee, as soon thereafter as practical.

In any situation where the District determines that it will deny restoration or employment to a key employee, the District will issue a hand-delivered or certified letter to the key employee explaining the basis of the finding that the required injury to the District exists. Additionally, the District will inform the "key" employee of the potential consequences with respect to reinstatement of health benefits should employment restoration be denied. Where practical, the District will communicate this determination prior to the commencement of the FMLA leave; the key employee may then take FMLA leave or forego it. If the FMLA leave has already commenced, the key employee will be provided a reasonable time in which to return to work after being notified of the District's decision to deny reinstatement.

Timelines for the District to determine whether to Reinstate a "Key" employee on FMLA Leave. If a key employee does not return to work in response to the district's notification of its decision to deny restoration of employment, the District will continue to provide the key employee with health benefits (to the extent of the FMLA leave period) and the District will not seek to recover its cost of health benefit premiums. A key employee's FMLA rights will continue until the employee gives notice he/she no longer wishes to return to work or until the District denies reinstatement at the end of the leave period. The key employee has the right, at the end of the FMLA leave period, to request reinstatement and the District will reevaluate the extent of its injury due to the requested reinstatement based on the facts at that time.

If the District again determines that the reinstatement will still cause the injury, the key employee will be notified in writing by hand-delivered or certified letter of the denial of his/her reinstatement to employment. If the District finds that reinstatement will not result in the required injury, the key employee will be granted reinstatement.

FAILURE TO RETURN FROM LEAVE

The failure of an employee to return to work upon expiration of FMLA will subject the employee to termination unless an extension is granted. An employee who requests an extension of FMLA leave due to the continuation, recurrence or onset of her or his own serious health condition, or the serious health condition of the employee's spouse, child, or parent, must submit a request for an extension, in writing, to the Human Resources office with a copy to the employee's immediate supervisor. The written request should be made as soon as the employee realizes that she or he will not be able to return at the expiration of the leave period. Medical certification or recertification will be required in connection with requests for leave extension.

EFFECT OF COLLECTIVE BARGAINING AGREEMENTS

All provisions of the Administrative Regulation shall prevail except as modified by, or as may be inconsistent with, any applicable collective bargaining agreement between the District and any labor organization having exclusive representation rights in a defined bargaining unit of District employees. To the extent that this Administrative Regulation conflicts with the terms of such collective bargaining agreement(s), those agreement(s) shall prevail to the extent of such conflict or inconsistency where the contract provides greater rights to the employee than are otherwise secured through FMLA.

POSTING NOTIFICATION

Copies of this Administrative Regulation shall be provided for and posted prominently in all buildings and copies provided to all employees. All employee handbooks shall include a notice of employee rights under FMLA and this Administrative Regulation.