



Monroe Public Schools EMPLOYEE HANDBOOK

**Prepared by:
Monroe Public Schools
Human Resources Office
Revised August 2022**



Monroe Public Schools Human Resources Office of Personnel and Labor Relations

Welcome to the Monroe Public Schools District. We are happy and privileged to have you as a member of our staff, and we are confident that you'll find your employment with us rewarding.

As a member of our staff, you will play an important part in meeting our vision, mission, and goals of providing all students a high-quality educational experience in a safe, healthy, and friendly environment. You will contribute to this by performing your job duties in a positive, efficient, productive, and professional manner and by working cooperatively with other employees to achieve our common goals.

This handbook is designed as a reference for all regular Monroe Public Schools employees covering a range of employee-related issues. Information in this booklet pertains to all employees unless otherwise noted. This handbook references and includes many policies adopted by the Monroe Public Schools Board of Education.¹ However, to the extent, that the language in the handbook conflicts with the language in a Board policy, the language in the Board policy shall govern. Further, in several areas, the language of the negotiated "Master Agreements" (or collective bargaining agreements) may be different from the wording in this handbook. In such cases, the applicable Master Agreement language takes precedent.

The procedures and practices contained herein are subject to change based on changing conditions, experiences, and district developments. Each employee is asked to assist in the development of this handbook by notifying the appropriate supervisor when problems are encountered, or improvements can be made in the overall management of the personnel function in the district. It should be noted that this handbook may not address every situation that may arise in the workplace.

As changes and/or revisions are made, such changes will be distributed to all employees for inclusion in the handbook. When a significant number of changes have been made, the entire booklet will be redistributed. The most up-to-date version of this handbook is available on our website under Employee Services @ <http://monroepublic.cyberschool.com/District/Department/20-Employee-Services/1638-MPS-Employee-Handbook.html>

This handbook is not a contract of employment. It does not promise or guarantee a particular benefit or specific action. This handbook is only issued as a means of providing general information to each employee.

¹ All Board policies are available here:
<https://go.boarddocs.com/mi/monroep/Board.nsf/Public?open&id=policies>.

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Mission

Monroe Public Schools is committed to being the premier education organization in the region. We are devoted to promoting high expectations for all in a state-of-the-art 21st century curriculum. We recognize that all of the students and the communities that we serve are our customers, and we promise to make all decisions in their best interest.

Beliefs

1. All children are capable of learning and should have an equal opportunity.
2. A positive, safe, orderly environment promotes optimal learning.
3. A dynamic environment exists when children, parents, and staff each assume their responsibility in the learning process.
4. The community and all its resources are available for the education of children.
5. By instilling self-esteem, we teach children to value themselves and all others.
6. All cultural orientations have value and should be integrated into the educational process.
7. Students can develop a responsible role and contribute to a democratic society.
8. Education is a continuous and lifelong process.

Goals

1. Achievement of all Monroe Public School students will improve during the school year as evidenced by improved performance on standardized tests and alternative, local assessments.
2. Student discipline and attendance will improve by instituting Conflict Resolution programs, Positive Peer Influence, and Peer Listening, and implementation of other programs designed to foster a better school climate.
3. Curriculum and instruction will be strengthened through the continued application of the "Frameworks" process in curriculum review and revision and the alignment of all instruction with outcomes as presented in the "Student Profile" and supporting "Substantive Guidelines."
4. Monroe Public Schools will create an enlarged partnership of parents, business/industry, and the community working together with students to stimulate growth and a stronger commitment to graduate.

WEBSITE: www.monroe.k12.mi.us

GENERAL GUIDELINES FOR ALL EMPLOYEES

Terms of Employment

This handbook is applicable to all employees. If the terms or a policy, procedure, or benefit varies according to the employee group that an employee holds, the terms that apply to employees in that group will be specifically described in the applicable bargaining agreement.

This handbook does not constitute an employment contract between the school district and its employees. The provisions contained in this handbook supersede any and all contrary representations that may have been made either by the school district or you. No employee, supervisor, or other person, except the Superintendent or the Superintendent's specific designee, has the authority to enter into any employment agreement on behalf of the school district for any specified period of time, pursuant to any particular conditions or to make any agreement contrary to the terms expressed in this handbook. Unless provided for through a specific bargaining agreement, the school district is an at-will employer. This means that the employment relationship is for an indefinite period of time and can be terminated at any time, with or without cause and with or without notice, except where otherwise stated in an employment contract.

Equal Employment Opportunity

The Monroe Public Schools District is an equal opportunity employer that supports and subscribes to a policy of non-discrimination in all aspects of employment. This policy notification states:

It is the policy of Monroe Public Schools not to discriminate on the basis of race, color, national origin, gender, age, disability, religion, height, weight or marital status in its programs, services, employment, or any other activities. For information contact the office of the Superintendent of Schools, 1275 N. Macomb St., Monroe, MI 48162, 734-265-3070.

Disabled employees who feel accommodations are needed to perform their job must notify the Human Resources Office in writing of the need for accommodation within 182 days after the date the employee knew or reasonably should have known, that accommodation was needed. The person designated to handle any complaints or requests for accommodation is the Assistant Superintendent for Personnel and Labor Relations.

Confidentiality

In the course of your employment, you may have access to information about the district, students, their parents, and other employees. It is the expectation of the district that such information is kept confidential. If you are uncertain about whether the information is confidential, you must check with an administrator or supervisor **before** discussing it with anyone. Violations of this expectation may result in formal discipline.

Public Relations

Our community is very important to us. When dealing with our students, parents, staff and community, it is important that as employees, we are always courteous, polite, and patient. Education has become a very competitive business. Our level of customer service is critical to maintaining students and families who can choose where they obtain their education. It is the expectation of the district that all employees always represent the district in a positive and helpful manner.

Personnel Files

Under the **Bullard-Plawecki Employee Right to Know Act**, employees have a right to examine their personnel file. If you wish to examine your file, you must contact the Human Resources Office in advance and make arrangements during normal business hours and outside of your scheduled work time. It is also important to know that Personnel files are considered public information and may be requested under the Freedom of Information Statute. In such a case, the Human Resources Office will contact and inform the employee of the request for records. Prior to any release, the Human Resources Office will review the records and will redact any personal information protected under the statute.

Dress Code (See Board Policies po3216, po4216)

All employees are expected to dress appropriately for work. The level of dress is determined by the type of work that is required. If you have a question regarding appropriate dress for your work classification, you should seek direction from your supervisor as to what attire is appropriate. It is expected that persons doing jobs that require protective clothing or equipment will wear that clothing or equipment at all times while doing those jobs.

Attendance

Regular attendance and punctuality are expected of all employees and are essential to the efficient and productive performance of work. You are expected to report to work on time and be prepared to begin work at your scheduled start time. You are also expected to remain productively at work through the end of your schedule except for scheduled breaks and lunch periods. Excessive absenteeism, whether excused or not, is not acceptable. Each situation of excessive absenteeism or tardiness will be evaluated and resolved on a case-by-case basis.

Reasonable Assurance

This school district has regularly scheduled breaks, including holiday and summer, during the fiscal year. These breaks occur when school is not in session. During these breaks, the district provides you the assurance that you will return to work in the same or similar position at the completion of that break. Upon return to work after the break, the district will have validated your continuing employment. The only exception to this is if the employee receives an official notification of layoff that will commence immediately.



Monroe Public Schools

Code of Conduct with Students

The most important responsibility of the Monroe Public School District (District) is the safety of our students. All employees, as well as all individuals who work with or have contact with students, are reminded that they must be mindful of the line drawn between being sensitive to and supportive of students and a possible or perceived breach of responsible, ethical behavior.

While the District encourages the cultivation of positive relationships with students, employees and all individuals who work with or have contact with students are expected to use good judgment and are cautioned to avoid situations including, but not limited to, the following:

1. Meeting individually with a student behind closed doors, regardless of gender.
2. Engaging in any behaviors, either directly or indirectly with a student(s) or in the presence of a student(s), that are unprofessional, unethical, illegal, immoral, or exploitative.
3. Giving student(s) gifts, rewards, or incentives that are not school-related and for which it is directly or implicitly suggested that a student(s) is (are) to say or do something in return.
4. Making statements or comments, either directly or in the presence of a student(s), which are not age-appropriate, professional, or which may be considered sexual in nature, harassing, or demeaning.
5. Touching or having physical contact with a student(s) that is not age-appropriate or within the scope of the employee's/individual's responsibilities and/or duties.
6. Transporting student(s) in a personal vehicle without proper written administrator and parent authorization forms on file in advance.
7. Taking or accompanying student(s) off campus for activities other than a District-approved school journey or field trip.
8. Meeting with or being in the company of student(s) off campus, except in school-authorized and/or approved activities.
9. Communicating with student(s), in writing, by phone/email/texting/electronically, via Internet, or in person, at any time, for purposes that are not specifically school-related.
10. Calling or texting student(s) at home or on their cell phone, except for specific school-related purposes and/or situations.
11. Providing student(s) with a personal home/cell telephone number, personal email address, home address, or other personal contact information, except for specific school-related purposes and/or situations.

Even though the intent of the employee/individual may be purely professional, those who engage in any of the above behavior(s), either directly or indirectly with a student(s) or in the presence of a student(s), are subjecting themselves to all possible perceptions of impropriety. Employees/individuals are advised that, when allegations of inappropriate conduct or behavior are made, the district is obligated to investigate the allegations and, if warranted, take appropriate administrative and/or disciplinary action, as well as refer the matter to the appropriate agency.

Employees/individuals who have questions or need further information should contact their administrator or supervisor or may call the Human Resource Office at (734) 265-3020.

Part I – Employee Benefits & Payroll Information

You are an employee of the Monroe Public Schools District. As such, you have a level of pay and fringe benefits based on the group into which you were hired. This booklet will review what you need to know about payroll and fringe benefits.

This booklet also covers social security deductions, withholding taxes, and just what your pay stub means. Please refer to it for any questions you may have. If you still need further information, please contact the appropriate office at the Administration Building.

<u>Payroll Office</u>	<u>Telephone</u>	<u>Internal</u>	<u>E-mail Address</u>
Danielle Complo	734-265-3044	3044	complo@monroe.k12.mi.us

<u>Employee Benefits</u>	<u>Telephone</u>	<u>Internal</u>	<u>E-mail Address</u>
<u>Attendance/Leaves</u> Melissa Schilling	734-265-3020	3020	schilling@monroe.k12.mi.us

We welcome you and are glad to have you as a member of the Monroe Public Schools Employment Team.

Please visit our website at www.monroe.k12.mi.us for the up-to-date district information, especially the Employee Services page which is continuously updated for you.

WHAT YOU SHOULD KNOW ABOUT EMPLOYEE BENEFITS

The Monroe Board of Education provides a comprehensive package of fringe benefits for employees. Enrollment, however, is not automatic. Employees who are eligible for insurance coverage through the Board must sign applications before coverage can take effect. Application forms are available from the Human Resources Office at the Administration Building which is located at 1275 N. Macomb Street in Monroe.

Employee Benefits are negotiated as a part of employee contracts or granted by the Board to non-unionized personnel.

Employees who are newly hired or who are returning from an unpaid leave of absence must enroll in the insurance plans to which they are entitled within 30 days of the date of hire or re-hire. If this is not done, the application must wait until the next open enrollment period granted by the insurance companies which might be several months.

Any change of name, marital status, addition, or deletion of dependents, or change in beneficiaries, must be reported to the Human Resources Office as soon as possible so the appropriate forms can be completed. New dependents or eligible family members must be added to your insurance within 30 days of the event, or their effective date will be delayed until the next open enrollment period.

An employee who is on an unpaid leave of absence will not have fringe benefit allowances paid by the Board, except for those qualified under the Family Medical Leave Act. In some instances, an employee may keep group coverage in effect by making direct payments while on leave. If these arrangements are not made, insurance will lapse. In any event, it is necessary to re-enroll within 30 days of the official date of returning to work. Contact the Human Resources Office at the Administration Building for advice.

Specific information on insurance and other employee benefits is given in the Master Agreement of each bargaining unit. Those employees who are not represented by a union should contact the Human Resources Office for details. All employees should direct specific questions to that office.

Information on the following pages will help you make optimum use of fringe benefits for which you are eligible. It is not intended, however, to be a comprehensive reference. Refer to your Master Agreement, and insurance information from the carrier, or contact the Human Resources Office for answers to individual questions.

INSURANCE CONTACT INFORMATION

For specific questions on claims or services covered under each plan, you may contact your insurance company directly using the contact information provided below.

MESSA	1-800-292-4910	www.messa.org
SET-SEG	1-800-292-5421	www.setseg.org
Delta Dental	1-800-482-8915	www.deltadental.com
Basic Employee Services	1-800-444-1922	www.basiconline.com

OPTIONAL BENEFIT CHOICES

There are other insurance plans which are not part of the fringe benefits paid by the Board, but are available to school district employees at their own expense:

Flexible Spending Account and Dependent Care Reimbursement -- We are pleased to offer the additional employee benefit which will save participating employees tax dollars on certain out-of-pocket health and dependent care expenses. They allow qualified employees to pay for uninsured health care expenses (deductibles, co-pays, and other items not covered by insurance) as well as allowable dependent care expenses (usually childcare) with pre-tax dollars. Employee Benefit Concepts (EBC) will continue to operate our program. For additional information, you may want to visit their website at www.employeebenefitconcepts.com. For employees who enroll in this program, you can access your personal information at www.myflexonline.com

MESSA Optional Insurance Coverage – Employees eligible for MESSA medical coverage, also have the option of selecting additional Life Insurance, Dependent Life Insurance, Survivor Income Insurance-, Short- and Long-Term Disability coverage through MESSA when they enroll for health benefits. Changes in these elections or the addition of this coverage may be done during the Open Enrollment period each year. For additional information and costs contact the Human Resources Office or call MESSA at 1-800-292-4910.

AFLAC Optional Insurance Coverage – When faced with an accident or illness, Aflac pays YOU “Cash” (unless otherwise assigned) in addition to any other insurance you may have. AFLAC offers programs that help “fill the gaps” not covered by major medical insurance. Optional coverage choices include Disability Income Plan, Cancer Plan, Specified Health Event Plan, or Accident Plan. For additional information on AFLAC contact 734-769-6595.



New Health Insurance Marketplace Coverage Options and Your Health Coverage

Form Approved
OMB No. 1210-0149
(expires 6-30-2023)

PART A: General Information

When key parts of the health care law take effect in 2014, there will be a new way to buy health insurance: the Health Insurance Marketplace. To assist you as you evaluate options for you and your family, this notice provides some basic information about the new Marketplace and employment-based health coverage offered by your employer.

What is the Health Insurance Marketplace?

The Marketplace is designed to help you find health insurance that meets your needs and fits your budget. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. You may also be eligible for a new kind of tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

Can I Save Money on my Health Insurance Premiums in the Marketplace?

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that you're eligible for depends on your household income.

Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through the Marketplace and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your monthly premium, or a reduction in certain cost-sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit.¹

Note: If you purchase a health plan through the Marketplace instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution -as well as your employee contribution to employer-offered coverage- is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the Marketplace are made on an after-tax basis.

How Can I Get More Information?

For more information about your coverage offered by your employer, please check your summary plan description or contact _____

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit HealthCare.gov for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

¹ An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

PART B: Information About Health Coverage Offered by Your Employer

This section contains information about any health coverage offered by your employer. If you decide to complete an application for coverage in the Marketplace, you will be asked to provide this information. This information is numbered to correspond to the Marketplace application.

3. Employer name		4. Employer Identification Number (EIN)	
5. Employer address		6. Employer phone number	
7. City	8. State	9. ZIP code	
10. Who can we contact about employee health coverage at this job?			
11. Phone number (if different from above)		12. Email address	

Here is some basic information about health coverage offered by this employer:

•As your employer, we offer a health plan to:

All employees. Eligible employees are:

Some employees. Eligible employees are:

•With respect to dependents:

We do offer coverage. Eligible dependents are:

We do not offer coverage.

If checked, this coverage meets the minimum value standard, and the cost of this coverage to you is intended to be affordable, based on employee wages.

** Even if your employer intends your coverage to be affordable, you may still be eligible for a premium discount through the Marketplace. The Marketplace will use your household income, along with other factors, to determine whether you may be eligible for a premium discount. If, for example, your wages vary from week to week (perhaps you are an hourly employee or you work on a commission basis), if you are newly employed mid-year, or if you have other income losses, you may still qualify for a premium discount.

If you decide to shop for coverage in the Marketplace, [HealthCare.gov](https://www.healthcare.gov) will guide you through the process. Here's the employer information you'll enter when you visit [HealthCare.gov](https://www.healthcare.gov) to find out if you can get a tax credit to lower your monthly premiums.

The information below corresponds to the Marketplace Employer Coverage Tool. Completing this section is optional for employers, but will help ensure employees understand their coverage choices.

13. Is the employee currently eligible for coverage offered by this employer, or will the employee be eligible in the next 3 months?

- Yes** (Continue)
13a. If the employee is not eligible today, including as a result of a waiting or probationary period, when is the employee eligible for coverage? _____ (mm/dd/yyyy) (Continue)
- No** (STOP and return this form to employee)

14. Does the employer offer a health plan that meets the minimum value standard*?

- Yes (Go to question 15) No (STOP and return form to employee)

15. For the lowest-cost plan that meets the minimum value standard* offered only to the employee (don't include family plans): If the employer has wellness programs, provide the premium that the employee would pay if he/ she received the maximum discount for any tobacco cessation programs, and didn't receive any other discounts based on wellness programs.

- a. How much would the employee have to pay in premiums for this plan? \$ _____
b. How often? Weekly Every 2 weeks Twice a month Monthly Quarterly Yearly

If the plan year will end soon and you know that the health plans offered will change, go to question 16. If you don't know, STOP and return form to employee.

16. What change will the employer make for the new plan year? _____

- Employer won't offer health coverage
 Employer will start offering health coverage to employees or change the premium for the lowest-cost plan available only to the employee that meets the minimum value standard.* (Premium should reflect the discount for wellness programs. See question 15.)
- a. How much would the employee have to pay in premiums for this plan? \$ _____
b. How often? Weekly Every 2 weeks Twice a month Monthly Quarterly Yearly

* An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs (Section 36B(c)(2)(C)(ii) of the Internal Revenue Code of 1986)

RETIREMENT

All employees of a public school district are required by law to be members of the Michigan Public School Employees Retirement System (MPERS). The employer (Board of Education) pays a set percentage amount of the gross salary. To find out the current contribution percentage, contact the Payroll Office.

An employee who leaves Michigan public school employment may withdraw what he/she contributed to the retirement fund, plus accumulated interest. He or she may not withdraw what the employer has contributed.

An employee must request a retirement application form from the Retirement Office at least five months before expecting to begin drawing retirement allowance. Payment can begin only after all wages have been reported for a given year, but application must be made earlier. This final salary statement cannot be completed until the employee has received his or her last paycheck.

If you have any questions on retirement contact:

Michigan Public School Employees' Office of Retirement System
P.O. Box 30026
Lansing, MI 48909
(517) 322-6000 or (800) 381-5111
www.michigan.gov/ors

TAX-SHELTERED ANNUITY

An employee may choose to set aside a certain portion of his or her salary in an annuity to provide additional retirement income. Annuity contributions are not subject to income tax in the year in which they are deducted. Annuity payments are declared as taxable income in the year in which they are received. This provides certain tax advantages because a person's income after retirement is usually lower, and additional exemptions are available at age 65 for a husband and wife. The maximum amount of salary which can be sheltered in an annuity is determined by the Internal Revenue Service. Additional amounts may be available if certain conditions are met. Specific questions should be directed to your annuity representative. Purchasing an annuity amounts to taking a voluntary cut in current take-home salary to build up a retirement fund and reduce present income tax.

There is no detrimental effect on school district contributions to Social Security or the Michigan Public School Employees' Retirement Fund because these are based on the amount of salary earned, not on take-home pay.

Tax-sheltered annuities will be accepted by the Payroll Office at any time during the year. Supporting documentation will be required for deductions exceeding the limit.

All new applications or changes in existing contracts must be submitted not less than three (3) weeks before the effective date of implementation. Payroll deductions may not be for less than \$5.00.

TERMINAL LEAVE PAY

Upon retirement, certain employees may receive a lump sum payment computed on service credit and/or accrued sick leave. Check your master agreement to determine if you are entitled to such a payment.

SOCIAL SECURITY DEDUCTIONS (OASDI & MEDICARE)

The Federal government has established the rates and ceilings for Social Security deductions. Dates refer to the calendar year in which the wages are paid. Specific questions about Social Security credits and eligibility for benefits should be directed to the Social Security Office.

VOLUNTARY DEDUCTIONS

Some deductions are made from your paycheck because of legal requirements. Income tax is withheld for State and Federal governments. Social Security is mandatory.

There are other deductions which are not required, but which you may choose to take for the sake of convenience. For example, employees may choose to take out additional insurance, above and beyond what the Board pays as a fringe benefit, they may obtain an annuity, or they may arrange to have a portion of their paycheck deposited into a bank or credit union account. Payment for United Way contributions and MPS Scholarship Fund also may be made by Payroll deduction.

HOW YOUR WITHHOLDING TAXES ARE FIGURED

Federal income tax is calculated by a graduated rate system. Employers must withhold income tax from their employee's wages and salaries according to a system of seven graduated rates. These rates, which range from 15% to 39%, are included in two separate rate schedules for the customary payroll periods. One rate schedule applies to single persons (including heads of households) and the other applies to married persons.

If you want more tax withheld, you can claim fewer exemptions than you actually have. You can also have a specific additional amount deducted per check.

State withholding taxes are calculated on a straight percentage basis.

EXEMPTIONS

To change the number of income tax exemptions, or to find out how many exemptions you have already claimed, simply contact the Payroll Office. The Payroll Office can inform you of the number of dependents you have claimed for income tax deductions. The Payroll Office will provide you with a W-4 form if you want to change the number of exemptions.

MORE INFORMATION ABOUT YOUR EARNINGS OR DEDUCTIONS

<u>Information</u>	<u>Office</u>	<u>Phone</u>
Absence Information	Human Resources	265-3020
Annuities	Payroll Office	265-3044
Change of Information	Human Resources	265-3020
Exemptions	Payroll Office	265-3044
Insurance	Human Resources	265-3020

- Check the spelling of your name on your paycheck.
- Report any change of name, address, or telephone number promptly to Human Resources **using the change of information form available in your Frontline Central Forms.**
- Call Human Resources Office to report additions or changes in insurance beneficiaries or people covered.
- Check with the Payroll Office to be sure the number of exemptions and marital status is being reported correctly to data processing. **Income tax deductions depend on these categories.**

DIRECTIONS CREDIT UNION

15470 S. Telegraph Road
Monroe, Michigan 48161
(734) 242-3765
info@directionscu.org

The Directions Credit Union is open to all employees of educational institutions in Monroe County. Membership, however, is NOT automatic. Contact the Credit Union for information on how to join.

Services offered include shares account, life insurance, loans, and notary service. Arrangements may be made with the Credit Union or Payroll Office to have a part of a paycheck (in multiples of \$5) deposited directly in a Credit Union Account.

EMPLOYEE ACCESS CENTER

All employees are required to participate in Direct Deposit. Forms are available in the payroll department to select the account number(s) where you wish to have your check deposited.

You will utilize the Employee Access Center to view your paycheck stubs, check your attendance information, and view the demographic information on file with the payroll department.

You can access Employee Access Center in two ways. Open your internet browser. Enter the following web address: <https://www.monroe.k12.mi.us/District/Department/20-Employee-Services/1636-Employee-Access-Center-Instruction.html> or use the link "Employee Access Center Instructions & Link", found under Employee Services on our website.

When you open the Employee Access Center be sure to pick the Monroe Public Schools database

NOTES FOR INITIAL USE:

Your user ID is your employee ID # (58010XXXX). This can be found on your paycheck stub, in PowerSchool, or in your Frontline Central profile.

Your password will initially be the last 4 digits of your social security number (for employees hired prior to 2013 it will be your full social security number no dashes).

DISCLAIMERS

- Please update your email contact address (in case you forget your password you can then have it sent to you).
- You may make changes to your address and phone number through the Employee Access Center. These changes will go into effect upon approval from the payroll department.
- If you need to change your name or tax information, complete the appropriate form and forward that information to payroll.
- If you see discrepancies in your certification or education, please contact Jill Synowiec in the Human Resources Office.
- Please note that the district-paid benefits do not include costs for health insurance at this time.

To change your password click on the "Update Account" option at the top of the screen and follow the instructions from there.

Click on the options in the left panel to view your various personnel screens. Be aware that the information on the Salary & Benefits screen is informational only.

Please contact Danielle Complo (3044) or Jill Synowiec (3020) if you have questions.

SmartFind Express Instructions

**Automated Absence Call-In
Registration Information for Teacher, Administrators, Secretaries, Maintenance,
and Exempt Staff**

**TO REGISTER AS A NEW USER FOR
SMARTFIND EXPRESS, YOU WILL RECEIVE A WELCOME EMAIL WITH
DIRECTIONS.
(Also, below)**

*YOUR ACCESS ID IS YOUR EMPLOYEE ID NUMBER PROVIDED TO YOU BY YOUR
DISTRICT

1. Call SmartFind Express 734.242.5356
2. Enter your Access ID (Employee ID number*)
3. Enter your current PIN (Employee ID number*)
4. Register by recording your name
5. Accept by pressing the number 1

You will then be asked to enter a NEW 6-digit PIN and press the *(star) key to accept.

The automated system may be called to report an absence 24 hours a day, seven days a week.

The automated system calls substitutes during the following times:

Days	Today's Jobs	Future Jobs
Weekdays	Starts calling at 5:30 AM	Calls from 6:00 – 10:00 PM
Saturday	Does not call	Does not call
Sunday	Does not call	Calls from 6:00 – 10:00 PM
Holidays	Does not call	Calls from 6:00 – 10:00 PM

SmartFind Express

Web-Based Absence Reporting Teachers, Administrators, Secretaries, Maintenance, and Exempt Staff

Teachers, secretaries, maintenance, and administrators have an internet-based option for reporting daily illness absences. Absences that must be authorized (**business days, vacation, conferences, meetings, or other school business**) will be put in the system at central office. The telephone call-in procedures are still available; however, you will find that the web-based approach is somewhat easier to use, especially when entering multiple days or half days. Follow these instructions:

Go to: www.monroe.k12.mi.us , on the home page click on "Employee Services" and then click on "SmartFind Express" (**It is suggested that you create a "favorite" at the log-on page**).

1. Log On: User ID is your Employee Number; Pin is the 6-digit number you created when registering.
2. Click on: "Create an Absence"
3. Use the drop-down menu to choose an absence reason. Remember, the only reasons you will use here are: **Sick Self, Sick Family Member, Allowable Funeral Absence, and Jury Duty**. Do **NOT** use any of the other choices.
4. Leave the Budget Code Blank. This will be a default on the system.
5. Use the "Start and End" lines to create the specifics of the absence.
6. Leave the workdays alone. This is your work schedule.
7. If you would like a specific sub, you may request such (this is not a guarantee).
8. Click the "submit" button. The details of the absence will come up on the screen to review.
9. If everything is correct, click the "create an absence" button. The absence will then be assigned a job number. Either write down the job number or print this page. Then click continue.

Review Absences: You can also review your reported absences online.

1. Log in the same way.
2. Click on "Review Absences"
3. Put in the date range to review. Can be single or multiple.
4. To cancel an absence, click on "details" for the specific absence to be canceled. Then click "cancel job".
5. The review page can also be printed.

Note: If you are unable to access the web page, use the telephone call-in instructions. It is possible that the internet could be down at times.

Monroe Public Schools

Call-In Procedures for Teachers, Administrators, Secretaries and Exempt Staff

You will be utilizing the automated call-in system **ONLY** for daily illness call-ins. All other prearranged absences (business days, conferences, meetings, medical appointments etc.) will be reported as they have in the past and will be put into the system at central office after they have been approved.

To Report an Absence: Call (734)242-5356

Enter PIN when prompted: (Write PIN here) _ _ _ _ _

Main Menu – Codes

NOTE: If you have the menu code below you can enter the appropriate code at any time after the prompt. You do not have to wait for the system to recite all of the choices.

Press (1) To report an absence

Press (7) To review location/assignment

Press (5) Review, Cancel, Modify

Press (9) To Exit

To Enter an Absence – Codes

Press (1) For a one-day absence for the current day (after midnight)

Press (5) For a one-day absence for the next workday (before midnight or weekends)

To Confirm the Absence Times– Codes

Press (1) To accept the times

Absence Reason – (Appropriate Monroe Public Schools Codes)

Enter the reason code then press the STAR (*) key

Press (15) Personal Illness

Press (14) Allowable Family Illness

Press (8) Jury Duty

Press (7) Allowable Bereavement/Funeral

Special Instruction Options – Codes

Press (1) Allows you to leave a brief message (up to 2 minutes) that the substitute will hear.

Press (5) To skip this step

Substitute Necessity – Codes

Press (1) Substitute is required

Press (3) NO Substitute is required

Substitute Assignment – Codes

At this time, we are not ready to allow for requesting particular substitute teachers. Therefore, use only the one option below.

Press (3) To bypass this step

Confirmation Number – Code

This step must be completed in order to confirm an absence. You will receive a job number as proof the absence was reported. Please write this number down in case it is needed.

Press (1) To receive the job number

This is the end of the Call-In Procedure. To Review, Cancel, or Modify an absence, go to the main menu or call in at a later time and repeat steps A and B.

A. Press (5) To Review, Cancel, or Modify

B. Listen to the information given then;

Press (1) To hear the information again for the absence just reported

Press (3) To hear another absence

Press (5) To Cancel the job the system just played

Press (6) To modify the special instructions

C. If you Cancel the job

Press (1) To confirm the cancellation request

Press (1 again) To have the system call the assigned substitute.

Note: Once you confirm the cancellation request you must WAIT for the system to say "Job number XXXXXX has been cancelled".

Note: If you select "Modify Special Instructions" the system guides you through the steps of reviewing and replacing the voice message.

Special Note: As we implement and until further notice, we will require that all teachers who report a daily absence to the automated system call the principal or school number (as directed by the principal) as a backup. Absences on the system will be reviewed and checked against these to ensure the system is working properly and substitutes are available where needed.

If you have a problem and need to speak to a "Person" call:

(734) 322-2642

Part II - Employee Protections

The Monroe Public Schools Board of Education has adopted policies under which the District is managed on a day-to-day basis. All Board policies are available online at: <https://www.monroe.k12.mi.us/District/Department/14-Board-of-Education/1190-Policies.html>.

This section of the Human Resources Handbook is devoted to several Board policies which relate to various employee protections and are found in Appendix A. Policies contained herein include:

- Non-Discrimination and Equal Employment Opportunity Policy (po1422)
- Bloodborne Pathogens (po8453.01)
- Anti-Harassment (po1662)
- Drug-Free Workplace (po1422.01)

In addition to School Board policies, our school district must comply with several Federal laws which are meant to protect the rights of employees. These include:

- Civil Rights Act of 1964
- Age Discrimination in Employment Act of 1967
- Equal Pay Act of 1963
- Americans With Disabilities Act of 1990
- Executive Order 11246, as Amended
- Rehabilitation Act of 1973
- Vietnam Era Veterans Readjustment Assistance Act of 1974
- Title VI of the Civil Rights Act
- Occupational Safety and Health Act of 1970
- Employee Polygraph Protection Act
- Family Medical Leave Act

Equal Employment Opportunity is **THE LAW**

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

*EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement
EEOC-P/E-1 (Revised 11/09)*

FAMILY MEDICAL LEAVE ACT (See Board Policy po3430.01, po4430.01):

The Family Medical Leave Act of 1993 (FMLA) gives eligible employees of a covered employer the right to take unpaid leave, or paid leave if it has been earned, for a period of up to 12 work weeks in any 12 months because of the birth of a child or the placement of a child for adoption or foster care or because the employee is needed to care for a family member (child, spouse, or parents) with a serious health condition which makes the employee unable to do his or her job. Under certain circumstances, this leave may be taken on an intermittent basis rather than all at once, or the employee may work a part-time schedule.

An employee who wishes to determine eligibility for FMLA and/or wishes to apply for or receive additional information should contact the Human Resources Office.

Employees who believe this act has been violated may file a complaint with the Wage and Hour Division; Employment Standards Administration; US Department of Labor.

Part III – Human Resources Information

This section covers general topics that apply to all employee groups across the district. Please direct any specific questions to the Human Resources Office.

A. **Recruitment and Selection Procedures**

The Superintendent is responsible for making recommendations to fill all positions established by the Board of Education. The Executive Director of Human Resources is assigned the responsibility for ensuring that all appropriate guidelines for recruitment and selection are followed and for providing the Superintendent with adequate information to make recommendations. (See Selection Procedures - Appendix C)

B. **Job Qualifications**

All persons employed are expected to meet and maintain stated employment qualifications required by state and/or local statute and by school district policy. The District may adopt standards in excess of the minimum required by the state. These requirements may include but are not limited to licenses, certifications, journeyman cards, etc.

C. **Job Descriptions**

Job descriptions are established for all District positions and are reviewed periodically and revised as job requirements change. Job descriptions are intended to be guidelines for the nature of tasks completed within a position and are not intended to be either all-inclusive or an excuse not to complete a task assigned. From time-to-time employees may be asked to provide input on the nature of their jobs to determine if job descriptions warrant revision.

D. **Performance Evaluation**

The performance competencies of Monroe Public School employees are evaluated based upon job expectations, an assessment of the skills necessary to perform the job, a determination of whether an employee has met growth objectives and other criteria relative to the position. Performance evaluation instruments have been established and approved with input from union leadership and employees, where applicable. Instructions for the Frontline Evaluation Program are in Appendix C.

E. **Personnel Files**

Access to employee personnel records is limited to the superintendent and appropriate supervisory personnel. These individuals have unlimited access to review appropriate personnel files.

It is possible for individuals other than the above to request to see portions of an employee personnel record. This may include Board members or Board committees related to pertinent duties, or members of the public if they make a request under the Freedom of Information Act. In such cases, the employee will be informed in writing of the request to review such records.

An employee may also request to review the contents of his or her own personnel records. This can be accomplished by contacting the Human Resources Office to schedule an appointment. A member of the Human Resources Office must be

present during such employee review. This right of access includes the right to make an appropriate written objection to any information contained in the personnel file and will become part of the employee's personnel file.

F. **Individual Contracts**

Each year, individual contracts of employment will be issued to all employees required to hold teacher and/or administrative certification. These contracts will normally be issued in May for the upcoming school year. All such employees are required to sign a copy and return it to the Human Resources Office prior to **June 1**.

G. **Separation Interview**

When possible, a separation interview for all employees leaving the employment of the district will be held with the immediate supervisor or the Human Resources Office. This interview will take place prior to the last day of work, and will be documented in a written and signed statement on the official **Employee Exit Information Form #58 sent via Frontline Central**, which includes the following:

1. Reason for leaving
2. Last day of work
3. Desire of the employee to continue health benefits at their own expense.
4. Compliments or complaints about his/her employment with the district.
5. Request for a conversation with the Executive Director of Human Resources.

H. **Fingerprinting/Criminal History/Subsequent Reporting**

School Safety Legislation (PA 129-131 and 138) require the fingerprinting and criminal history check of all new and existing employees. Specific information, a summary of the legislation, an FAQ of the components of the legislation, and forms needed for current and subsequent reporting to comply with this legislation can be found at: <http://www.monroe.k12.mi.us>.

Part IV - Working Conditions

As a large and complex organization, the administration of the school district relies on certain policies, procedures, and practices to assist in managing the district. The administration of the district is committed to a fair and consistent approach to addressing all employee and management concerns. The input of our employees is always welcome and will be considered when making decisions related to the management of the organization.

This section addresses topics related to day-to-day working conditions for Monroe Public Schools staff. Where established policies, practices, or procedures exist, copies are included for your review. Where master agreements address certain working conditions, the master agreement takes precedence.

Any employee who has questions about specific practices and/or work rules should direct those to the immediate supervisor for clarification.

A. Workday/Hours/Overtime

For all employees, the length of the workday and the schedule of hours is set by the immediate supervisor upon approval of the Human Resource Office. The official business day for the district is 7:30 a.m. to 4:30 p.m. during the school year and 7:30 a.m. to 4:30 p.m. Monday through Thursday in the summer months. Specific departmental schedules are established taking district and department needs into consideration. All supervisors are required to provide departmental schedules to the Human Resource Office at the beginning of each new fiscal year, and if schedules are substantially altered throughout the year.

All Overtime must be authorized by the immediate supervisor and the Personnel Department prior to being worked. Generally, overtime is considered the exception rather than the rule and will be authorized accordingly. (See Standard Practice Bulletin P-7, Appendix B)

B. Lunch and Break Periods

All regular full time hourly employees (40 hours per week) are entitled to a minimum of a 1/2-hour unpaid lunch period and two fifteen-minute paid rest periods. The exact schedule and length of lunch periods will be set by the immediate supervisor according to the needs of the district and the department. All other unpaid breaks in the schedule must be approved by the immediate supervisor.

C. Workstations

All employees are expected to be at their assigned workstations and engaged in appropriate work activities during work hours. Employees who must vary from the above for any reason, must notify the appropriate supervisor and receive prior approval.

Under normal circumstances, employees may not bring their children or other non-Monroe Public School employees to the workstation during working hours. If it is necessary to bring a non-employee to the workplace, this **must** be approved in advance by the appropriate supervisor and receive prior approval.

If it is necessary for an employee to conduct personal business during working hours, such activity should be limited to lunch and break periods.

D. Safety

Employees are expected to follow appropriate safety practices and to wear any and all safety personal protective devices that are appropriate to the specific work assigned. Management will provide in service and/or written directives related to safety issues. Employees who observe any hazard or situation which threatens the safety and/or health of any employee are directed to report this condition to the appropriate supervisor immediately.

E. Emergency Closing of the Buildings

Members of district bargaining units should refer to applicable language in the master agreement to determine expectations for reporting to work under emergency conditions.

Occasionally, it may be necessary to close all or part of District operations due to bad weather or other unforeseen conditions. Information about closings that occur prior to the start of the school day will be sent via our automated call system, posted on Facebook, and provided by radio stations (WTWR 98.3 FM and WJR 760 AM), television stations in Detroit and Toledo, the Monroe News website at www.monroenews.com, and our District website at www.monroe.k12.mi.us.

It is the responsibility of any employee exempted from reporting to work when classes are cancelled to keep an updated contact number on file with the Human Resources Office or refer to the places listed above to receive information on closings. Employees not specifically exempted from reporting are expected to report as usual or as assigned. The district will not be responsible for compensating any employee who reports to a closed building because they did not receive the information. Employees who are required to report to work but are unable to do so must immediately notify their supervisor.

F. Conflict of Interest (See Board Policy po4110)

Employees of the school district are prohibited from using their position with the district for private advantage and/or gain. This includes providing consultations and/or educational services outside of regular employment.

Information, materials, equipment, and services provided by the district are for the exclusive use of the employee while completing his/her assigned duties for the district. Such information, materials, equipment, and services may not be used outside such employment setting unless prior approval is granted by the appropriate supervisor.

G. Attendance at In-services, Conference and Meetings

The Monroe Board of Education and administration promotes staff development as a priority. If an employee becomes aware of an in-service, conference, workshop, or meeting which would provide for their own professional growth and development, the following procedures must be followed.

- a. Request permission to attend by filling out a B-1 Conference Request Form and submitting it to the immediate supervisor (Appendix C)
- b. The immediate supervisor will indicate preliminary approval or disapproval in writing. If approved at this level, the request is forwarded to the appropriate central office administrator. (Appendix C)
- c. Any request for reimbursements must be made in advance and in accordance with district reimbursement limits. (Appendix C).

H. Travel Reimbursement

Reimbursement for authorized travel by personal automobile will be made according to the current mileage allowance rate. This rate is the maximum allowed by the IRS which does not have to be reported to the IRS as part of your gross income.

1. All persons authorized for travel reimbursement must keep a daily log of mileage using the mileage form/database on the district website. <https://www.monroe.k12.mi.us/District/Department/20-Employee-Services>
2. Mileage which accumulates to less than 50 miles per month should be processed every three months.
3. Mileage must be processed at least once per semester when the total mileage is under 100 miles.
4. Mileage not processed from one semester may not be carried over to the subsequent semester. In that case, the mileage will not be reimbursed.
5. All mileage reimbursements for second semester must be processed prior to the end of the fiscal year on June 30. No mileage from one fiscal year will be reimbursed during the next fiscal year.

I. Absence Reporting

It is the expectation of the District that employees be at work as scheduled to meet their job responsibilities. However, there may be times when an employee requires time away from work due to illness, personal business, bereavement, jury duty, etc. Many employee contracts include options for paid time off work to accommodate those unavoidable circumstances.

Employees who are absent from work must report the absence according to the master agreement or building/department procedures. All such reported absences must be documented on the proper forms and filed with the Human Resources Office.

While there are no allowances in any employee contract for random days off work without compensation, there may be circumstances that allowed for unpaid leaves of absence both by law and by contract. There also may be rare occasions when an employee needs to take time off work that does not fit into a contractually paid or unpaid absence category. Employees are encouraged to schedule these types of events during periods that are outside the employee's normal work schedule. If that is not possible, employees should schedule those absences at a time that causes the least disruption to the school district operations.

The following outlines the expectations and procedure that must be followed to get non-contractual unpaid time approved:

- Employees are expected to not take unpaid time off from work except in extreme circumstances.
- Employees may not use unpaid time off in place of sick time, business days, or other contractually provided purposes.
- Employees may not use unpaid time off adjacent to paid sick or business days until the employee has exhausted his/her sick or business time.
- Employees may not use unpaid time off as a "buffer" between business time and sick time in order to extend a vacation period.
- Employees who have unpaid time denied on certain dates and use other contractual paid time off on those same dates may be asked to provide documentation for the absence(s).

Unpaid time off from work pre-approval process:

- Use a business form to request unpaid time off.
- Attach a written description of the extreme circumstances necessitating unpaid time off.
- Have direct supervisor approve the unpaid time off.
- Submit the request and supporting documentation to the Superintendent or designee at least 14 calendar days prior to the unpaid date(s) requested.
- The superintendent or designee will make the final approval or denial of the unpaid time off.

Each circumstance will be considered on its individual merits, previous requests made by an employee for unpaid time off, and the needs of the school district.

J. Smoking (See Board Policy po7434)

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco products on District premises (owned or leased), in District vehicles, at all school sponsored events and in all school buildings owned and/or operated by the District.

K. Worker's Compensation (Accidents on the Job)

The district covers benefits for losses resulting from accidents suffered by an employee in the course of employment. Staff members must promptly follow the procedures for all injuries sustained on the job, regardless of severity. (See Standard Practice P-4, Appendix B)

1. When an injury occurs, it must be reported immediately to the supervisor.
2. If the employee needs medical treatment, the supervisor will issue the Order for Medical Treatment form for the employee to present to ProMedica 360 and notify the Human Resources Office.
3. Emergency room admission should be considered only in extreme injury cases and the Human Resources Office should always be contacted **before** admission, if at all possible.

L. Telephone

Telephones located at workstations are provided for conducting school business. The use of these telephones for personal business should be limited to essential or emergency calls and should only take place during lunch or break times. All local calls made from district phones are charged at 8.5 cents per call and as such, accumulate a substantial charge each month. (See Standard Practice B-10; Appendix B).

Long distance personal calls are to be held to emergency use only and must be approved in advance by the appropriate supervisor. Long distance calls should be limited to essential calls only and must be approved by the appropriate supervisor. (See Standard Practice B-10 & B-10 a, Appendix B)

M. Certifications/Approvals/Licenses

Contracted and hourly employees who are assigned to a position which requires a State of Michigan certificate, approval, or license in order to be qualified to carry out the duties of the position, are responsible for ensuring the certificate, approval or license is current and on file in the Human Resource Office. In addition, when new endorsements or other changes in the certificate, approval or license occur, it is the employee's responsibility to make the appropriate

arrangements, apply for, notify, and file such changes in the Human Resource Office.

N. Resignation (See Board Policy po3140/po4140)

An employee who wishes to resign his/her employment with Monroe Public Schools must submit the resignation in writing to the Human Resource Office. This written resignation must state the reason for termination and the anticipated termination date. Notice of resignation must be at least as long as required in the employment contract or a minimum of two weeks in the absence of contract limits.

O. Corrective Discipline

In an effort to maintain a high standard of work performance, the district expects all employees to be evaluated on a regular basis. The district also endorses the concept of corrective discipline to respond to circumstances resulting in performance below expected standards. The district endorses progressive discipline in assisting employees performing at a marginal level or below to return to proper levels of performance. (See Forms - Appendix C)

P. Outside Activities of Staff (See Board Policy po3231)

Charity drives or solicitations of personal funds from employees must be approved and authorized through the Superintendent or his/her designee prior to its initiation. Participation by any employee in any authorized fund or charity drive is voluntary.

No staff member may use his or her position in the district to influence employees, parents, or pupils to donate or purchase special non-required items or services being offered.

Appeals and solicitations will be implemented by a written communication to all appropriate staff and shall include the name(s) of the person(s) in charge of the appeal or solicitation so that employees who have questions or wish to participate may contact the designated person(s).

Any organization desiring to distribute fliers or other materials to staff and/or students must make their request to the Superintendent's Office prior to the distribution and provide a copy of the item to be distributed to staff or students. Materials may not be distributed unless approval has been received.

Q. Staff Gifts (See Board Policy po3214, po4214)

- a. Any requests from civic institutions, charitable organizations, or special interest groups which involve such activities as patriotic functions, contests, exhibits, sales of products to and by students, sending promotional materials home with students, graduation prizes, fundraising, and free teaching materials must be carefully reviewed to ensure that such activities promote student interests without advancing the special interests of any particular group.

- b. It is the policy of the Board of Education that students, staff members, and District facilities are not used for advertising or promoting the interests of any non-school agency or organization, public or private, without the approval of the Board or its delegated representative; and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this Board.
- c. Teachers may not charge for tutoring services if such tutoring services are provided on school district property. Tutoring services provided off school grounds are at the discretion of the parent and the teacher, and any charges must be for supplemental and not basic instruction.

R. Dress/Conduct (See Board Policies po3216, po4216)

Employees of the Monroe Public School District are expected to exercise responsible discretion relative to proper dress, posture, voice, choice of words and acceptable manners. Good taste in the choice of apparel and grooming helps greatly to set the proper tone and atmosphere for a good school environment. It is recognized that pride in the way one looks fosters pride in the way one works and inspires one to the best performance in all phases of work.

S. Student Supervision and Welfare (See Board Policy po3213, po4213)

Cases of assault or physical abuse upon any employee, including threats, are of great concern to the district. It is the district's intent to provide a safe and orderly environment for both staff and students. Any incident which breaks the safe and orderly atmosphere should be reported to the appropriate administrative supervisor. When appropriate, the employee is encouraged to report incidents to a law enforcement agency and to sign the appropriate complaint.

T. Return from Sick Leave

All absences due to illness must be reported to the appropriate supervisor and/or according to the procedures outlined for the appropriate employee group and as designated in the master agreement or contract, where appropriate. Failure to follow proper procedures may result in disciplinary actions including, but not limited to, loss of pay for the day.

Whenever an employee has been absent for three (3) days or more consecutively, the district requires a doctor's note specifying the diagnosis, specific dates covered and the conditions upon returning to work, if any.

Employees who are judged to have excessive absenteeism may be asked to verify each absence through a doctor's note. Employees who are determined to have fraudulently utilized sick leave, will be disciplined, up to and including discharge.

U. Physical Examination (See Board Policy po3160, po4160)

All prospective employees of Monroe Public Schools are required to submit to and successfully complete a pre-employment/post-offer physical examination, including a urine drug screen. Refusal to submit to such exams will result in the offer of employment being rescinded.

In the event that the district determines a need for a post-employment medical examination, the employee will submit to such examination, and it shall be at the expense of the school district.

V. Staff Technology Acceptable Use and Safety (See Board Policy po7540.04)

The Monroe Board of Education is committed to providing the latest technology for use by both staff and students. It is expected that staff will abide by all ethical and legal expectations when using district hardware, software, and networking opportunities. Abuse of these expectations will be dealt with through appropriate discipline. Any illegal actions will be referred to law enforcement agencies.

W. Staff Use of Personal Communication Devices

Staff who own and carry personal communication devices such as computers, tablets, electronic readers, cell phones, smartphones, pagers and/or other web-enabled devices of any type must ensure that such devices are not used in the classroom or at any other time that could cause a disruption to normal educational activity. Personal communication devices may only be used during break time, lunch time, or at other times that will not be a disruption to the normal educational activities.

X. Staff Participation in Political Activities (See Board Policy po9700, Appendix A)

All employees have the right and freedom to express their own political ideas related to candidates or issues. However, all employees must act as individuals and not as representatives of the school district while engaging in political activity, and employees may not engage in political activity on school premises or during school/work hours that interferences with their job performance.

Y. Michigan Code of Educational Ethics

Please see the attached letter regarding the updated Michigan Code of Educational Ethics. Individuals working in an educational setting should review the revised code and use it as a guide to ensure ethical conduct when working with students. Beginning August 2019, the code will be reflected on Michigan Educator Certifications.



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

SHEILA A. ALLES
INTERIM STATE SUPERINTENDENT

July 30, 2019

Dear Educator,

The Michigan Department of Education (MDE) has approved a new [Michigan Code of Educational Ethics](#) (Code) in alignment with goal 3 of the Top 10 in 10 Strategic Plan. Educators will begin to see the new Code reflected on their certificates in the Michigan Online Educator Certification System (MOECS) in early August and school districts to use the Code guide to guide local ethics policies beginning during the 2019-2020 school year.

It is essential that all individuals working with students understand how professional decision-making can impact the safety and well-being of children, licensure, and the culture and mission of the school.

The Code is adapted from the Model Code of Ethics for Educators (MCEE), which was developed by a national panel of practicing teachers and administrators and was vetted across multiple organizational partners. Michigan educators provided public comment in January 2019 and the Code was presented to the State Board of Education for discussion in May 2019.

For additional information about the Code, please contact Leah Breen at breenl1@michigan.gov. For questions about MOECS, please contact MDE-EducatorHelp@michigan.gov.

Sincerely,

Leah C. Breen
Director

STATE BOARD OF EDUCATION

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MICHIGAN CODE OF Educational Ethics



1 RESPONSIBILITY TO THE PROFESSION

Trust in the educational system depends upon a level of professional conduct and responsibility that may be higher than required by law. This entails holding one and others to the same ethical standards.

A. Demonstrates responsibility to oneself as an ethical professional by:

1. Acknowledging that lack of awareness, knowledge, or understanding of the Code is not, in itself, a defense to a charge of unethical conduct;
2. Knowing and upholding the procedures, policies, laws, and regulations relevant to professional practice regardless of personal views;
3. Holding oneself responsible for ethical conduct;
4. Monitoring and maintaining sound mental, physical, and emotional health necessary to perform duties and services of any professional assignment; and taking appropriate measures when personal or health-related issues may interfere with work-related duties;
5. Refraining from professional or personal activity that may lead to reducing one's effectiveness within the school community;
6. Avoiding the use of one's position for personal gain and avoiding the appearance of impropriety; and
7. Taking responsibility and credit only for work actually performed or produced, and acknowledging the work and contributions made by others.

B. Fulfills the obligation to address and attempt to resolve ethical issues by:

1. Confronting and taking reasonable steps to resolve conflicts between the Code and the implicit or explicit demands of a person or organization;
2. Maintaining fidelity to the Code by taking proactive steps when having reason to believe that another educator may be approaching or involved in an ethically compromising situation;
3. Neither discriminating nor retaliating against a person on the basis of having made an ethical complaint;
4. Neither filing nor encouraging frivolous ethical complaints solely to harm or retaliate; and
5. Cooperating fully during ethics investigations and proceedings.

C. Promotes and advances the profession within and beyond the school community by:

1. Influencing and supporting decisions and actions that positively impact teaching and learning, educational leadership and student services;
2. Engaging in respectful discourse regarding issues that impact the profession;
3. Enhancing one's professional effectiveness by staying current with ethical principles and decisions from relevant sources including professional organizations;
4. Actively participating in educational and professional organizations and associations; and
5. Advocating for adequate resources and facilities to ensure equitable opportunities for all students.

2 RESPONSIBILITY FOR PROFESSIONAL COMPETENCE

Commitment to the highest levels of professional and ethical practice, including demonstration of the knowledge, skills and dispositions required for professional competence.

A. Demonstrates commitment to high standards of practice through:

1. Incorporating into one's practice state and national standards, including those specific to one's discipline;
2. Using the Michigan Code of Educational Ethics and other ethics codes unique to one's discipline to guide and frame educational decision-making;
3. Advocating for equitable educational opportunities for all students;
4. Accepting the responsibilities, performing duties and providing services corresponding to the area of certification, licensure, and training of one's position;
5. Reflecting upon and assessing one's professional skills, content knowledge, and competency on an ongoing basis; and
6. Committing to ongoing professional learning.

B. Demonstrates responsible use of data, materials, research and assessment by:

1. Appropriately recognizing others' work by citing data or materials from published, unpublished, or electronic sources when disseminating information;
2. Using developmentally appropriate assessments for the purposes for which they are intended and for which they have been validated to guide educational decisions;
3. Conducting research in an ethical and responsible manner with appropriate permission and supervision;
4. Seeking and using evidence, instructional data, research, and professional knowledge to inform practice;
5. Creating, maintaining, disseminating, storing, retaining and disposing of records and data relating to one's research and practice, in accordance with district policy, state and federal laws; and
6. Using data, data sources, or findings accurately and reliably.

C. Acts in the best interest of all students by:

1. Increasing students' access to the curriculum, activities, and resources in order to provide a quality and equitable educational experience;
2. Working to engage the school community to close achievement, opportunity, and attainment gaps; and
3. Protecting students from any practice that harms or has the potential to harm students.

3 RESPONSIBILITY TO STUDENTS

A primary obligation to treat students with dignity and respect, including promoting the health, safety and well-being of students by establishing and maintaining appropriate verbal, physical, emotional and social boundaries.

A. Respects the rights and dignity of students by:

1. Respecting students by taking into account their age, gender, culture, setting, and socioeconomic context;
2. Interacting with students with transparency and in appropriate settings;
3. Communicating with students in a clear, respectful, and culturally sensitive manner;
4. Taking into account how appearance and dress can affect one's interactions and relationships with students;
5. Considering the implication of accepting gifts from or giving gifts to students;
6. Engaging in physical contact with students only when there is a clearly defined purpose that benefits the student and continually keeps the safety and well-being of the student in mind;
7. Avoiding multiple relationships with students which might impair objectivity and increase the risk of harm to student learning or well-being or decrease educator effectiveness;
8. Acknowledging that there are no circumstances that allow for engagement in romantic or sexual relationships with students; and
9. Considering the ramifications of entering into an adult relationship of any kind with a former student, including but not limited to, any potential harm to the former student, public perception, and the possible impact on the educator's career. The professional educator ensures that the adult relationship was not started while the former student was in school.

B. Demonstrates an ethic of care through:

1. Seeking to understand students' educational, academic, personal, and social needs as well as students' values, beliefs, and cultural background(s);
2. Respecting the dignity, worth, and uniqueness of each individual student including, but not limited to, actual and perceived gender, gender expression, gender identity, civil status, family status, sexual orientation, religion, age, disability, race, ethnicity, socio-economic status, and culture; and
3. Establishing and maintaining an environment that promotes the emotional, intellectual, physical, and sexual safety of all students.

C. Maintains student trust and confidentiality when interacting with students in a developmentally appropriate manner and within appropriate limits by:

1. Respecting the privacy of students and the need to hold in confidence certain forms of student communication, documents, or information obtained in the course of professional practice;
2. Upholding parents'/guardians' legal rights, as well as any legal requirements to reveal information related to legitimate concerns for the well-being of a student; and
3. Protecting the confidentiality of student records and releasing personal data in accordance with prescribed state and federal laws and local policies.

4 RESPONSIBILITY TO THE SCHOOL COMMUNITY

Promotion of positive relationships and effective interactions with all members of the school community, while maintaining professional boundaries.

A. Promotes effective and appropriate relationships with parents/guardians by:

1. Communicating with parents/guardians in a timely and respectful manner that represents the students' best interests;
2. Demonstrating a commitment to equality, equity, and inclusion as well as respecting and accommodating diversity among members of the school community;
3. Considering the implication of accepting gifts from or giving gifts to parents/guardians; and
4. Maintaining appropriate confidentiality with respect to student information disclosed by or to parents/guardians unless required by law.

B. Promotes effective and appropriate relationships with colleagues by:

1. Respecting colleagues as fellow professionals and maintaining civility when differences arise;
2. Resolving conflicts, whenever possible, privately, and respectfully and in accordance with district policy;
3. Keeping student safety, education, and health paramount by maintaining and sharing educational records appropriately and objectively in accordance with local policies and state and federal laws;
4. Collaborating with colleagues in a manner that supports academic achievement and related goals that promote the best interests of students;
5. Enhancing the professional growth and development of new educators by supporting effective field experiences, mentoring or induction activities across the career continuum;
6. Ensuring that educators who are assigned to participate as mentors for new educators, cooperating teachers, or other leadership positions are prepared and supervised to assume these roles;
7. Ensuring that educators are assigned to positions in accordance with their credentials, preparation, and experience in order to maximize students' opportunities and achievement; and
8. Working to ensure a workplace environment that is free from harassment.

C. Promotes effective and appropriate relationships with the community and other stakeholders by:

1. Advocating for policies and laws that the educator supports as promoting the education and well-being of students and families;
2. Collaborating with community agencies, organizations, and individuals in order to advance students' best interests without regard to personal reward or remuneration; and
3. Maintaining the highest professional standards of accuracy, honesty, and appropriate disclosure of information when representing the school or district within the community and in public communications.

D. Promotes effective and appropriate relationships with employers by:

1. Using property, facilities, materials, and resources in accordance with local policies and state and federal laws;
2. Respecting intellectual property ownership rights when sharing materials (e.g. original lesson plans, district level curricula, syllabi, grade books, etc.);
3. Exhibiting personal and professional conduct that is in the best interest of the organization, learning community, school community, and profession; and
4. Considering the implications of offering or accepting gifts and/or preferential treatment by vendors or an individual in a position of professional influence or power.

E. Understands the problematic nature of multiple relationships by:

1. Considering the risks that multiple relationships might impair objectivity and increase the likelihood of harm to students' learning and well-being or diminish educator effectiveness;
2. Considering the risks and benefits of a professional relationship with someone with whom the educator has had a past personal relationship and vice versa;
3. Considering the implications and possible ramifications of engaging in a personal or professional relationship with parents and guardians, student teachers, colleagues, and supervisors; and
4. Ensuring that professional responsibilities to paraprofessionals, student teachers or interns do not interfere with responsibilities to students, their learning, and well-being.

5 RESPONSIBLE AND ETHICAL USE OF TECHNOLOGY

Consideration of the impact of consuming, creating, distributing and communicating information through all technologies. Vigilance to ensure that appropriate boundaries of time, place, and role are maintained when using electronic communication.

A. Uses technology in a responsible manner by:

1. Using social media responsibly, transparently, and primarily for purposes of teaching and learning per school and district policy. The professional educator considers the ramifications of using social media and direct communication via technology on one's interactions with students, colleagues, and the general public;
2. Staying abreast of current trends and uses of school technology;
3. Promoting the benefits of and clarifying the limitations of various appropriate technological applications with colleagues, appropriate school personnel, parents, and community members;
4. Knowing how to access, document, and use proprietary materials and understanding how to recognize and prevent plagiarism by students and educators;
5. Understanding and abiding by the district's policy on the use of technology and communication;
6. Recognizing that some electronic communications are records under the Freedom of Information Act (FOIA) and state public access laws and should consider the implications of sharing sensitive information electronically either via professional or personal devices/accounts; and
7. Exercising prudence in maintaining separate and professional virtual profiles, keeping personal and professional lives distinct.

B. Ensures students' safety and well-being when using technology by:

1. Being vigilant in identifying, addressing and reporting (when appropriate and in accordance with local district, state, and federal policy) inappropriate and illegal materials/images in electronic or other forms;
2. Respecting the privacy of students' presence on social media unless given consent to view such information or if there is a possibility of evidence of a risk of harm to the student or others; and
3. Monitoring to the extent practical and appropriately reporting information concerning possible cyberbullying incidents and their potential impact on the student learning environment.

C. Maintains confidentiality in the use of technology by:

1. Taking appropriate and reasonable measures to maintain confidentiality of student information and educational records stored or transmitted through the use of electronic or computer technology;
2. Understanding the intent of Federal Educational Rights to Privacy Act (FERPA) and how it applies to sharing electronic student records; and
3. Ensuring that the rights of third parties, including the right of privacy, are not violated via the use of technologies.

D. Promotes the appropriate use of technology in educational settings by:

1. Advocating for equal access to technology for all students, especially those historically underserved;
2. Promoting the benefits of and clarifying the limitations of various appropriate technological applications with colleagues, appropriate school personnel, parents, and community members; and
3. Promoting technological applications (a) that are appropriate for students' individual needs, (b) that students understand how to use and (c) that assist and enhance the teaching and learning process.

Harm:

The impairment of learning or any potential action which may lead to physical, emotional, psychological, sexual, or intellectual damage to a student or a member of the school community.

Learning Community:

A group of educators who work with one another to achieve the shared goals of their school and engage in collaborative professional learning to strengthen practice and increase student results.

Multiple Relationships:

Multiple relationships occur when the educator is in a professional role with one or more members of the school community and also has a personal relationship with that person or a member of that person's family. Multiple relationships have the potential to impair objectivity, competence, or effectiveness in performing his or her functions as an educator.

New Educators:

New educators include individuals in an educator preparation program or newly employed in the education profession, including paraprofessionals, teachers, administrators, and student support personnel.

Professional educator:

A licensed educator who demonstrates the highest standards of ethical and professionally competent practice and is committed to advancing the interests, achievement and well-being of students. The professional educator is also committed to supporting the school community and the education profession.

Proprietary materials:

Materials that are protected from unauthorized use by copyright or other forms of intellectual property rights.

Safe environments/Safety and well-being:

A school setting which promotes the well-being of all members of the school community and is characterized by the absence of physical, psychological, sexual or emotional harm

School Community:

This term usually refers to those stakeholders invested in the welfare of a school and its community. A school community includes school administrators, teachers, school staff members, students, their parents and families, school board members and other community members.

Sensitive Information:

This includes but is not limited to student information and educational records, including medical or counseling records.

Student:

A learner attending a P-12 school.

Technology:

Tools, systems, applications and processes that can include, but are not limited to, electronic communications networks such as the internet and electronic devices such as computers, laptops, phones and other hardware/software that deliver text, audio, images, animation, and streaming video.

Transparency:

Openness and accountability with respect to one's behaviors, actions and communications as an educator.

Z. Administration of Medications by School Personnel

See Board Policy po5330 in Appendix A

Appendix A: Board Policies

po1422	Nondiscrimination & Equal Employment Opportunity
po1422.01	Drug-Free Workplace
po3220	Professional Staff Evaluation
po4110	Conflict of Interest
po4419.03	Patient Protection and Affordable Care Act
po7434	Smoking
po3140/po4140	Termination and Resignation
po3231	Outside Activities of Staff
po3214/po4214	Staff Gifts
po3213/po4213	Students Supervision & Welfare
po3120	Employment of Professional Staff
po4120	Employment of Support Staff
po3160/po4160	Physical Examination
po3430.01/po4430.01	Family & Medical Leave Policy
po5330	Use of Mediations
po7540.04	Staff Technology Acceptable Use and Safety
po9700, Appendix A	Staff Participation in Political Activities
po1662/3362/4362	Anti-Harassment
po8142.01	Weapons
po3310/po4310	Freedom of Speech in Non-Instructional Settings
po8453.01	Control of Blood-Borne Pathogens
po9160	Public Attendance at School Events

Book Policy Manual
Section 1000 Administration
Title NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code po1422
Status Active
Adopted October 23, 2019
Last Revised January 12, 2022

1422 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and gender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category, (collectively, Protected Classes), in its programs and activities, including employment opportunities.

Definitions:

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term day or days as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

For purposes of this policy, military status refers to a person's status in the uniformed services, which includes the performance of duty, on a voluntary basis, or involuntary

basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

District Compliance Officers

The Board designates the following individuals to serve as the District's Compliance Officers (also known as Civil Rights Coordinators) (hereinafter referred to as the COs).

Executive Director of Human Resources
734-265-3000
1275 N. Macomb Street
Monroe, MI 48162
humanresources@monroe.k12.mi.us

The name, title, and contact information of the individual will be published annually on the School District's website.

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the District's collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is available upon request from the CO.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are required to report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level official who receives such a report shall file it with the CO within two (2) days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the School District community or a Third Party, or received reports that are initially filed with another Board employee. Upon

receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant within two (2) business days to advise of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 1422 F2)

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission (EEOC).

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a building administrator; (2) directly to one of the COs; and/or (3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 1422 – Non-Discrimination and Equal Employment Opportunity to the individuals in the school building or office where the Respondent works.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

A Complainant may file a formal complaint, either orally or in writing, with a principal, the CO, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs. If a Complainant informs a principal, Superintendent, or other District official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO/designee within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 1422 - Non-Discrimination and Equal Employment Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO/designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent must either issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate, and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business 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. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to

have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to Third Parties any information that is learned or provided during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an

investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information (ESI), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary

about or media coverage of the incident);

- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and/or Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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M.C.L. 37.2101 et seq., 37.1101 et seq.

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended
29 C.F.R. Part 1635

Book	Policy Manual
Section	1000 Administration
Title	DRUG-FREE WORKPLACE
Code	po1422.01
Status	Active
Adopted	October 23, 2019

1422.01 - **DRUG-FREE WORKPLACE**

The Board of Education believes that quality education is not possible in an environment affected by drugs. It will seek, therefore, to establish and maintain an educational setting which is not tainted by the use or evidence of use of any controlled substance.

The Board shall not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, alcohol, and any drug paraphernalia, by any member of the District's administration at any time while on District property or while involved in any District-related activity or event. Any administrator who violates this policy shall be subject to disciplinary action in accordance with District guidelines.

The Superintendent shall establish guidelines that ensure compliance with this policy and that each administrator is given a copy of the standards regarding unlawful possession, use, or distribution of illicit drugs and alcohol and informed that compliance with this requirement is mandatory. Such guidelines shall provide for appropriate disciplinary actions, if and when needed.

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P.L. 101-126
Drug-Free Workplace Act of 1988, 41 U.S.C. 701, et seq.
20 U.S.C. 3224A

Book	Policy Manual
Section	3000 Professional Staff
Title	PROFESSIONAL STAFF EVALUATION
Code	po3220
Status	Active
Adopted	December 10, 2019

3220 - PROFESSIONAL STAFF EVALUATION

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

- A. evaluates the employee's job performance at least annually in a year-end evaluation, while providing timely and constructive feedback

Teachers rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, at the District's discretion.

- B. establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth

Commencing with the 2015-16 school year, the year-end evaluation of student growth shall be based on the most recent three (3) consecutive school years of student growth data, or all available student growth data if less than three (3) years is available.

- C. evaluates an employee's job performance, using rating categories of highly effective, effective, minimally effective and ineffective, which take into account student growth and assessment data. For the 2015 - 2016, 2016 - 2017 and 2017 - 2018 school years twenty-five percent (25%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018 - 2019 school year, forty percent (40%) of the annual year-end evaluation shall be based on student growth and assessment data. The inclusion of student growth and assessment data in the end of year annual evaluation shall be based on legislation.

For these purposes, student growth shall be measured by the following:

1. The portion of a teacher's evaluation that is not measured using student growth and assessment data or using the evaluation tool developed or adopted by the District shall incorporate criteria enumerated in section M.C.L. 380.1248(1)(b)(i) to (iii) that are not otherwise evaluated under the tool. (See Policy 3131.)

2. If there are student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent three (3) consecutive-school-year period. If there are not student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.

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

1. the effectiveness of employees, so that they are given ample opportunities for improvement
2. promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development
3. whether to grant tenure or full certification, or both, to employees, using rigorous standards and streamlined, transparent, and fair procedures
4. removing ineffective tenured and untenured employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

E. provides a mid-year progress report for every certificated teacher who is in the first year of probation or has received a rating of minimally effective or ineffective on the most recent annual year-end evaluation

This mid-year report shall not replace the annual year-end evaluation. The mid-year report shall:

1. be based, at least in part, on student achievement;
2. be aligned with the teacher's individualized development plan;
3. include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.

F. includes classroom observations in accordance with the following:

1. must include review of the lesson plan, State curriculum standards being taught and student engagement in the lesson
2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) year-end evaluations
3. observations need not be for an entire class period

4. beginning with the 2016 - 2017 school year, at least one (1) observation must be unscheduled;
5. beginning with the 2016 - 2017 school year, the school administrator responsible for the teacher's performance evaluation shall conduct at least one (1) of the observations;

Other observations may be conducted by other observers who are trained in the use of the evaluation tool as described below. These other observers may be teacher leaders.

6. beginning with the 2016 - 2017 school year, the district shall ensure that, within thirty (30) days after each observation, the teacher is provided with feedback from the observation.

G. For the purposes of conducting annual year-end evaluations under the performance evaluation system, by the beginning of 2016 - 2017 school year, the District will adopt and implement one (1) or more of the evaluation tools for teachers that are included on the list established and maintained by the Michigan Department of Education ("MDE").

The evaluation tool(s) shall be used consistently among the schools operated by the District so that all similarly situated teachers are evaluated using the same evaluation tool.

H. Beginning with the 2016 - 2017 school year, the District will post on its public website all of the following information about the measures it uses for its performance evaluation system for teachers:

1. The research base for the evaluation framework, instrument, and process or, if the District adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.
2. The identity and qualifications of the author or authors or, if the District adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.
3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the District adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.
4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.
5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.

6. A description of the plan for providing evaluators and observers with training.

- I. Beginning with the 2016 - 2017 school year:

1. The District will provide training to teachers on the evaluation tool(s) used by the District in its performance evaluation system and how each evaluation tool is used. This training may be provided by a district or by a consortium consisting of the District, the intermediate school district or a public school academy.
2. The District will ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the District, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The District may provide the training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. A teacher rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment as a teacher with the District. In such an instance, all relevant evaluation documents may be used in the proceedings.

If a non-probationary teacher is rated as ineffective on an annual year-end evaluation, the teacher may request a review of the evaluation and the rating by the Superintendent. The request for a review must be submitted in writing within twenty (20) days after the teacher is informed of the rating. Upon receipt of the request, the Superintendent shall review the evaluation and rating and may make any modifications as appropriate based on his/her review. However, the performance evaluation system shall not allow for a review as described in this subdivision more than twice in a three (3) school-year period.

Beginning with the 2018 - 2019 school year, the District shall not assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations. If the District is unable to comply with this and plans to assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations, the Board will notify the student's parent or legal guardian in writing not later than July 15 immediately preceding the beginning of the school year for which the student is assigned to the teacher, that the District is unable to comply and that the student has been assigned to be taught in the same subject area for a second consecutive year by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations. The notification shall include an explanation of why the Board is unable to comply.

Evaluations shall be conducted of each professional staff member as stipulated in the Teacher Tenure Act, the revised School Code, a negotiated agreement or contract, the Superintendent's administrative guidelines and as directed by the Michigan Department of Education. A professional staff member shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

This policy shall not deprive a professional staff member of any rights provided by State law or contractual rights consistent with State law.

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M.C.L. 380.1249 (as amended)

Book Policy Manual
Section 4000 Support Staff
Title CONFLICT OF INTEREST
Code po4110
Status Active
Adopted February 11, 2020

4110 - **CONFLICT OF INTEREST**

Staff members, officers, and agents shall perform their official duties in a manner free from conflict of interest. To this end:

- A. The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by School District's Board members, employees, officers, and agents is essential to ensure the proper performance of school business as well as to earn and keep public confidence in the School District.

To accomplish this, the Board of Education has adopted the following guidelines which apply to all District employees, officers and agents, including members of the Board to assure that conflicts of interest do not occur. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees, officers, and agents.

1. No employee, officer, or agent shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system. When a staff member determines that the possibility of a personal interest conflict exists, s/he should, prior to the matter being considered by the Board or administration, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board).
2. No staff member, officer, or agent shall use his/her position to benefit either himself/herself or any other individual or agency apart from the total interest of the School District.
3. If the financial interest pertains to a proposed contract with the District, the following requirements must be met.

The staff member, officer, or agent shall disclose the direct financial interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct financial interest amounts to \$250 or more or five percent (5%) or more of the contract cost to the District, the staff member, officer, or agent shall make the disclosure in one (1) of two (2) ways:

- a. In writing, to the Board president at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The

disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165.)

- b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member, officer, or agent must use this method of disclosure if his/her financial interest amounts to \$5,000 or more.
4. Employees, officers, and agents shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the School District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
 - b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, officer's, or agent's employment or professional relationship with the District through his/her access to School District records
 - c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - d. the requirement of students or clients to purchase any private goods or services provided by an employee, officer, agent, or any business or professional practitioner with whom any employee, officer, or agent has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
5. Employees, officers, and agents shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Should exceptions to this policy be necessary in order to provide services to students or clients of the School District, all such exceptions will be made known to the employee's, officer's, or agent's supervisor and will be disclosed to the Superintendent before entering into any private relationship.
 - C. Employees, officers, and agents cannot participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties

described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Employees, officers, and agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds. Employees, officers, and agents may, however, accept a gift of unsolicited items of "nominal value" from a contractor or party to subcontracts that do not involve Federal grant funds. For purposes of this section, "nominal value" means that the gift has a monetary value of \$56.00 or less.

- D. To the extent that the District has a parent, affiliate or subsidiary organization that is not a State, local government or Indian tribe, the School District may not conduct a procurement action involving the parent, affiliate or subsidiary organization if the School District is unable, or appears to be unable, to be impartial.
- E. Employees, officers and agents must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

- F. Employees, officers and agents found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination, as permitted by applicable Board policy.

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2 C.F.R. 200.112, 200.113, 200.318
M.C.L. 380.634, 380.1805(1)

Book Policy Manual
Section 4000 Support Staff
Title PATIENT PROTECTION AND AFFORDABLE CARE ACT
Code po4419.03
Status Active
Adopted February 11, 2020

4419.03 - PATIENT PROTECTION AND AFFORDABLE CARE ACT

The Board of Education acknowledges that the Patient Protection and Affordable Care Act ("ACA") imposes certain obligations upon the District. Such obligations may include the following:

- A. The District shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee's employment start date. Sample form notices are available from the U.S. Department of Labor at:

<http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>

- B. Employees of the District have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the District enrolls in the Health Insurance Marketplace and receives a subsidy, then the District may be liable for a penalty.

In event that the District concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the District shall incur the potential penalty.

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26 U.S.C. 4980H
29 U.S.C. 218B

Book Policy Manual
Section 7000 Property
Title USE OF TOBACCO ON SCHOOL PREMISES
Code po7434
Status Active
Adopted May 26, 2020

7434 - USE OF TOBACCO ON SCHOOL PREMISES

The Board of Education believes that the right of persons to use tobacco must be balanced against the right of those who do not use tobacco to breathe air untainted by tobacco.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco products on District premises (owned or leased), in District vehicles, at all school sponsored events and in all school buildings owned and/or operated by the District.

For purposes of this policy:

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;
- B. "use of a tobacco product" means any of the following:
 - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;
 - 2. the inhaling or chewing of a tobacco product;
 - 3. the placing of a tobacco product within a person's mouth;
 - 4. the use or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

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M.C.L. 333.12601 et seq.
M.C.L. 380.1170
M.C.L. 750.473
20 U.S.C. 6081 et seq.
U.S.D.O.E. Memorandum, 1995
MDE Board Policy on 24/7 Tobacco-Free Schools

Book Policy Manual
Section 3000 Professional Staff
Title TERMINATION AND RESIGNATION
Code po3140
Status Active
Adopted December 10, 2019

3140 - TERMINATION AND RESIGNATION

TERMINATION

An employment contract may be suspended or terminated, upon a majority vote of the Board of Education. In such cases, the Board shall abide by due process and such terms as may be set forth in a negotiated, collectively-bargained agreement, the Teacher Tenure Act or the individual contract, as applicable.

Employees and those under contract to work regularly and continuously in the schools, whether part-time or full-time, may not continue employment with the Board if a criminal history records check or other authoritative source reveals a conviction of a "listed" offense under M.C.L. 28.722.

Individuals convicted of a non-listed felony may not continue to work unless both the Superintendent and the Board give written approval. Such conviction(s) may subject professional staff to discharge or demotion of a teacher on continuing tenure. The State Board of Education will be notified of the report of conviction(s) as required by law.

RESIGNATION

A professional staff member may resign in accordance with the terms of the negotiated, collectively-bargained agreement or his/her employment contract.

An administrator may resign by filing a written resignation with the Superintendent at least thirty (30) days prior to the effective date of the resignation.

The Superintendent may act for the Board in the acceptance of a resignation.

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Legal M.C.L. 28.722, 38.74, 380.1230 et seq., 380.1535a
Book Policy Manual
Section 3000 Professional Staff
Title TERMINATION AND RESIGNATION

Code po3140

Status Active

Adopted December 10, 2019

3140 - **TERMINATION AND RESIGNATION**

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The Superintendent may act for the Board in the acceptance of a resignation.

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Legal M.C.L. 28.722, 38.74, 380.1230 et seq., 380.1535a

Book Policy Manual
Section 3000 Professional Staff
Title TERMINATION AND RESIGNATION
Code po3140
Status Active
Adopted December 10, 2019

3140 - TERMINATION AND RESIGNATION

TERMINATION

An employment contract may be suspended or terminated, upon a majority vote of the Board of Education. In such cases, the Board shall abide by due process and such terms as may be set forth in a negotiated, collectively-bargained agreement, the Teacher Tenure Act or the individual contract, as applicable.

Employees and those under contract to work regularly and continuously in the schools, whether part-time or full-time, may not continue employment with the Board if a criminal history records check or other authoritative source reveals a conviction of a "listed" offense under M.C.L. 28.722.

Individuals convicted of a non-listed felony may not continue to work unless both the Superintendent and the Board give written approval. Such conviction(s) may subject professional staff to discharge or demotion of a teacher on continuing tenure. The State Board of Education will be notified of the report of conviction(s) as required by law.

RESIGNATION

A professional staff member may resign in accordance with the terms of the negotiated, collectively-bargained agreement or his/her employment contract.

An administrator may resign by filing a written resignation with the Superintendent at least thirty (30) days prior to the effective date of the resignation.

The Superintendent may act for the Board in the acceptance of a resignation.

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Legal M.C.L. 28.722, 38.74, 380.1230 et seq., 380.1535a

Book	Policy Manual
Section	3000 Professional Staff
Title	STAFF GIFTS
Code	po3214/4214
Status	Active
Adopted	December 10, 2019

3214/4214 - STAFF GIFTS

The Board of Education considers the presentation of gifts to professional staff members by students and their parents a practice that should not be encouraged or publicly displayed to students and/or their families.

Based on the foregoing premise, it is the policy of the Board that professional staff members may accept gifts of nominal value from students or parents.

Individual gifts from the professional staff member to each student are strongly discouraged. It is suggested that if a professional staff member wishes to give a gift, s/he may do so as a gift to the classroom, for example, library books or other educational resources for the class.

The Superintendent may approve acts of generosity to individual staff members in unusual situations.

Book Policy Manual
Section 3000 Professional Staff
Title STUDENT SUPERVISION AND WELFARE
Code po3213
Status Active
Adopted December 10, 2019

3213 - STUDENT SUPERVISION AND WELFARE

Professional staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the professional staff member. It is the intent of the Board of Education to direct the preparation of guidelines that would minimize that possibility.

The Superintendent shall maintain and enforce the following standards:

- A. Each professional staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A professional staff member should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. A professional staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- D. Each professional staff member shall immediately report to the principal any accident or safety hazard s/he detects.
- E. Each professional staff member shall immediately report to the principal any knowledge of threats of violence by students.
- F. A professional staff member shall not send students on any personal errands.
- G. A professional staff member shall not associate or fraternize with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol, or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.

This provision should not be construed as precluding a professional staff member from associating with students in private for legitimate or proper reasons.

However, dating, romantic and/or sexual relationships with students, regardless of their age and regardless of consent are absolutely prohibited, unless the staff member and student are legally married.

- H. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- I. A professional staff member shall not transport students in a private vehicle without District approved permissions, in the event of emergency or an unplanned circumstance for the safety of the student verbal permission will be sufficient.
- J. A student shall not be required to perform work or services that may be detrimental to his/her health.
- K. Staff members shall only engage in electronic communication with students via email, texting, social media, and/or online networking media, such as Facebook, Twitter, YouTube, Myspace, Skype, blogs, etc., when such communication is directly related to curricular or co-curricular events or activities with prior approval of the Principal.

Most information concerning a child in school other than directory information described in Policy 8330, is confidential under Federal and State laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 8462, each professional staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

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M.C.L. 722.621 et seq., 750.520b, 750.520c, 750.520d, 750.520e

Book Policy Manual
Section 4000 Support Staff
Title STUDENT SUPERVISION AND WELFARE
Code po4213
Status Active
Adopted February 11, 2020

4213 - STUDENT SUPERVISION AND WELFARE

Support staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the professional staff member. It is the intent of the Board of Education to direct the preparation of guidelines that would minimize that possibility.

The Superintendent shall maintain and enforce the following standards:

- A. Each support staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A support staff member should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. A support staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- D. Each support staff member shall immediately report to the principal any accident or safety hazard s/he detects.
- E. Each support staff member shall immediately report to the principal any knowledge of threats of violence by students.
- F. A support staff member shall not send students on any personal errands.
- G. A staff member shall not associate or fraternize with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol, or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.

This provision should not be construed as precluding a professional staff member from associating with students in private for legitimate or proper reasons. However, dating, romantic and/or sexual relationships with students, regardless of

their age and regardless of consent are absolutely prohibited, unless the staff member and student are legally married.

- H. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- I. A staff member shall not transport students in a private vehicle without the District approved permissions.
- J. A student shall not be required to perform work or services that may be detrimental to his/her health.
- K. Staff shall only engage in electronic communication with students via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, Myspace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the principal.

Most information concerning a child in school other than directory information described in Policy 8330, is confidential under Federal and State laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 8462, each professional staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

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Legal M.C.L. 722.621 et seq., 750.520b, 750.520d, 750.520e

Book Policy Manual
Section 3000 Professional Staff
Title EMPLOYMENT OF PROFESSIONAL STAFF
Code po3120
Status Active
Adopted December 10, 2019

3120 - EMPLOYMENT OF PROFESSIONAL STAFF

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with highly-qualified and competent personnel. Further, pursuant to the Administrative Rules Governing the Certification of Michigan Teachers, the Board requires that anyone employed as a professional staff member with instructional responsibilities in an elementary or secondary school in this District hold a certificate, permit, or vocational authorization valid for the positions to which s/he is assigned, and that the individual meets the established criteria to be highly qualified in his/her assignment.

The Board shall approve the employment, and also, when not covered by the terms of a negotiated, collectively-bargained agreement, fix the compensation, and establish the term of employment for each professional staff member employed by the Board.

All professional staff are subject to a criminal history record check. See Policy 3121.

Such approval shall be given only to those candidates for employment recommended by the Superintendent and/or his/her designee.

All applications for employment shall be referred to the Director of Human Resources.

Relatives of Board members may be employed by the Board, provided the Board member does not participate in any way in the discussion or vote on the employment when a conflict of interest is involved.

Any professional staff member's intentional misstatement of fact or omission material to his/her qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The temporary employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

Prior to hiring an applicant, the Superintendent may obtain from the applicant a signed Consent to Obtain Records (Form 3120 F2) and may obtain from the applicant's current or immediately-previous employer any records, including the applicant's personnel file relating to unprofessional conduct in which the applicant engaged. Any such records are to be

reviewed prior to a recommendation for employment and may be disclosed to those individuals directly involved in evaluating the applicant's qualifications.

The Superintendent and/or his/her designee may prepare administrative guidelines for the recruitment and selection of all professional staff.

REQUIREMENTS FOR HIGHLY QUALIFIED STATUS

Pursuant to State law, "Highly Qualified" means:

- A. full State certification as a teacher or passed State teacher licensing exam and holds current license to teach; certification or license requirements may not be waived on emergency, temporary, or provisional basis;
- B. for elementary teachers new to the profession, this also requires:
 - 1. at least a bachelor's degree;
 - 2. passing a rigorous State test on subject knowledge and teaching skills in reading, writing, math, and other areas of elementary curriculum (State certification test may suffice);
- C. for secondary or middle school teachers new to the profession this also requires:
 - 1. at least a bachelor's degree, and
 - 2. passing a rigorous State test in each of the subject areas s/he will teach (State certification test may suffice), or
 - 3. for each academic subject taught, having an academic major, course work equivalent to an undergraduate major, a graduate degree, or advanced certification or credentialing;
- D. for elementary, middle, or secondary school teachers with prior experience, this also requires:
 - 1. at least a bachelor's degree, and
 - 2. meets standards for new teachers (above), or
 - 3. demonstrates competence in all academic subjects s/he teaches based on a uniform State standard of evaluation (standard for academic subject matter and teaching skills set by the State).

REQUIREMENTS FOR TEACHERS IN DISTRICT RECEIVING TITLE I FUNDING

All teachers hired for a Title I supported program or a core subject area must be "highly qualified."

As a condition of employment, all newly-hired teachers in a Title I supported program or in core subject areas shall be required to submit documentation that they are "highly qualified" as described above.

As designated by Federal law, core subject areas shall include the following: English, reading or language arts, science (which includes physics, chemistry, biology, earth science, and physical science), mathematics, arts (which includes instrumental music, vocal music, visual arts, dance, and drama/theater), foreign languages, government and civics, history, economics and geography.

The Superintendent and/or his/her designee shall prepare a plan that will result in all teachers who are employed in professional staff positions with instructional responsibilities in Title I supported programs and/or core subject areas to be highly qualified by a date specific, and the Superintendent and/or his/her designee shall show annual progress towards meeting these teacher qualification requirements.

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M.C.L. 380.1229 – 1231, 380.1233, 380.1233b, 380.1237, 380.1531d, 380.623

20 U.S.C. 6319 & 7801

R 390.1105

Book Policy Manual
Section 4000 Support Staff
Title EMPLOYMENT OF SUPPORT STAFF
Code po4120
Status Active
Adopted February 11, 2020

4120 - EMPLOYMENT OF SUPPORT STAFF

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with qualified and competent support staff.

The Board shall approve the employment, and also, when not covered by the terms of a negotiated, collectively-bargained agreement, fix the compensation, and establish the term of employment for each support staff member employed by this District.

All support staff are subject to a criminal history record check. See Policy 4121.

Such approval shall be given only to those candidates for employment recommended by the Superintendent.

Relatives of Board members may be employed by the Board, provided the Board member does not participate in any way in the discussion or vote on the employment when conflict of interest is involved.

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he would be supervised directly by the relative staff member.

Applications for employment will not be accepted from any current District Board member. If a Board member wishes to apply for a position, his/her resignation must be accepted by the Board prior to submitting an application.

Any support staff member's intentional misstatement of fact material to his/her qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

Staff hired to serve as an athletic trainer must be properly licensed by the State or otherwise legally authorized to engage in the practice of athletic training. Staff is prohibited from engaging in the practice of athletic training unless licensed and shall not offer to provide any service(s) that s/he was not qualified to perform by education, training, or experience or otherwise prohibited by law from performing.

Prior to hiring an applicant, the Superintendent shall obtain from the applicant a signed Consent to Obtain Records (Form 4120 F2) and shall obtain from the applicant's current or

immediately-previous employer any records, including the applicant's personnel file relating to unprofessional conduct in which the applicant engaged.

Any such records are to be reviewed prior to a recommendation for employment and may be disclosed to those individuals directly involved in evaluating the applicant's qualifications.

The employment of support staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in District operations. Employment shall be recommended to the Board at the next regular meeting.

No candidate for employment as a support staff member shall receive recommendation for such employment without having proffered visual evidence of proper certification, when appropriate, or that application for such certification is in process.

The Superintendent shall prepare procedures for the recruitment and selection of all support staff.

REQUIREMENTS FOR TITLE I PARAPROFESSIONALS

All paraprofessionals hired for a Title I supported program must have a secondary school diploma or its recognized equivalent and one of the following:

- A. Completed two (2) years study at an institution of higher education; or
- B. Obtained at least an associate's degree; or
- C. Met a rigorous standard of quality and demonstrate through formal State or local academic assessment:
 - 1. knowledge of and the ability to assist in instructing, reading, writing, and mathematics; or
 - 2. knowledge of and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

Exceptions – These requirements do not apply to a paraprofessional:

- A. who is proficient in English and a second language and serves as a translator primarily to enhance the participation of children in Title I programs; or
- B. whose duties consist solely of conducting parental involvement activities.

Paraprofessional duties – Paraprofessionals working for a Title I supported program may be assigned to:

- A. provide one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
- B. provide instructional assistance in a computer laboratory;

- C. provide instructional support in a library or media center;
- D. provide instructional services to students, if working under the direct supervision of a teacher;
- E. perform limited duties beyond classroom instruction or that do not benefit program participants, so long as those duties are also assigned to non-Title I paraprofessionals. Title I paraprofessionals may not be assigned to more of these duties, proportional to their total work time, than the amount assigned to similar non-Title I paraprofessionals in the same school.

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M.C.L. 37.2101 et seq., 333.17901, 380.1230 et seq.
20 U.S.C. 6319

Book Policy Manual
Section 3000 Professional Staff
Title PHYSICAL EXAMINATION
Code po3160
Status Active
Adopted December 10, 2019

3160 - PHYSICAL EXAMINATION

The Board of Education or Superintendent reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines and/or the terms of the negotiated, collectively-bargained agreements.

All such requests for examination shall include the following notice to the examiner:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act, as amended ("ADA") and the Genetic Information Nondiscrimination Act (GINA).

In the event of a report of a condition that could influence job performance, the Superintendent shall base a nonemployment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

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29 C.F.R. Part 1630

29 C.F.R. Part 1635
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

Book Policy Manual
Section 4000 Support Staff
Title PHYSICAL EXAMINATION
Code po4160
Status Active
Adopted February 11, 2020

4160 - **PHYSICAL EXAMINATION**

The Board of Education or Superintendent reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines and/or the terms of currently-valid, negotiated, collectively-bargained agreements.

All such requests shall include the following notice to the examiner:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act, as amended ("ADA") and the Genetic Information Nondiscrimination Act (GINA).

In the event of a report of a condition that could influence job performance, the Superintendent shall base a nonemployment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

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29 C.F.R. Part 1635
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
M.C.L. 257.1853

Book	Policy Manual
Section	3000 Professional Staff
Title	FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")
Code	po3430.01
Status	Active
Adopted	December 10, 2019

3430.01 - **FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")**

In accordance with Federal law, the Board of Education shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible professional staff members for the following reasons:

A-1. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth

B-1. the placement of a child with the staff member by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival

C-1. the staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or

D-1. the staff member's own serious health condition prevents him/her from performing the functions of his/her position

Employee Entitlement to Service Member FMLA

Leave Entitlement

Service member FMLA provides eligible employees unpaid leave for one, or for a combination, of the following reasons:

A-2. A "qualifying exigency" arising out of a covered family member's (spouse, son, daughter, or parent) covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves. Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (maximum fifteen (15) calendar days); 7) post-deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. Covered active duty means deployment with the Armed Forces to a foreign country.

B-2. To care for a covered family member, including next of kin as provided in the statute, who has incurred an injury or illness or aggravation of a pre-existing illness or injury while

in the line of duty while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating. Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of fifty percent (50%) or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers.

Duration of Service Member FMLA

- A. When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period. Such leave shall be counted with regular FMLA leave time in calculating the twelve (12) weeks of allowable leave.
- B. When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a one time benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.
- C. Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.

General FMLA Provisions

Professional staff members are "eligible" if they have worked for the Board for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. Service time may be aggregated when the break in service is less than seven (7) years for military obligation or subject to recall under a collective bargaining agreement. All full-time professional staff members are deemed to meet the 1,250 hour requirement. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining an employee's eligibility for FMLA leave.

Twelve (12) month period for determining hours worked and use of leave is defined as a rolling twelve (12) month period measured backward from the date the staff member uses FMLA leave (i.e. the "leave year" is specific to each individual staff member).

For Service Member FMLA leave, the use of the twenty-six (26) weeks of leave will be measured forward from the first date on which the employee takes leave.

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- B. continuing treatment by a healthcare provider, including:
 - 1. a period of incapacity of more than three (3) consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either in person treatment two (2) or more times by a healthcare provider within thirty (30) days of the first date of incapacity absent extenuating circumstances beyond the employee's control, or in person treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;

The first visit to the healthcare provider must occur within seven (7) days of the first date of incapacity.

- 2. any incapacity due to pregnancy or for prenatal care;

An expectant mother is entitled to FMLA leave for incapacity due to pregnancy even if she does not receive treatment from a healthcare provider during the absence, and even if the absence does not last for more than three (3) consecutive, full calendar days.

- 3. any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 - 4. a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
 - 5. any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis);
- C. conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, earaches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the staff member shall provide the Superintendent with thirty (30) days' notice. If there is insufficient time to provide such notice because of unforeseeable events, the staff member shall provide such notice as soon as possible and practical, generally not later than the next business day after the employee realizes the

need for leave. Failure to follow the leave notice requirements may result in delay of obtaining the leave. Employees will still be required to comply with the absence reporting procedures at their buildings.

When planning medical treatment, the staff member must consult with the Superintendent and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the District, subject to the approval of the healthcare provider.

The staff member may request to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child, or qualifying exigency for a Service Member Family Leave (see A-1, B-1, and A-2 on page one).

The staff member may request to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D- 1 on page one and B-2 on page two).

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) or twenty-six (26) week period of FMLA leave, any additional weeks of leave to which the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave for a qualifying leave under this policy, such leave will count towards the maximum allowable leave, the paid leave, and FMLA/Service Member Family leave to which the staff member is entitled will run concurrently.

The Superintendent may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Superintendent may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

- B. transfer temporarily to an available alternative position offered by the Superintendent for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The Superintendent will notify the staff member when the District intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the Superintendent does not have sufficient information about the reason for an employee's use of paid leave, the Superintendent may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Superintendent learns that a paid leave is for an FMLA leave-qualifying reason, the Superintendent will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child, or twenty-six (26) weeks of FMLA leave for Service Member Leave.

When FMLA leave is taken for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member). When the staff member requests qualifying Service Member Leave, s/he must provide certification of a qualifying exigency or of the service member's serious illness. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed.

The staff member may either:

- A. submit the completed medical certification to the Superintendent; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide medical certification, any leave taken by the employee will not qualify for FMLA Leave/Service Member Family Leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

Any dispute over eligibility for FMLA leave shall be discussed between the employee and Superintendent. The District shall be responsible for maintaining a record of those communications.

The Board reserves the right to obtain, at its expense, the opinion of a second healthcare provider and, in the event of conflict, the opinion of a third healthcare provider whose decision shall be binding and final. The staff member may either:

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the Superintendent; or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the Superintendent with a statement from his/her healthcare provider that s/he is able to resume work.

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The Superintendent shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

In any areas where discretion is allowed in the implementation of this policy or its guidelines for implementation, such discretion shall be exercised in a non-discriminatory manner. Similarly situated persons shall be treated similarly.

The Superintendent shall provide a copy of the policy to all staff members and retain a record of how and when the policy was distributed. A notice of Rights and Obligations shall also be provided each time an employee requests FMLA leave or the District has sufficient information to believe that the employee may qualify for FMLA leave.

The approval, denial and administration of leave under this policy will be governed by the Family Medical Leave Act of 1993, as amended, and its published regulations, as applied and interpreted by the Superintendent.

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Legal

29 U.S.C. 2601 et seq.

29 C.F.R. Part 825

P.L. 110-181, Sec. 585 – National Defense Authorization Act (January 28, 2008)

P.L. 111-84, Sec. 565 – National Defense Authorization Act (October 28, 2009)

Book Policy Manual
Section 4000 Support Staff
Title FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")
Code po4430.01
Status Active
Adopted February 11, 2020

4430.01 - FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")

In accordance with Federal law, the Board of Education shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible support staff members for the following reasons:

A-1. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth

B-1. the placement of a child with the staff member by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival

C-1. the staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or

D-1. the staff member's own serious health condition prevents him/her from performing the functions of his/her position

Employee Entitlement to Service Member FMLA

Leave Entitlement

Service member FMLA provides eligible employees unpaid leave for one (1), or for a combination, of the following reasons:

A-2. A "qualifying exigency" arising out of a covered family member's (spouse, son, daughter, or parent) covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves. Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (maximum fifteen (15) calendar days); 7) post-deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. Covered active duty means deployment with the Armed Forces to a foreign country.

B-2. To care for a covered family member, including next of kin as provided in the statute, who has incurred an injury or illness or aggravation of a pre-existing illness or injury while in the line of duty while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating. Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers.

Duration of Service Member FMLA

- A. When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period. Such leave shall be counted with regular FMLA leave time in calculating the twelve (12) weeks of allowable leave.
- B. When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a one (1) time benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.
- C. Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.

General FMLA Provisions

Staff members are "eligible" if they have worked for the Board for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. Service time may be aggregated when the break in service is less than seven (7) years for military obligation or subject to recall under a collective bargaining agreement. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining an employee's eligibility for FMLA leave.

Twelve (12) month period for determining hours worked and use of leave is defined as a rolling twelve (12) month period measured backward from the date the staff member uses FMLA leave (i.e. the "leave year" is specific to each individual staff member).

For Service Member FMLA leave, the use of the twenty-six (26) weeks of leave will be measured forward from the first date on which the employee takes leave.

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- B. continuing treatment by a healthcare provider, including:
 - 1. a period of incapacity of more than three (3) consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either in person treatment two (2) or more times by a healthcare provider within thirty (30) days of the first date of incapacity absent extenuating circumstances beyond the employee's control, or in person treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;

The first visit to the healthcare provider must occur within seven (7) days of the first date of incapacity.

- 2. any incapacity due to pregnancy or for prenatal care;

An expectant mother is entitled to FMLA leave for incapacity due to pregnancy even if she does not receive treatment from a healthcare provider during the absence, and even if the absence does not last for more than three (3) consecutive, full calendar days.

- 3. any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 - 4. a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
 - 5. any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis);
- C. conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, earaches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the staff member shall provide the Superintendent with thirty (30) days' notice. If there is insufficient time to provide such notice because of

unforeseeable events, the staff member shall provide such notice as soon as possible and practical, generally not later than the next business day after the employee realizes the need for leave. Failure to follow the leave notice requirements may result in delay of obtaining the leave. Employees will still be required to comply with the absence reporting procedures at their buildings.

When planning medical treatment, the staff member must consult with the Superintendent and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the District, subject to the approval of the healthcare provider.

The staff member may request to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child, or qualifying exigency for a Service Member Family Leave (see A-1, B-1, and A-2 on page one).

The staff member may request to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D- 1 on page one and B-2 on page two).

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) or twenty-six (26) week period of FMLA leave, any additional weeks of leave to which the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave for a qualifying leave under this policy, such leave will count towards the maximum allowable leave, the paid leave, and FMLA/Service Member Family leave to which the staff member is entitled will run concurrently.

The Superintendent may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Superintendent may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

- B. transfer temporarily to an available alternative position offered by the Superintendent for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The Superintendent will notify the staff member when the District intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the Superintendent does not have sufficient information about the reason for an employee's use of paid leave, the Superintendent may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Superintendent learns that a paid leave is for an FMLA leave-qualifying reason, the Superintendent will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child, or twenty-six (26) weeks of FMLA leave for Service Member Leave.

When FMLA leave is taken for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member. When the staff member requests qualifying Service Member Leave, s/he must provide certification of a qualifying exigency or of the service member's serious illness. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed.

The staff member may either:

- A. submit the completed medical certification to the Superintendent or his/her designee; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide medical certification, any leave taken by the employee will not qualify for FMLA Leave/Service Member Family Leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

Any dispute over eligibility for FMLA leave shall be discussed between the employee and Superintendent. The District shall be responsible for maintaining a record of those communications.

The Board reserves the right to obtain, at its expense, the opinion of a second healthcare provider and, in the event of conflict, the opinion of a third healthcare provider whose decision shall be binding and final. The staff member may either:

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the Superintendent; or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event that the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the Superintendent with a statement from his/her healthcare provider that s/he is able to resume work.

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The Superintendent shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

In any areas where discretion is allowed in the implementation of this policy or its guidelines for implementation, such discretion shall be exercised in a non-discriminatory manner. Similarly situated persons shall be treated similarly.

The Superintendent shall provide a copy of the policy to all staff members, and retain a record of how and when the policy was distributed. A notice of Rights and Obligations shall

also be provided each time an employee requests FMLA leave or the District has sufficient information to believe that the employee may qualify for FMLA leave.

The approval, denial and administration of leave under this policy will be governed by the Family Medical Leave Act of 1993, as amended, and its published regulations, as applied and interpreted by the Superintendent.

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29 C.F.R. Part 825

29 U.S.C. 2601 et seq.

P.L. 110-181, Sec. 585 – National Defense Authorization Act (January 28, 2008)

P.L. 111-84, Sec. 565 – National Defense Authorization Act (October 28, 2009)

Book	Policy Manual
Section	5000 Students
Title	USE OF MEDICATIONS
Code	po5330
Status	Active
Adopted	February 25, 2020

5330 - USE OF MEDICATIONS

The Board of Education shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or the child is disabled and requires medication to benefit from his/her educational program.

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

Before any medication or treatment may be administered to any student during school hours, the Board shall require the written prescription from the child's physician accompanied by the written authorization of the parent. This document shall be kept on file in the administrative offices. No student is allowed to provide or sell any type of over-the-counter medication to another student. Violations of this rule will be considered violations of Policy 5530 - Drug Prevention and of the Student Discipline Code/Code of Conduct.

Only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be administered. Parents, or students authorized in writing by their physician and parents, may administer medication or treatment.

Staff members are to administer medication or treatment only in the presence of another adult, except in the case of an emergency that threatens the life or health of the student. Staff licensed as professional registered nurses are exempt from this requirement.

All staff authorized to administer medication or treatment will receive training on this policy and the Superintendent's guidelines, as well as appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with both knowledge of the District's policy and procedures and the administration of medications or treatment. Where possible, this training should be provided by a licensed registered nurse, a licensed physician's assistant, or a licensed physician.

All medication shall be kept in a locked storage case in the school office.

Students may possess and self-administer a metered dose or dry powder inhaler for relief of asthma, or before exercise to prevent onset of asthma symptoms, while at school, on school-sponsored transportation, or at any school-sponsored activity in accord with the Superintendent's guidelines, if the following conditions are met:

- A. There is written approval from the student's physician or other health care provider and the student or parent/guardian (if student is under eighteen (18)) to possess and use the inhaler (Form 5330 F1c)

and

- B. the building administrator has received a copy of the written approvals from the physician and the parent/guardian.

and

- C. there is on file at the student's school a written emergency care plan prepared by a licensed physician in collaboration with the student and his/her parent/legal guardian. The plan shall contain specific instructions on the student's needs including what to do in the event of an emergency.

Students with a need for emergency medication may also be allowed to self possess and self administer such medication, provided that they meet the same conditions established above. Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self possess and administer the medication if they meet the conditions stated above.

This policy and the administrative guidelines developed to establish appropriate procedures shall be implemented in such a manner to comply with District's obligations and the student's needs under any Individualized Education Plan, Section 504 Plan, or other legally required accommodation for individuals with disabilities.

The Superintendent shall prepare administrative guidelines to ensure the proper implementation of this policy.

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M.C.L. 380.1178, 380.1178a, 301.1179

Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School, Policy on Management of Asthma in Schools

Book	Policy Manual
Section	7000 Property
Title	STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.04
Status	Active
Adopted	May 26, 2020

7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Education provides Technology and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The District's computer network and Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The District regulates the use of District Technology and Information Resources by principles consistent with applicable local, State, and Federal laws, and the District's educational mission. This policy and its guidance and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the District's Technology and Information Resources and staff's personal communication devices when they are connected to the District's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on District-owned property or at a District-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using District Technology and Information Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

Staff are expected to utilize District Technology and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills

necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2521 - Selection of Instructional Materials and Equipment.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Superintendent, and the Executive Director of Technology the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using the District Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or the Executive Director of Technology may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. The Superintendent may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students or staff online; and
- D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building Principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the District Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media including in chat rooms, and cyberbullying awareness and response. All users of District Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Staff will be assigned a school e-mail address that they are required to utilize for all school-related electronic communications, including those to students, parents and other constituents, fellow staff members, and vendors or individuals seeking to do business with the District.

Staff members are responsible for good behavior when using District Technology and Information Resources - i.e., behavior comparable to that expected when they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. The District does not approve any use of its Technology and Information Resources that is not authorized by or conducted strictly in compliance with this policy.

Staff members use of District technology resources to access or use social media is to be consistent with Policy 7544 and its accompanying procedure.

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the District's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District Technology and Information Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and Executive Director of Technology as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of District Technology and Information Resources.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent. See Policy 8330. Education records include a wide variety of information; posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential employee information may be disciplined.

Staff members retain rights of communication for collective bargaining purposes and union organizational activities.

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Legal

P.L. 106-554, Children's Internet Protection Act of 2000

P.L. 110-385, Title II, Protecting Children in the 21st Century Act

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

47 C.F.R. 54.500 – 54.523

Book	Policy Manual
Section	9000 Relations
Title	RELATIONS WITH SPECIAL INTEREST GROUPS
Code	po9700
Status	Active
Adopted	August 25, 2020

9700 - RELATIONS WITH SPECIAL INTEREST GROUPS

Any request from civic institutions, charitable organizations, or special interest groups which involve such activities as patriotic functions, contests, exhibits, sales of products to and by students, sending promotional materials home with students, graduation prizes, fundraising, and free teaching materials must be carefully reviewed to ensure that such activities promote student interests without advancing the special interests of any particular group.

It is the policy of the Board of Education that students, staff members, and District facilities not be used for advertising or promoting the interests of any nonschool agency or organization, public or private, without the approval of the Board or its delegated representative; and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this Board.

A. Political Interests

All materials or activities proposed by outside political sources for student or staff use or participation shall be reviewed by the Superintendent on the basis of their educational contribution to part or all of the school program, benefit to students, and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

The Board shall not permit the use of any type of educational material, program, or equipment in its curricular, co-curricular, or extra-curricular activities or at any time during the school day if such materials, programs, or equipment contain partisan political messages or are designed to persuade students or staff members to acquire a particular product or service offered by a named individual, company, organization, association, or agency. Professional staff may, however, utilize political materials or those provided by special interest-groups in adopted courses of study with the approval of the Principal.

School facilities or equipment may not be used as a means of producing or disseminating to the community any materials that advertise or promote a political party, a political cause, or the candidacy of an individual for public office. Students and employees of the Board shall not be used to distribute campaign literature within the schools or on school grounds.

Book Policy Manual
Section 1000 Administration
Title ANTI-HARASSMENT
Code po1662
Status Active
Adopted October 23, 2019
Last Revised January 12, 2022

1662 - **ANTI-HARASSMENT**

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term “day” or “days” as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;

- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- N. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Anti-Harassment Compliance Officers

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

Cindy Flynn
Director of Human Resources
734-265-3020
1275 N. Macomb Street
Monroe, MI 48162

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the School District's website.

The Compliance Officer(s) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Reports and Complaints of Harassing Conduct

Members of the School District community along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

Investigation and Complaint Procedure (See Form 1662 F1)

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment or retaliation may seek resolution of the complaint through either the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights and/or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one of the Compliance Officers; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The Board's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant, may proceed to file a formal complaint and, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer/designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti-Harassment Policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

Although certain cases may require additional time, the Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a written decision regarding whether the complaint of harassment has been substantiated or request further

investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and Third Parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due

process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to

continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;

- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
 29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967
 29 U.S.C. 6101, The Age Discrimination Act of 1975
 42 U.S.C. 2000e et seq.
 42 U.S.C. 1983
 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
 29 C.F.R. Part 1635
 Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
 29 U.S.C. 794, Rehabilitation Act of 1973, as amended

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Book Policy Manual
Section 3000 Professional Staff
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3362 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term “day” or “days” as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;

- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

- M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- N. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering

with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Anti-Harassment Compliance Officers

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

Executive Director of Human Resources
734-265-3000
1275 N. Macomb Street
Monroe, MI 48162
humanresources@monroe.k12.mi.us

The name, title, and contact information of the individual will be published annually on the School District's website.

The Compliance Officer(s) is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to

stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Reports and Complaints of Harassing Conduct

Members of the School District community along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying, aggressive behavior and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 3362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

Investigation and Complaint Procedure (See Form 3362 F1)

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights and/or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is promptly to stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complainants involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A complainant may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one of the Compliance Officers; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The Board's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their

concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer/designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral

interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

Although certain cases may require additional time, the Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's written decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

s may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer/designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil right law, or because that individual made a report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or the policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the school regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the

county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary

about or media coverage of the incident);

- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 3/10/21

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Legal

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Book Policy Manual
Section 4000 Support Staff
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Last Revised January 12, 2022

4362 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term “day” or “days” as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;

- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

- M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- N. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering

with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Anti-Harassment Compliance Officers

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

Director of Human Resources
734-265-3000
1275 N. Macomb Street
Monroe, MI 48162
humanresources@monroe.k12.mi.us

The names, titles, and contact information of these individuals will be published annually on the School District's website.

The Compliance Officer(s) is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to

stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Reports and Complaints of Harassing Conduct

Members of the School District community along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying, aggressive behavior and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 4362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

Investigation and Complaint Procedure (See Form 4362 F1)

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights and/or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is promptly to stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complainants involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A complainant may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one of the Compliance Officers; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The Board's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their

concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer/designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral

interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

Although certain cases may require additional time, the Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's written decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer/designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil right law, or because that individual made a report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or the policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the school regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged

conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);

- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 3/10/21

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Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Book Policy Manual
Section 8000 Operations
Title WEAPONS
Code po8142.01
Status Active
Adopted June 23, 2020

8142.01 - **WEAPONS**

The Board of Education prohibits any person who is under contract from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, including athletic events, or in a District vehicle.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the District or with a third-party vendor, management company, or similar contracting entity, to provide food, custodial, transportation, counseling or administrative services to the District. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

The term "weapon" means any object which, in the manner in which it used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited firearms, guns of any type including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paint balls, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapon, ammunition, and explosives or any other weapon described in 18 U.S.C. 921.

The Superintendent shall refer an individual who violates this policy to law enforcement officials. The District may also take other action against the individual and/or his/her employer, including, but not limited to, requiring that the individual not be allowed to provide services to the District in the future and/or terminating any contractual relationship with the individual and/or the employer.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel;
- B. starter pistols used in the appropriate sporting event.

Individuals under contract shall immediately report knowledge of dangerous weapons and/or threats of violence by students, staff members, or other individuals to the Superintendent and Immediate Supervisor

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Book	Policy Manual
Section	3000 Professional Staff
Title	FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS
Code	po3310
Status	Active
Adopted	December 10, 2019

3310 - FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS

The Board of Education acknowledges the right of its professional staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the District, however, the professional staff member's expression must be balanced against the interests of this District.

The following guidelines are adopted by the Board to help clarify and, therefore, avoid situations in which the professional staff member's expression could conflict with the District's interests. In such situations, s/he should:

- A. state clearly that his/her expression represents personal views and not necessarily those of the School District;
- B. refrain from expressions that would interfere with the maintenance of discipline by school officials;
- C. not make threats or abusive or personally-defamatory comments about co-workers, administrators, or officials of the District;
- D. refrain from making public expressions which s/he knows to be false or are made without regard for truth or accuracy.

Book Policy Manual
Section 4000 Support Staff
Title FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS
Code po4310
Status Active
Adopted February 11, 2020

4310 - FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS

The Board of Education acknowledges the right of its support staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the District, however, the support staff member's expression must be balanced against the interests of this District.

The following guidelines are adopted by the Board to help clarify and, therefore, avoid situations in which the support staff member's expression could conflict with the District's interests. In such situations, s/he should:

- A. state clearly that his/her expression represents personal views and not necessarily those of the School District;
- B. refrain from expressions that would disrupt harmony among co-workers or interfere with the maintenance of discipline by school officials;
- C. not make threats or abusive or personally defamatory comments about co-workers, administrators, or officials of the District;
- D. refrain from making public expressions which s/he knows to be false or are made without regard for truth or accuracy.

Book	Policy Manual
Section	8000 Operations
Title	CONTROL OF BLOOD-BORNE PATHOGENS
Code	po8453.01
Status	Active
Adopted	June 23, 2020

8453.01 - CONTROL OF BLOOD-BORNE PATHOGENS

The Board of Education seeks to protect those staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The Superintendent shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

Legal
29 C.F.R. 1910.1030

Book	Policy Manual
Section	9000 Relations
Title	PUBLIC ATTENDANCE AT SCHOOL EVENTS
Code	po9160
Status	Active
Adopted	August 25, 2020

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes the attendance of members of the community at athletic and other public events held by the schools in the District, but the Board also acknowledges its duty to maintain order and preserve the facilities of the District during the conduct of such events. The Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested. In accordance with Board Policy 7440 and AG 7440B, administrators may use video surveillance/electronic monitoring equipment on school property to protect the safety and well-being of participants and visitors.

The Board directs that no alcoholic beverage or other controlled substance be possessed, consumed, or distributed, at any function occurring on District premises.

Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups.

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See also Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned or leased or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. Such prohibition also applies to:

- A. school grounds,
- B. any school-related event.

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, recording can be made if the appropriate license authorizing such recordings has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of non-district audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event shall obtain prior permission from the Superintendent.

The Superintendent shall ensure that all notices, signs, schedules, and other communications about school events contain the following statement:

"Upon request to the Administration, the District shall make reasonable accommodation for a disabled person to be able to participate in this activity."

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Legal
28 C.F.R. Part 35

Appendix B: Standard Practice Bulletins

P-4	Accidents Involving Personal Injury to Employees
P-7	Overtime
P-8	Vacation Status
P-10	Employee Status/Exit
P-12	Attendance & Absence Reporting Procedures
P-13	Assignment of Substitutes
P-14	Use of MP Email System
P-15	Social Media Guidelines
B-10	Telephone Calls – Personal Use/Long Distance
B-14	Conference Attendance

MONROE PUBLIC SCHOOL DISTRICT
HUMAN RESOURCES OFFICE
STANDARD PRACTICE BULLETIN NO. P-4

Date Issued: November 13, 1974

Date Effective: November 13, 1974

Revised: August 1, 1989

Revised: January 5, 1998

Revised: January 5, 2005

Revised: May 30, 2019

SUBJECT: WORK RELATED INJURY/ILLNESS TO EMPLOYEES

I. PURPOSE:

To set forth procedures relative to injuries/illnesses of a school employee which arise out of the course of employment.

II. GENERAL:

A report of all injuries/illnesses is to be submitted to the Fringe Human Resources Office immediately along with pertinent information regarding the accident or occurrence. The report form contained herein includes three pages:

- Accident Report to be completed by Employee
- Supervisor Report to be completed by Building/Department Administrator
- Permission to Treat completed by Supervisor and Sent with Employee to ProMedica 360

III. PROCEDURES:

In all cases of employee work-related injuries, employees are required to receive treatment at ProMedica 360, 901 North Macomb Street, Suite #1, Monroe, Michigan (across the street from ProMedica Monroe Regional Hospital).

Below are the procedures for the immediate handling of Work-Related Injuries unless circumstances do not allow:

- | | |
|--------|--|
| Step 1 | Notify Human Resources Office of employee injury |
| Step 2 | Supervisor/Building Principal complete "Order for Treatment" and send with Employee to ProMedica 360. |
| Step 3 | Employee receives treatment at ProMedica 360. Any documentation received during treatment should be forwarded to the Human Resources Office. |
| Step 4 | Employee and/or Supervisor/Building Principal complete Employee Injury Report and send to the Human Resources Office. |
| Step 5 | Supervisor/Building Principal completes the Supervisor Report and sends to the Human Resources Office. |

**Employee Accident Reporting Forms are available on our website under Employee Services.

Date Issued: January 17, 1974

Date Effective: January 29, 1974

Rescinded: August 1, 1983

Revised: July 1, 1991

Revised: July 1, 2017

Revised: October 31, 2018

Revised: December 15, 2021

SUBJECT: OVERTIME**I. PURPOSE:**

To have a standard procedure for the authorization and use of overtime and flextime in the district (excluding maintenance/custodial).

II. GENERAL:

Authorized overtime for hourly employees (excluding maintenance/custodial) will be compensated at time and one-half for hours worked over eight (8) hours per day or for over forty (40) hours per week. Compensatory time may be given at the rate of one and one-half with prior authorization by the Executive Director of Human Resources.

Flexible scheduling for all employee groups may be approved with the discretion of the Supervisor. Flextime is an arrangement that allows an employee to alter the start and end times of her/his workday around the normal schedule. Flextime does not reduce or increase the total number of hours worked in a given work week.

Compensatory time for Teachers and Administrators will be allowed as identified in the appropriate Master Agreement.

III. PROCEDURES:

All overtime hours (compensatory time or extra pay) to be worked must be approved by the Executive Director of Human Resources prior to being worked. Such overtime should be the exception rather than the rule and should be held to reasonable levels.

- A. All overtime must be worked on school premises unless special arrangements are made.
- B. Compensatory overtime must not be carried beyond the end of the fiscal year. Compensatory time not used in this period will be forfeited unless special permission has been received from the Executive Director of Human Resources. Compensatory time for hourly employees will be paid at the end of the fiscal year at the rate of pay during the period it was earned.
- C. Pay in lieu of compensatory time off may be authorized by the Executive Director of Human Resources if the overtime becomes routine. The Executive Director of Human Resources notifies payroll of the overtime approved to be worked.

- D. Special arrangements to cover unusual circumstances may be processed through the Executive Director of Human Resources when requested by the appropriate administrator.
- E. All compensatory and flex time used should be recorded in the appropriate attendance system.

**MONROE PUBLIC SCHOOL DISTRICT
HUMAN RESOURCES OFFICE
STANDARD PRACTICE BULLETIN**

NO. P-8

Date Issued:	June 28, 1977	Date Effective:	June 28, 1977
		Revised:	September 1, 1984
		Revised:	July 1, 1991
		Revised:	January 5, 1998
		Revised:	January 5, 2005
		Revised:	January 29, 2007
		Revised:	July 1, 2013

SUBJECT: VACATION STATUS - EARNED/USED

I. PURPOSE:

To set forth procedures for informing twelve month employees of their vacation status.

II. GENERAL:

All vacation leave earned/used will be reported on the stub of each employee's paycheck. This information is available on the Employee Access Center.

III. PROCEDURES:

A. Earned Vacation

1. On the second pay date of the fiscal year the beginning balance amount will indicate the total amount of vacation leave earned in the preceding fiscal year. Subsequent paycheck stubs will reflect vacation leave beginning balance as of the preceding pay period's ending available balance.
2. Employees who request and are granted unpaid time off of more than ten (10) days duration may have their total earned vacation time prorated in accordance with their master agreement.

B. Vacation Requests

1. A Vacation Request form must be prepared when an employee desires to use vacation days. Vacation time should be requested in at least 1/2 day increments unless specific permission has been given by the immediate supervisor due to extenuating circumstances.
2. It is recommended that at least a ten (10) day notice be given to request use of vacation time. It is the prerogative of the immediate supervisor to waive the 10-day notice.

3. Vacation Requests will be prepared and completed in three-part NCR. Approved requests will be distributed as follows:

Original	Human Resource Office
Duplicate	Supervisor
Final Copy	Employee

C. Employee Absence Summary

1. An Employee Absence Summary will be maintained on the Payroll System by the Human Resource Office. Absences will be recorded by attendance reports submitted for the current or previous pay periods. The employee's paycheck stub will provide an accounting of all absences recorded during that pay date's pay period.
2. At any time during the year an employee may review their attendance history on the Employee Access Center.
3. In the event an employee feels that their vacation status as reflected in the report is incorrect, the Human Resources Office is to be contacted immediately for verification or correction.

MONROE PUBLIC SCHOOL DISTRICT
HUMAN RESOURCES OFFICE
STANDARD PRACTICE BULLETIN **NO. P-10**

Date Issued: February 23, 1976

Date Effective: February 23, 1976

Revised: January 5, 1979

Revised: July 1, 1991

Revised: January 5, 2005

Revised: July 14, 2021

SUBJECT: NEW EMPLOYEES/EMPLOYEE TERMINATION

I. PURPOSE:

To set forth procedures relative to the employment of persons to be added to, and the termination of employees to be removed from the payroll.

To establish the Executive Director of Human Resources as the only employee of the school district to engage and authorize the inclusion of new employees in the payroll of the school district.

II. GENERAL:

Neither the payroll department nor the director of data processing, M.C.I.S.D., will place a person on the payroll, or remove a person from the payroll without written authorization from the Executive Director of Human Resources.

A person will not be employed or given the indication they will be employed by any person other than the Executive Director of Human Resources. The addition of a new employee is not to exceed the authorized strength as established in the table of organization without the superintendent's written approval.

III. PROCEDURES:

A. Forms

Employee Exit Information Form #58

Employee Status Report..... Form #59

B. New Employees

1. Employee vacancies will be authorized by the Superintendent.

2. The Executive Director of Human Resources will coordinate the recruitment of candidates, coordinate the interview process, and oversee the induction procedures for personnel to fill positions that are vacant.

3. The Executive Director of Human Resources will notify the appropriate administrator upon final selection, of the name of the new employee, date of employment, and other related data.
4. Upon final selection, the Executive Director of Human Resources will complete an Employee Status Report and forward to Payroll.
5. Official memos pertaining to the hiring of employees are distributed to the employee, payroll, fringe benefits, business office, building administrator, and union leader. A file copy is kept for the purpose of data base updating.

C. Employee Termination

1. An Employee Exit Form will be completed and submitted with the time sheet for the hourly employee, signed by their supervisor, to the Executive Director of Human Resources immediately when it is known that an employee is to leave the employment of the school district.
2. If the employee is to be replaced, the Executive Director of Human Resources will post the position upon notification by the supervisor.
3. If the employee is not to be replaced, the table of organization should show that an open position exists.
4. Upon receipt of an Exit Form, the Executive Director of Human Resources will complete the form and forward to Payroll.
5. Official memos pertaining to the termination of employees are distributed to the employee, payroll department, fringe benefits, business office, building administrator, union leader, and file copy for the purpose of data base updating.
6. The Executive Director of Human Resources will notify the following administrators of any new employees or terminations that change the actual or authorized strength set forth in the table of organization.

Attachments:

Employee Exit Form Form #58
 Employee Status Form Form #59

MONROE PUBLIC SCHOOL DISTRICT

HUMAN RESOURCES OFFICE

STANDARD PRACTICE BULLETIN

NO. P-12

Date Issued: February 17, 1975

Date Effective: September 1, 1984

Revised: January 5, 2005

Revised: August 14, 2006

Revised: July 1, 2013

SUBJECT: ATTENDANCE

I. PURPOSE:

To set forth procedures relative to the reporting of employee attendance and absences.

II. GENERAL:

It is the expectation of the district that employees be at work as scheduled to meet the job responsibilities. However, there are times when an employee requires time away from work due to sickness, personal business, bereavement, jury duty, etc. Many employee contracts include options for paid time off of work to accommodate those unavoidable circumstances.

Teachers, administrators, secretaries, and exempt employees will be responsible for reporting any absence related to appropriate sick leave use through the automated reporting system. This includes daily individual illness and/or pre-planned use of sick leave (doctor's appointments, etc.) Non-teaching staff who will be out of the building for meetings or school business for more than 3 hours are expected to record the absence on the system.

Custodians, Maintenance Staff, Assistants, and Bus Drivers will be responsible for reporting any absence to their appropriate department or building representative.

Central Office will record absences in the automated system where pre-approval is needed. This includes long-term absences, conferences, inservices, meetings, business days, vacation days, etc.

While there are no allowances in any employee contract for random days off of work without compensation, there are circumstances that are allowed for unpaid leaves of absence both by law and by contract. There are also rare occasions where an employee may need to take time off of work that does not fit into a contractually paid or unpaid absence category. Employees are encouraged to schedule these types of events during periods that are outside the employee's normal work schedule. If that is not possible, employees should schedule those absences at a time that causes the least disruption to the school district operations.

III. PROCEDURES:

Absence Reporting & Attendance Records:

- A. The Daily Absence Report will be printed from the automated reporting system by a person responsible in each school, facility, department, or program. This person will also be responsible to make any changes in the automated system so that the daily report is correct before sending.
- B. A Bi-Weekly Absence report will be completed for each hourly employee absent and sent at the close of the pay period to the Fringe Benefits and Payroll Departments.
- C. A copy of all reports will be retained by the originator.
- D. A daily sign in and out sheet will be utilized for Assistants and Substitute Teachers. Such sheets will be kept on file at the building and returned to the Personnel Office at the end of each school year.

Non-Contractual Unpaid Time:

The following outlines the expectations and procedure that must be followed to get non-contractual unpaid time approved:

- Employees are not expected to take unpaid time off from work except in extreme circumstances.
- Employees cannot use unpaid time off in place of sick time, business days, or other contractually provided purposes.
- Employees cannot use unpaid time off adjacent to paid sick or business days until the employee has exhausted his/her sick or business time.
- Employees cannot use unpaid time off as a “buffer” between business time and sick time in order to extend a vacation period.
- Employees who have unpaid time denied on certain dates and use other contractual paid time off on those same dates may be asked to provide documentation for the absence(s).

Unpaid time off from work pre-approval process:

1. Use a business form to request unpaid time off.
2. Attach a written description of the extreme circumstances necessitating unpaid time off.
3. Have direct supervisor approve the unpaid time off.
4. Submit the request and supporting documentation to the Superintendent or designee at least 14 calendar days prior to the unpaid date(s) requested.
5. The superintendent or designee will make the final approval or denial of the unpaid time off.

Each circumstance will be considered on its individual merits, previous requests made by an employee for unpaid time off, and the needs of the school district.

MONROE PUBLIC SCHOOL DISTRICT

HUMAN RESOURCES OFFICE

STANDARD PRACTICE BULLETIN

NO. P-13

Date Issued: July 1, 1991
Date Revised: January 5, 2005

Date Effective: July 1, 1991

SUBJECT: ASSIGNMENT OF SUBSTITUTES

IV. PURPOSE:

To establish a uniform procedure for the hiring of substitutes among the employee groups.

V. GENERAL:

Consideration for the hiring of substitutes to replace absent employees must take into account the specific duties performed by the absent employee and the operational effect that completion or diminished coverage would have in the short range.

VI. PROCEDURES:

- A. Teachers: Substitutes will be secured whenever the teacher has regular classroom responsibilities and when a substitute is able to maintain normally scheduled activities.
- B. Lunch Assistants: Substitutes, if available, will be secured in the event of any absence.
- C. Bus Assistants: Substitutes, if available, will be secured in the event of any absence.
- D. Instructional Assistants: Substitutes will not normally be secured for absences of less than one week duration.
 - 1. The time which is scheduled for such things as overloads or other contractual issues will be covered by a substitute based on availability.
 - 2. Substitutes, if available, will be secured for instructional assistants assigned by IEP to special education inclusion students.
- E. Secretaries: Substitutes will be secured for absent secretaries based on the following:
 - 1. Substitutes will be secured upon requests for buildings with only one (1) secretary.

2. Substitutes will not normally be secured for short periods of time (three (3) days or less) in offices where multiple secretaries are assigned. Consideration may be given in cases where the office is involved in discipline and/or attendance.
- F. Administrators: Substitutes will not be secured unless the absence is of an extended nature and cannot be covered in some manner. All elementary buildings (one (1) administrator) are authorized to designate a teacher in the building as a contact person and lunchtime supervisor whenever all administrators are away from the building.
- G. Maintenance/Custodial: Substitutes will not normally be secured for short term (two (2) days or less) absences.
1. A substitute in the maintenance area may be secured if the duration of the absence or the needs of the department warrant this.
 2. A substitute in the custodial area may be secured if the duration of the absence, staffing of the building, or the cleaning load make it necessary.
- H. Bus Drivers: Substitutes from the permanent extra board list will be secured in the event of any absence.

MONROE PUBLIC SCHOOL DISTRICT

HUMAN RESOURCES OFFICE

STANDARD PRACTICE BULLETIN

NO. P-14

Date Issued: August 20, 2004

Date Effective: August 20, 2004

Date Revised: July 14, 2021

Date Revised: July 27, 2022

SUBJECT: USE OF MONROE PUBLIC SCHOOLS EMAIL SYSTEM

VII. PURPOSE:

To establish a uniform procedure for using Monroe Public Schools Email System.

VIII. GENERAL:

The use of email has become one of the district's primary methods of communication. As we have come to rely on email to efficiently run the district, we must now begin to agree on how to use this communication tool. To minimize dissatisfaction and prevent future misuse, all holders of MPS email accounts will be expected to understand and adhere to three simple principles.

IX. PROCEDURES:

- A. All Monroe Public Schools email accounts are assigned for the purpose of conducting school business. When someone receives an email from our domain, they assume that the sender is representing the district. Please do not send, forward, or post emails that might embarrass the district or imply that the district is endorsing a cause or organization.
- B. We are all accountable for how we use our email accounts. All Monroe Public Schools (MPS) email accounts are assigned to individuals and are not to be shared by multiple staff members. Every user is responsible for safeguarding their password and is accountable for the use of their account.
- C. There is no guarantee of privacy or confidentiality in the MPS email system, and all email is subject to review. Once an email is sent, it may be forwarded or posted without your knowledge or consent. Please do not say or include anything in an email that you would not want to say publicly.
- D. Uses of MPS email accounts.
 - 1. Communicate with faculty, staff, parents, students, and professional colleagues or associations.
 - 2. Electronically distribute information of interest to faculty, staff, parents, and students that does not violate intellectual property rights.
- E. Inappropriate uses of MPS email accounts or outside email accounts accessed via MPS equipment or the MPS network.

1. Run a business or organization that is not directly related to Monroe Public Schools.
 2. Harass, libel, slander, or defraud anyone.
 3. Conceal your identity in any way or take steps to make your email appear in any way to come from a different account.
 4. Using another's password.
 5. Violate intellectual rights including copyrights, patents, and trade secrets.
 6. Copy or transmit material that is obscene, pornographic, hate-related, offensive, or that is contrary to the mission or values of the Monroe Public Schools.
 7. Conduct political campaigns or endorse political candidates.
- F. Distribution lists should only be used if the message is relevant to everyone on the list. If it isn't relevant to all on the list, it can be considered the same as Spam.
1. Appropriate uses of email distribution lists:
 - a. Items of direct interest to the district's mission and business functions.
 - b. Items of wide interest to all faculty and staff.
 - c. Noncommercial, or for the benefit of individuals or organizations other than the Monroe Public Schools.
 - d. Messages from the Superintendent
 - e. Messages about district policies or employee benefits from an Assistant Superintendent
 - f. Notification about disruptions to the computer network.
 2. Inappropriate use of email distribution lists:
 3. Announcements of a retirement party
 4. Selling personal property
 5. Information about a fund raiser for a private school or religious organization
- G. Access to computing resources is a privilege, not a right or entitlement. Termination of your MPS account, loss of computing privileges, employee discipline and civil or criminal prosecution may result for failure to adhere to these guidelines.

**Monroe Public Schools
Human Resources Office
Standard Practice Bulletin**

Date Issued: August 1, 2012
Date Revised: July 14, 2021

NO. P-15

Monroe Public Schools Social Media Guidelines

A. Introduction/Purpose

1. Social media technology can serve as a powerful tool to enhance education, communication, and learning. This technology can provide both educational and professional benefits, including preparing Monroe Public School District (“MPS”) students to succeed in their educational and career endeavors.
2. MPS is committed to ensuring that all stakeholders who utilize social media technology for professional purposes, including staff and students, do so in a safe and responsible manner. MPS strives to create professional social media environments that mirror the academically supportive environments of our schools.
3. These Social Media Guidelines (“Guidelines”) provide guidance regarding recommended practices for professional social media communication between MPS employees, as well as social media communication between MPS employees and MPS students.
4. In recognition of the public and pervasive nature of social media communications, as well as the fact that in this digital era, the lines between professional and personal endeavors are sometimes blurred, these Guidelines also address recommended practices for use of personal social media by MPS staff. These Guidelines do not address student-to-student communication via social media.

B. Definition of Social Media

Social media is defined as any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, internet websites, internet forums, and wikis. Examples of social media include, but are not limited to, Facebook, Twitter, YouTube, Google, Tik Tok, SnapChat, Instagram, and Flickr.

1. Professional social media is a work-related social media activity that is either school-based (e.g., a MPS principal establishing a Facebook page for his/her school or a MPS teacher establishing a blog for his/her class), or non-school-based (e.g., a MPS office establishing a Facebook page to facilitate the office’s administration of a district mandate or Board Policy).
2. Personal social media use is a non-work-related social media activity (e.g., a MPS employee establishing a Facebook page or a Twitter account for his/her own personal use).

C. Applicability

These Guidelines apply to all MPS employees. MPS will take steps to ensure that other

MPS stakeholders, including MPS vendors, MPS volunteers, and MPS independent contractors are informed of these Guidelines.

D. Professional Social Media Use

1. Maintenance of Separate Professional and Personal Email Accounts

MPS employees who decide to engage in professional social media activities should maintain separate professional and personal email addresses. As such, MPS employees should not use their personal email address for professional social media activities. The professional social media presence should utilize a professional email address and should be completely separate from any personal social media presence maintained by the MPS employee. Regular and continuous use of a personal email address for professional purposes, including social media use, will result in MPS considering the email address, and the corresponding use of that address, as a professional account.

2. Communication with MPS Students

MPS employees who work with students and communicate with students through professional social media sites should follow these guidelines (“Communicating” refers to activity, including, but not limited to, “friending”, “following”, “commenting,” and “posting messages” using social media sites with students through professional social media sites):

- a. Professional social media sites that are school based should be designed to address reasonable instructional, educational, or extra-curricular program matters.
- b. Professional social media sites that are non-school based should have a reasonable relationship to the mission and function of the MPS office creating the site.
- c. Each school year, MPS parents and/or guardians will be notified about the professional social media activities their children will be invited to participate in. We will inform parents of the purpose and nature of each professional social media account their children will access and will instruct parents to contact the school with any questions or concerns.
- d. To the extent possible, based on the social media site being used, MPS supervisors or their designees should be given administrator rights or access to the professional social media accounts established by MPS employees.
- e. MPS employees will be required to obtain their supervisor’s approval before setting up a professional social media presence.
- f. Supervisors and their designees are responsible for maintaining a list of all professional social media accounts within their particular school or office; and
- g. Professional MPS social media sites should include language identifying the sites as professional social media MPS sites. For example, the professional sites can identify the MPS School, department or particular grade that is utilizing the site.

3. Guidance Regarding Professional Social Media Sites

- a. MPS employees should treat professional social media space and

communication like a classroom and/or a professional workplace. The same standards expected in MPS professional settings are expected on professional social media sites. If a particular type of behavior is inappropriate in the classroom or a professional workplace, then that behavior is also inappropriate on the professional social media site.

- b. MPS employees should exercise caution, sound judgment, and common sense when using professional social media sites.
- c. MPS employees should use privacy settings to control access to their professional social media sites to ensure that professional social media communications only reach the employees' intended audience. However, MPS employees should be aware that there are limitations to privacy settings. Private communication published on the internet can easily become public. Furthermore, social media sites can change their current default privacy settings and other functions. As a result, employees have an individual responsibility to understand the rules of the social media site being utilized.
- d. Professional social media communication should be in compliance with existing Standard Practices, MPS Board Policies and applicable laws, including, but not limited to, prohibitions on the disclosure of confidential information and prohibitions on the use of harassing, obscene, discriminatory, defamatory or threatening language.
- e. No personally identifiable student information may be posted by MPS employees on professional social media sites, including student names and photographs, without the consent of the students' parents; and
- f. MPS students who participate in professional social media sites may not be permitted to post photographs featuring other students.

4. Monitoring of Professional Social Media Sites

- a. Employees using professional social media have no expectation of privacy with regard to their use of such media. MPS will regularly monitor professional social media sites to protect the school community.
- b. MPS supervisors, or their designees, are responsible for monitoring their employees' professional social media sites. The monitoring responsibilities include reviewing the professional social media sites on a regular basis. If supervisors discover questionable communications or behavior on professional social media sites, the supervisors are required to contact central office for assistance. If MPS employees decide to create a professional social media site and they are notified of questionable communications or behavior on their site, they are required to contact their supervisor for assistance.
- c. MPS supervisors reserve the right to remove, disable, and provide feedback regarding professional social media sites that do not adhere to the law, Standard Practice Bulletins, MPS Board Policy or do not reasonably align with these Guidelines.
- d. To assist in monitoring, as a recommended practice to the extent possible, the default setting for comments on professional social media sites should be turned off. If the default setting for comments is turned on, the comments on the site must be monitored on a daily basis.

- e. When establishing professional social media sites, supervisors and employees should consider the intended audience for the site and consider the level of privacy assigned to the site, specifically, whether the site should be a private network (for example, it is limited to a particular class or particular grade within a school) or a public network (for example, anyone within the school or a larger group within the MPS community can participate). It is a recommended practice for professional social media sites to be private networks, unless there is a specific educational need for the site to be a public network; and
- f. MPS supervisors should maintain a detailed log of all reported non-compliant communications as well as any violations that are otherwise brought to the supervisor's attention.

5. Press Inquiries

Any press inquiries received via professional social media sites should be referred to the Facilitator of Communications and Public Relations.

E. Personal Social Media Use

1. Communication with MPS Students

In order to maintain a professional and appropriate relationship with students, MPS employees should not communicate⁸ with students who are currently enrolled in MPS schools on personal social media sites. This provision is subject to the following exceptions: (a) communication with relatives and (b) if an emergency situation requires such communication, in which case the MPS employee should notify his/her supervisor of the contact as soon as possible.

2. Guidance Regarding Personal Social Media Sites

MPS employees should exercise caution and common sense when using personal social media sites:

- a. As a recommended practice, MPS employees are encouraged to use appropriate privacy settings to control access to their personal social media sites. However, be aware that there are limitations to privacy settings. Private communication published on the internet can easily become public. Furthermore, social media sites can change their current default privacy settings and other functions. As a result, employees have an individual responsibility to understand the rules of the social media site being utilized.
- b. MPS employees should not "tag" photos of other MPS employees, MPS volunteers, MPS contractors or MPS vendors without the prior permission of the individuals being tagged.
- c. Personal social media use, including off-hours use, has the potential to result in disruption at school and/or the workplace, and can be in violation of MPS Board Policies, Standard Practice Bulletins, and applicable law.
- d. The posting or disclosure of personally identifiable student information or confidential information via personal social media sites, in violation of MPS Board Policy and the law, is prohibited; and
- e. MPS employees should not use the MPS's logo in any postings without the permission of the Superintendent.

F. Additional Inquiries

This document is meant to provide general guidance and does not cover every potential social media situation. Should any questions arise, please consult with your supervisor. As these Guidelines address rapidly changing technology, MPS will regularly revisit these Guidelines and will update them as needed.

MONROE PUBLIC SCHOOL DISTRICT

BUSINESS OFFICE

STANDARD PRACTICE BULLETIN

NO. B-10

Date Issued: June 6, 1974

Date Effective: June 6, 1974

Revised: September 17, 1982

Revised: July 1, 1991

Revised: January 12, 1993

SUBJECT: TELEPHONE CALLS - PERSONAL USE

I. PURPOSE:

To set forth procedures relative to the use of telephones for personal use.

II. GENERAL:

Completion of long distance calls on school district telephones are to be limited to emergency calls only, and are not to be charged to the school district. Due to surcharge on all local calls, personal calls should be limited to only those absolutely necessary.

III. PROCEDURES:

- A. If an employee needs to make an emergency long distance personal call, he/she must obtain authorization from the building principal or immediate supervisor.
- B. The person making the call must place the call through the appropriate switchboard operator (as determined by the building administrator) and must indicate that the call is to be charged to their credit card or to the number of the party to whom the call is being placed.
- C. There will be no charging of long distance calls. Anyone making unauthorized long distance calls will be subject to discipline and responsible for the cost of the call.

MONROE PUBLIC SCHOOL DISTRICT

BUSINESS OFFICE

STANDARD PRACTICE BULLETIN

NO. B-14

Date Issued: January 29, 1974

Date Effective: January 29, 1974

Revised: September 10, 1979

Revised: September 22, 1988

Revised: July 1, 1991

Revised: September 12, 1995

Revised: July 1, 1996

Revised: November 10, 2009

SUBJECT: CONFERENCE - CONVENTION ATTENDANCE

I. PURPOSE:

To establish guidelines for attendance of regional, state, and national meetings, workshops and conferences.

II. GENERAL:

These guidelines apply to a formal meeting, workshop, or convention which presents information on a specific topic(s). The conference topics should directly support the employee's performance of those functions and responsibilities identified in their job descriptions. Routine organizational meetings (i.e. Middle Cities, MSBO, MASA, etc.) are not defined as conferences. Requests to attend meetings, workshops, and conferences will be considered on a case by case basis by the immediate supervisor. Criteria to be considered will include:

- A. Membership (if appropriate) in particular organizations.
- B. The degree to which the activity meets the focus and goals of the district, department, curriculum, etc.
- C. The availability of substitutes (when appropriate).
- D. The availability of funding.

III. PROCEDURES:

- A. An employee wishing to attend workshops or conferences will fill out the appropriate form (attached).
- B. Procedures for requesting to attend a conference are outlined on the back of the Conference Request form (attached).
- C. Reimbursement limits will be communicated to the employees by the appropriate supervisor at the time of the request and are outlined on the back of the Conference Request form.
- D. Final approval to attend a conference will not be official until it has been signed by the applicant and reviewed and initialed by the following administrators: supervisor, appropriate director, assistant superintendent, business manager.
- E. Requests for reimbursement of costs outlines will only be considered up to the amount approved initially. Request for reimbursement must be submitted, along with appropriate receipts after the conference concludes. When actual expenditures are less than any advance, the difference must be remitted to the Board by check or money order with the reimbursement form.

Appendix C: Notices and Sample Forms

Summary of Selection Procedures
Conference of Information Form
Conference Request Form & Reimbursement Guidelines
Monthly Mileage Report
Frontline Professional Growth
Frontline Central

Summary of Selection Procedures

Our selection procedures have been developed to provide a system which is as objective as possible, allows for employee input and ensures that the most qualified individuals are identified for consideration within the Monroe Public Schools system. While our goal is to be as consistent as possible in these procedures, it is recognized that these selection procedures, as with any system, can be improved. This is why we view our selection procedures as an evolving process subject to future improvements.

The administration, in cooperation with the Board Personnel Committee and ultimately the full Board of Education has maintained a continual dialogue on our selection procedures over the last several years. What follows is a summary of our current practices.

VACANCIES:

Vacancies occur when a regular employee terminates their employment for any number of reasons. Vacancies also become available if the work force is increased. In any case, the Superintendent determines what a vacancy is and must give approval for the Human Resources Office to take action.

INTERNAL POSTING/CONSIDERATION:

Once a vacancy is identified and approved, the Human Resources Office develops an internal posting notice which identifies the group, qualifications, and other specifics of the positions. Those persons who meet the requirements of the posting are considered based on contractual stipulations and/or accepted practice.

Maintenance/Custodial: Contractual stipulations involve laterals and downgrades. Qualifications and seniority are considered for upgrades. Insiders are considered first, if the qualifications are met, for any appropriate custodial or maintenance positions.

Assistants: Contractual stipulations involve lateral transfers which are based on seniority within the group. For those in the bargaining unit, but assigned to a different classification, qualifications for those persons and outside candidates will be considered.

Secretaries: No contractual stipulations other than all members will be interviewed. Qualifications and seniority will be considered when filling positions, regardless of whether it is a downgrade, lateral, or upgrade. Insiders will be considered based on the degree that qualifications are met. Outsiders may be considered at the same time as inside candidates.

Bus Drivers: Bus drivers bid on runs based solely on seniority. Insiders are considered first.

Administrators: No contractual stipulations in this unit. Administrators will be considered based on certification, experience, and need. Outsiders may be considered at the same time as inside applicants.

Teachers: Contract stipulates that consideration be given to length of service, professional background, and other personal achievements. Potential assignments

will be discussed with administrators of the buildings. We reserve the right to consider outside applications at the same time.

EXTERNAL RECRUITMENT:

Once all internal movement has ceased and a vacancy remains, the Human Resources Office considers outside applicants. These outside applicants are secured from our substitute ranks and application files. Depending on the number and quality of our application files, we may advertise locally and/or through placement centers.

Two groups within our organization have a specific track for moving into regular employment. They are:

Bus Drivers: Substitute bus drivers are trained and licensed and serve on an “extra board” basis. As regular positions become available, substitutes are hired to regular employment based on meeting qualifications and seniority. The openings on the substitute roster are then filled by the Transportation Director in consultation with the Assistant Superintendent for Personnel & Labor Relations, based on qualifications, experience and potential.

Custodians: Regular substitute custodians are trained and utilized and serve on an as needed basis. These persons meet all qualifications and are available for at least the majority of a shift on a regular basis (at least 5 hours). Substitutes who are not available for at least 5 hours and/or are unavailable to work on a regular basis will be removed from the substitute list.

APPLICANT SCREENING:

When considering applicants for participation in competitive interview, the process begins with screening. This process considers objective information, experience, qualifications, and skill levels. We have a structured screening grid for teachers, custodial/maintenance, administration, bus drivers, and secretaries. The individuals who rank the highest as a result of this screening are offered a competitive interview. When timelines allow and/or where a number of applicants are available, a short informal interview may be used as part of the screening process.

SKILL TESTING: (where applicable)

In those areas where specialized skills are necessary, skill testing may be administered. Areas that may be covered by this are secretaries, teacher assistants, custodial/maintenance, and bus driving. The results of this skill testing will be considered in the final decision.

PANEL INTERVIEW:

In those instances where internal candidates are not transferred according to qualification and seniority, competitive panel interviews are held. These interviews will include inside applicants as indicated earlier. If internal candidates are shown to be unqualified or otherwise undesirable for a position, interviews for outside applicants will be scheduled. In any event, the panel will consist of the individuals suggested by Board Policy GCD-R Interviewing Teams. The purpose of these teams is to solicit representative employee input in the hiring process. Panelists will have an opportunity to rate each candidate on an interview grid based on their own perceptions of the candidates. The district has a process of site-based input on teacher selection, with the interview team consisting of the building principal, two teachers and a parent. As the conclusion of the final interviews, all interview

backup will be collected by the Human Resources Department and the results shared with the Superintendent.

REPORT TO THE SUPERINTENDENT AND BOARD OF EDUCATION:

The Executive Director of Human Resources will collect and tally the interview grids from the panel. This information will be summarized along with the other pertinent information such as screening scores and/or any skill testing results, and a recommendation will be made from that input. Once a decision has been made on a transfer or new hire, the Board of Education will be informed through the Board Letter. For internal transfers, the successful and unsuccessful candidates will be notified as soon as possible. In the case of a new hire to the district, a recommendation will be formulated and placed on the agenda for Board consideration. When an offer of employment is made it will be contingent about such Board approval, as well as satisfactory completion of all pre-employment conditions including post-offer physicals, drug screening, IRS signatures and a criminal history check including fingerprinting.

MONROE PUBLIC SCHOOLS CONFERENCE APPROVAL FORM

Name: _____ Building/Department & Assignment: _____
 Conference Title: _____ Conference Location (City, State): _____
 Date of Conference: _____ Request sub on following dates: _____
 * If substitute is requested and not available, approval may be denied or rescinded AM Only PM Only All Day no sub required

AUTHORIZATION TO ATTEND AND ESTIMATED COSTS

This section must be completed prior to conference, signed by applicant, and registration information attached or form will be returned:

The district will send in registration fees in advance if the request is received by the Business Office three weeks prior to registration deadline. If this form is not received according to these timelines, the applicant may be responsible for submitting own registration fees. All other expenses must be borne by the applicant and submitted within two weeks following the conference for reimbursement. The district will not provide advance funds for conferences expenses. An exception to the above is airfare that must be purchased and paid more than a month prior to the conference. Expenses which are not requested and approved or which exceed 10% of estimated costs may not be reimbursed.

See back of this form for additional information/guidelines for completing this form.

- I have completed the on-line registration (confirmation and payment information is attached)
- I will send form and fee directly to conference (copy must be attached) **OR**
- I request District to submit the attached completed registration form and prepaid fee to:

_____ Amount: \$ _____
 Applicant Signature: _____ Date _____
 Principal/Supervisor Signature: _____ Date _____
 Assistant Superintendent Signature: _____ Date _____
 Treasurer Signature: _____ Date _____

Estimated Costs	
Conference Fee	\$ _____
Transportation	\$ _____
Lodging	\$ _____
Meals	\$ _____
Other (list) _____	\$ _____
Total	\$ _____

REPORT OF ACTUAL EXPENDITURES

This section must be completed within two weeks following the conference. Detail receipts must be submitted for ALL reimbursed expenses.

Conference Fee \$ _____ Conference Budget Code and Account # _____
 Transportation \$ _____ Substitute Budget Code and Account # _____
 Lodging \$ _____
 Meals \$ _____
 Other (list) \$ _____ Applicant Signature: _____ Date _____

Total Actual Expenses \$ _____
 Less Pre-Paid/Advances (amount MPS paid) \$ _____ Date _____
 Reimbursement Due (amount owed to you) \$ _____ Date _____
 Owe to Monroe Public Schools (amount you owe) \$ _____ Date _____
(attach personal check or money order payable to Monroe Public Schools)

Approved for Payment:

Principal/Supervisor Signature: _____ Date _____
 Assistant Superintendent Signature: _____ Date _____
 Treasurer Signature: _____ Date _____

Note: Explanation must be attached if the actual costs are more than 10% of the estimated costs.

Single Day Conference/Workshop:

District will pay the registration fee and any pertinent substitute fees for any approved conference. No meal money will be provided. Extraordinary expenses will be considered based upon the need and desire for district representation at a conference.

1. Mileage is 35¢ per mile to cover expenses. Mileage is determined from Monroe to destination regardless of point of origin.
2. No reimbursement will be made for materials purchased at a conference unless they were specifically approved in advance.

Multiple Days Conference/Workshop:

District will pay the main conference registration fee and any pertinent substitute fees for any approved conference. In addition, the following expenses will be paid:

1. Pre-conference fees will be paid based upon the discretionary approval of the supervisor
2. Mileage of 35¢ per mile to cover expenses. There will be a maximum of \$175.00 for mileage unless specifically approved in advance.
3. For longer distances (500 or more miles / one-way), the district will consider the cost of coach airfare. The employee is encouraged to pursue super saver rates. **Receipts will be required. Mileage to and from airport origin and/or airport parking fees are not covered.**
4. The district will provide up to \$40 per night per person for meals. **Itemized receipts will be required.**
5. The district will provide up to \$150 per night per person when overnight lodging is deemed necessary. **Receipts are required** for all lodging reimbursement. Room sharing is encouraged.
6. No reimbursement will be made for materials purchased at a conference unless they were specifically approved in advance.
7. Additional reimbursement may be allowed for conferences covered fully by grants, subject to the grant provisions.

Criteria for Conference Approval:

The appropriate central office administrator will consider the approval of conference requests based on the following:

1. School district goals and objectives.
2. Program or department goals and objectives.
3. Previous approvals for district paid conferences for the individual and/or department.
4. The attendance and performance of the employee making the request.
5. The availability of budgeted funds.
6. The availability of substitutes when required.

Note: Receipts must be submitted for All reimbursed expenses being paid for by a grant. Please refer our website for the most current reimbursement guidelines.

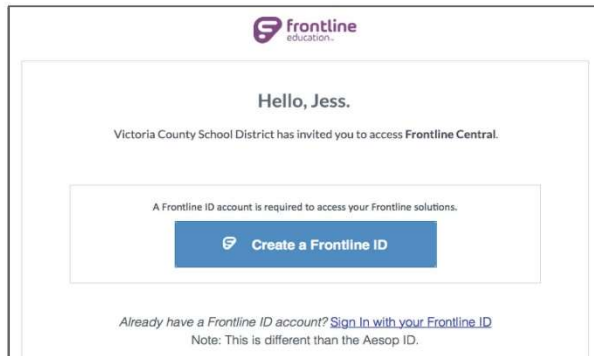


Frontline Central

Employees with access to the Frontline Central application can manage user details and easily relay district information via forms and packets!

SYSTEM ACCESS

Your account setup can begin once you receive an email invitation.



Click **Create a Frontline ID** if you have not yet set up a single Frontline ID account. (You will use this account to access all your Frontline applications.)

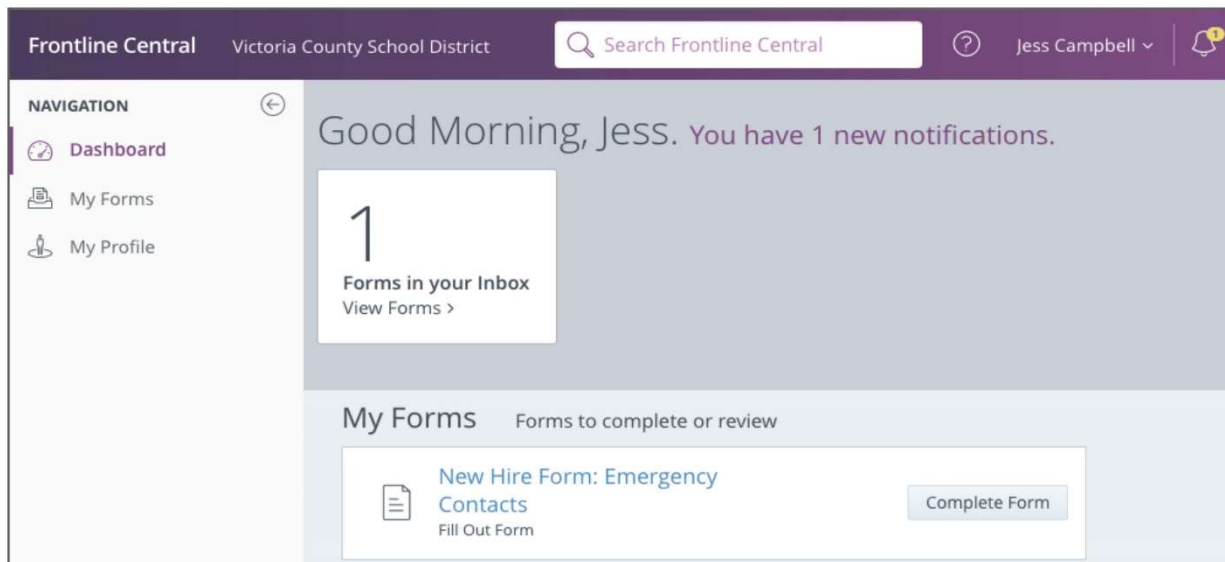
Once complete, you can log in to Central and any other Frontline application you use at app.frontlineeducation.com.

If you already created an account, click **Sign In with your Frontline ID** to access the Central application.

DASHBOARD OPTIONS

Once you sign in, the application includes inbox and form options at the top of the page. Use these as a quick reference for any new updates or pending notifications.

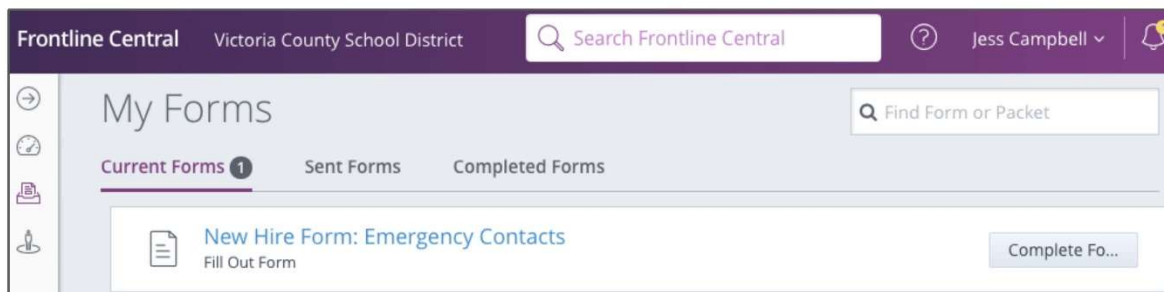
Select your name to view system settings applicable to your account and use the side navigation to access forms or view user details. Just take note, these options and visuals may vary based on your permissions.



COMPLETING A FORM

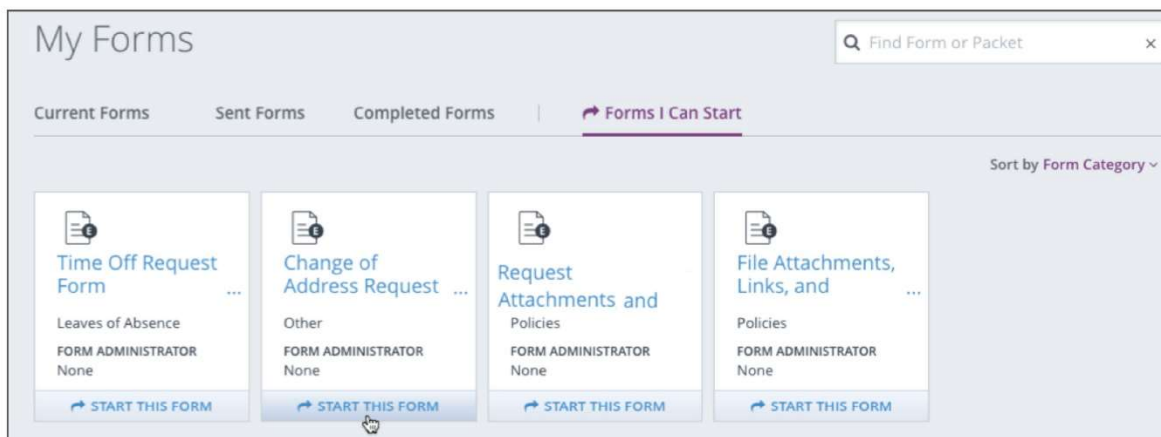
Any forms addressed to you arrive in your inbox and appear on the “My Forms” page.

Reference the “Current Forms” tab to begin a form. You can save your progress at any time and submit the form once you are finished. You can then view sent/completed forms via a second and third tab on your “My Forms” page.



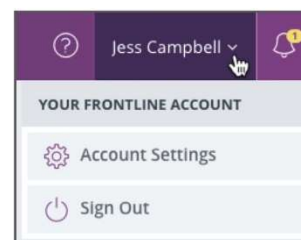
STARTING A FORM

Some employees will also have permission to start a form. If applicable, these unique forms reside within your “My Forms” section under “Forms I Can Start,” and you generally use these for requests and updates such as a change of address, a name change request, expense reimbursements, etc.



ACCOUNT SETTINGS

You can always review and update your personal account details at any time. Simply select the name icon in the top right corner of the Dashboard page and click **Account Settings**. These options include profile, security, address, and application details such as your email address, username/password, and personal address.



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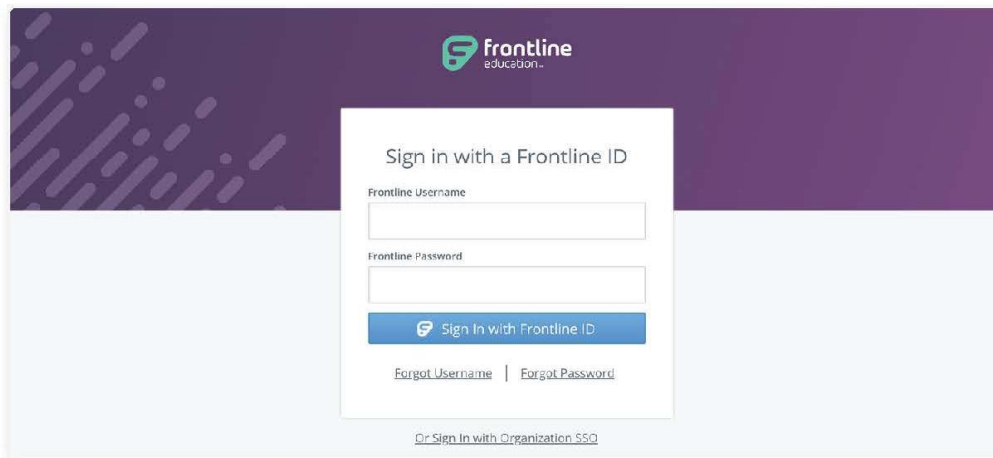


Getting Started in Evaluation

Hello there. Your organization has recently implemented a streamlined management system for professional evaluation, learning, and growth. The purpose of this resource is to provide a quick-reference resource for the basic educator functions.

System Access

- Go to app.frontlineeducation.com.
- Use your Frontline Username/Password to log in or use the “Sign in with Organization SSO” link.




Frontline
education

Sign in with a Frontline ID

Frontline Username

Frontline Password

 Sign In with Frontline ID

[Forgot Username](#) | [Forgot Password](#)

[Or Sign in with Organization SSO](#)

Additional Resources:

- 🔗 [QuickStart Guide: Frontline ID Account Creation \(https://pd-help.frontlineeducation.com/hc/en-us/articles/360000209568\)](https://pd-help.frontlineeducation.com/hc/en-us/articles/360000209568)
- 🔗 [Updating Frontline Account Information \(https://pd-help.frontlineeducation.com/hc/en-us/articles/360043326034\)](https://pd-help.frontlineeducation.com/hc/en-us/articles/360043326034)
- 🔗 [Using Single Sign On \(SSO\) \(https://pd-help.frontlineeducation.com/hc/en-us/articles/360020784373\)](https://pd-help.frontlineeducation.com/hc/en-us/articles/360020784373)
- 🔗 [Acquiring Forgotten Credentials \(https://pd-help.frontlineeducation.com/hc/en-us/articles/360000209728\)](https://pd-help.frontlineeducation.com/hc/en-us/articles/360000209728)

My Requests -

My Evaluation -

Scheduled Components

FFT2021 Announced Observation Form
Status: **scheduled**
Date: 09/25/2021 10:00-11:00 AM EDT
Where: Room 5B
With: Picard Evaluator

Action Required

FFT2021 Pre-Observation Planning Form
Status: **awaiting schedule acceptance**
Date: 09/20/2021 10:00-11:00 AM EDT
Where: Room 5B
With: Picard Evaluator
Action: [Accept Schedule / Decline Schedule](#)

In Progress

SLO Development Form - Student Learning Objectives
Status: **awaiting administrator acceptance**
Submitted: 09/15/2021 9:30 AM EDT
Action: [View SLO Development Form - Student Learning Objectives](#)

Complete

Teacher Observation - Announced Observation
Status: **completed**
Submitted: 09/14/2021 11:30 AM EDT
Action: [View Teacher Observation - Announced Observation](#)

My Evaluations

☰ Navigation:

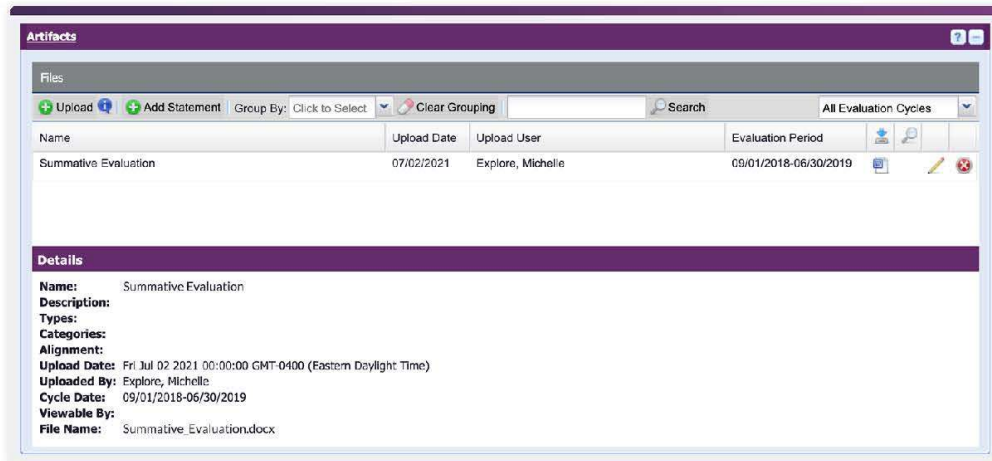
My Info

My Evaluations

The My Evaluations page includes both an Artifacts and Details section. From here, you can upload artifacts, as needed, and view current/past performance evaluation cycles.

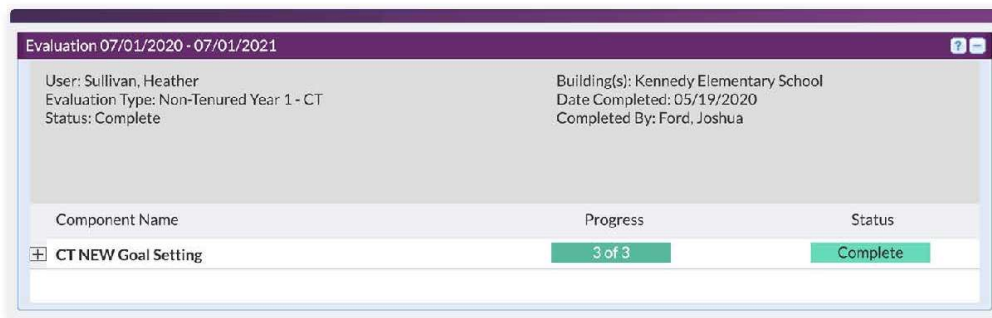
Upload Artifacts:

- Click the Artifact Files link.
- Click the green +Add Artifact button.
- Complete the fields and use the blue “up arrow” to browse and select the desired file.
- Click Save.



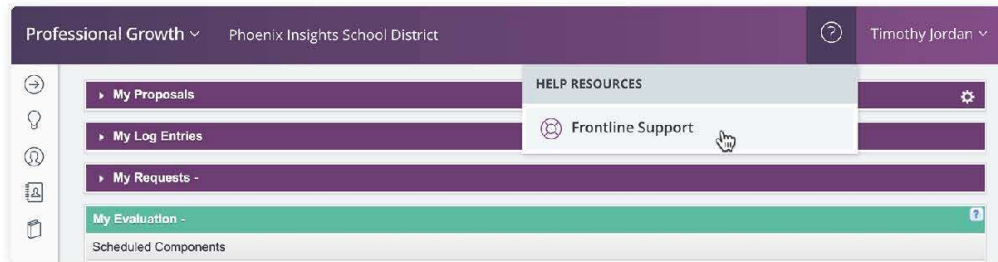
View Current and Past Evaluation Cycles:

- Click the Evaluation (Cycle Dates) link. If this is your first cycle, you will only see the current one.
- View your evaluation components and use the “plus” symbol to expand components to view the forms within.
- Complete/submit your forms and view forms that have been submitted by an evaluator.



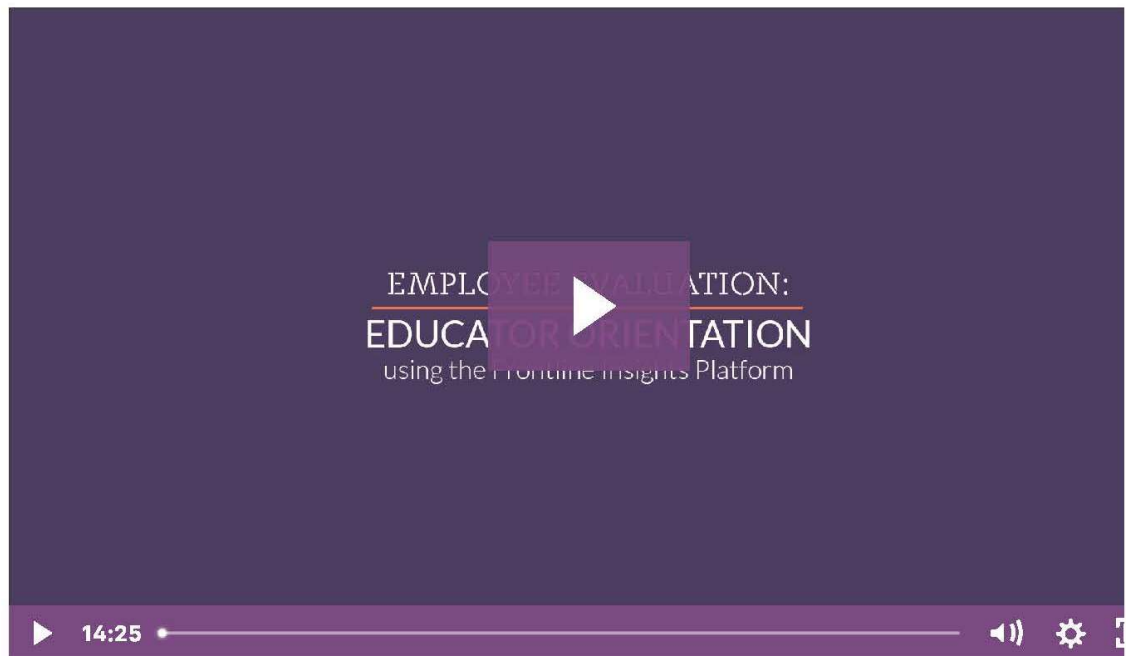
Additional Support

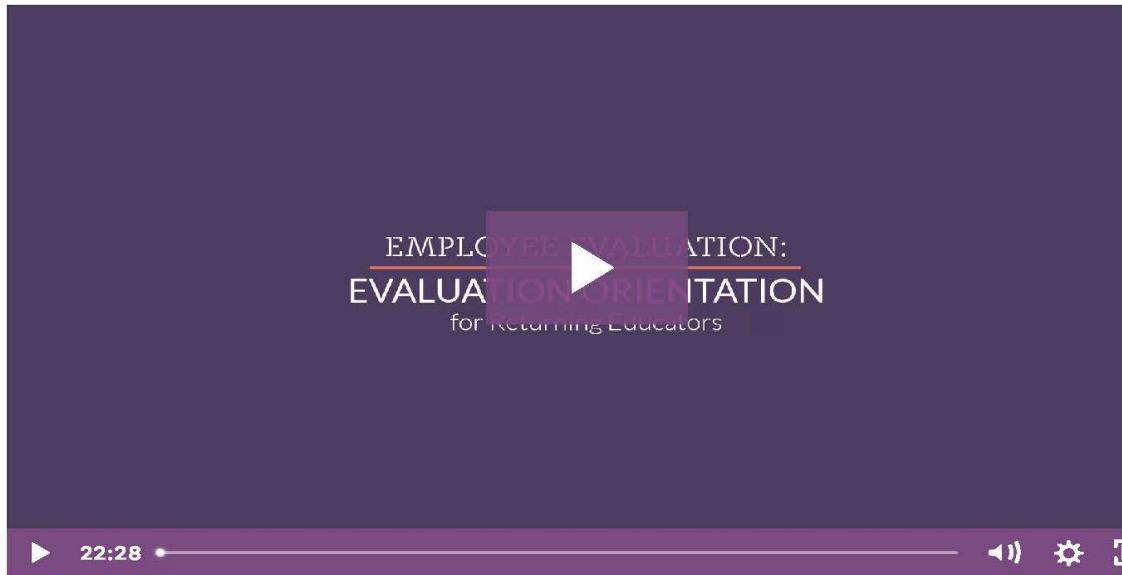
Remember, you can always access the Learning Center via the **?** **Question** icon in the top right or your application. You have ongoing access to help articles, videos, webinars, and other support resources.



Additionally, you can view one of our webinars below to get off to a good start with an orientation to the Evaluation system. In each of these sessions, we cover how to locate what you need in the system, including how to find, complete, and review forms.

Orientation for New Educators:





<https://pd-help.frontlineeducation.com/hc/en-us/articles/115007558008>

6/6

To access the proceeding links and videos, visit this website:
<https://pd-help.frontlineeducation.com/hc/en-us/articles/115007558008>