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8010 Equal Educational Opportunity (Cf. 5020)

8010

Every child, regardless of race, creed, color, sex, age, national origin, cultural or economic background, or handicap, is entitled to equal opportunity for educational development.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the District. The Board shall treat its students without discrimination as this pertains to course offerings, athletics, counseling, employment assistance, and extracurricular activities.

Any person wishing to file a complaint regarding Equal Educational Opportunity should address their concern(s) to:

The Assistant Superintendent for Personnel
L'Anse-Creuse Public Schools
36727 Jefferson Avenue
Harrison Township, MI 48045
(585) 783-6300

Approved: May 23, 2007

LEGAL REF: 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 20 USCA §1701 *et seq.* (Civil Rights Act); 28 CFR §42.410; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §2000e, *et seq.* (Title VII of the Civil Rights Act); MCL 380.1146

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

8015

The District will not discriminate against any person based on sex, race, color, national origin, religion, height, weight, marital status, handicap, age, or disability. The Board reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d. et seq.; and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; The Americans With Disabilities Act of 1990, 42 U.S.C. §§ 1210, et seq.; the Persons with Disabilities Civil Rights Act, MCL §§ 37.1101, et seq.; and the Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.

The Director of Special Education is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs and activities. The Assistant Superintendent for Personnel is appointed the Civil Rights Coordinator regarding discrimination complaints made by students (grades Pre-K through 12) and/or their parent(s)/guardian(s), and involving sex, race, color, national origin, religion, height, weight, age, or marital status. The Assistant Superintendent for Personnel is appointed the Civil Rights Coordinator regarding all other complaints of discrimination. In the event the complaint is against the Assistant Superintendent for Personnel, the Superintendent is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination based on disability/handicap should be directed to:

The Director of Special Education
L'Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

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8015 Non-Discrimination and Complaint Procedure (Cf. 2450, 5030) 8015-2

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

The Assistant Superintendent for Personnel
L’Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

In the event a complaint is against the Assistant Superintendent for Personnel, the complaint should be directed to:

The Superintendent of Schools
L’Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

All other inquiries related to discrimination should be directed to:

The Superintendent of Schools
L’Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

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

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

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

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

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

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

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

Approved: May 23, 2007
LEGAL REF: Included in Text

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8018 Discriminatory Harassment of Students

8018

Discriminatory harassment of students by School District elected officials, employees, vendors, contractors or other doing business with the School District, students, parent(s)/guardian(s), invitees, volunteers or guests will not be tolerated. Similarly, student-on-student discriminatory harassment is prohibited, equally, and will not be tolerated.

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

- Submission to such conduct or communication is made either an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the School District,
- Submission to, or rejection of, the conduct or communication is used as the basis for a decision to exclude, expel or limit the harassed student in the terms, conditions or privileges of the School District, or
- The harassment substantially interferes with the student's education, creates an intimidating, hostile, or offensive environment, or otherwise adversely affects the student's educational opportunities.

Any student who believes that he or she has suffered harassment shall immediately report the incident(s) to his/her school Principal, or an Assistant Principal, or to the following person:

The Superintendent of Schools
L'Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

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Should the complaint be against the Superintendent, the incident shall be reported to:

Vice-President of the Board of Education
L'Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

The School District guarantees that a student reporting an incident(s) of discriminatory harassment will not suffer any form of reprisal.

In determining whether the alleged conduct constitutes discrimination or harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incident(s) occurred will be investigated. The building Civil Rights Coordinator, or his/her designee, has the responsibility of investigating complaints of discriminatory harassment of students. In cases where the alleged harassment involves a member of the Board of Education, the School District will appoint outside legal counsel to investigate the complaint. The results of an investigation and any action taken thereon will be communicated to the complaining person.

The School District considers discriminatory harassment based on religion, race, color, national origin, age, sex, height, weight, marital status, handicap, or disability to be a major offense, which will result in disciplinary action of the offender. Disciplinary action against a School District employee may include termination of employment. Disciplinary action against a student may include expulsion. Disciplinary action against a Board of Education member may range from Board of Education public censure to removal of the Board Member from an officer position he/she may hold.

Sexual harassment, may include, but is not limited to, the following:

- Verbal harassment or abuse,
- Pressure for sexual activity,

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- Repeated remarks with sexual or demeaning implications,
- Unwelcome touching,
- Sexual jokes, posters, cartoons, etc., and/or
- Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

In addition, any form of retaliation against the complainant or witness is in itself a form of sexual harassment.

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

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

Approved: May 23, 2007

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

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8018-R Discriminatory Harassment of Students

8018-R

Federal Title Programs

If any person believes, the District, or an employee of the District has inadequately applied the principles and/or regulations of a federal Title program or believe they have been discriminated against, that person may make a complaint to the local Title coordinator at the following address:

District Title Coordinator
C/O Assistant Superintendent for Curriculum and Instruction
L'Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

The person who believes they have a valid basis for the complaint shall discuss the matter informally and verbally with the local Title coordinator, who shall investigate the complaint and answer the complaint within two business days. If this reply is not acceptable to the complainant, the complainant may initiate formal procedures according to the following steps:

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

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

Step I:

A written statement of the complaint signed by the complainant shall be submitted to the local Title coordinator within five business days of receipt of answers to the informal complaint. The coordinator shall further investigate the complaint and reply in writing to the complainant within ten school days.

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Step II:

If the complainant wishes to appeal the decision of the local Title coordinator, that person may submit a signed appeal to the Superintendent within five business days after receipt of the local coordinator's response. The Superintendent shall meet with all parties involved, attempt to arrive at a solution, and respond in writing to the complainant within five school days.

Step III:

If the complainant remains unsatisfied, the complainant may appeal in a signed, written statement to the Board within five business days of receipt of the Superintendent's response in Step II. The Board shall meet with the concerned parties and their representatives within 15 days of receipt of the appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten business days of the meeting.

Sexual Harassment and Intimidation

Any person who alleges sexual harassment by a Board member, staff member or student in this District, may use the procedure detailed in the appropriate current negotiated agreement, faculty handbook, or student handbook, or may complain directly to his/her immediate supervisor, building Principal, school counselor, District Title IX coordinator or grievance officer. Filing a grievance or otherwise reporting sexual harassment will not reflect upon the individual's status, nor will it affect future employment, grades, or work assignments.

The right to confidentiality, for both the accuser and the accused, will be respected consistent with the District's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

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8018-R Discriminatory Harassment of Students

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Grievance Procedure

Any Board member, employee, or student in the District who believes that he/she has been subjected to discriminatory and/or sexual harassment shall report the incident(s), in the case of an employee, to the Superintendent, immediate supervisor, Title IX coordinator, or grievance officer; in the case of a student, to the building Principal, guidance counselor, Title IX coordinator or grievance officer; in the case of a Board member, to the Superintendent, Title IX coordinator, or grievance officer.

Should a building or central office administrator be the subject of the immediate complaint or have an apparent conflict of interest in relation to it, he/she will not participate in any way in the investigation of or the decision regarding the complaint.

Upon the filing of a complaint, the grievance officer shall conduct a prompt and complete investigation. The officer shall attempt to resolve the problem through the following steps:

1. Interview the complainant and document the interview.
 - a. Request that the complaint be put in writing, if possible.
 - b. Obtain the names of witnesses who can be contacted to substantiate the charges being made and secure permission of the complainant to interview them.
2. Interview the accused and document the interview.
 - a. Re-emphasize the Board's policy regarding insult, intimidation, and harassment without making judgments at this stage.
 - b. Keep the identity of the complainant confidential, if possible.
3. Interview all witnesses identified by the parties and document the interview.
4. Review the personnel files or student records/files of the complainant and the accused for any history of problems.
5. Make a determination on the merits of the complaint.

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■ **If the investigation shows that the complaint is without merit, the following action will be taken:**

1. The investigation will be closed.
2. The grievance officer's findings and reasons for them will be discussed with the complainant.
3. Consideration will be given to disseminating the results of the investigation to employees or students who have knowledge of it.
4. All references to the complaint will be removed from the accused party's personnel file.
5. The Board's policy regarding discriminatory and/or harassment and the mechanism for complaint resolution will be reiterated to all employees or students involved in the investigation.
6. All documentation regarding the complaint and the investigation will be maintained in a separate confidential file in the event that litigation is commenced or a charge is filed with the Equal Employment Opportunity Commission or the Michigan Department of Civil Rights.

■ **If the investigation shows that the complaint has merit, the following action will be taken:**

1. The investigation will be closed.
2. The grievance officer will confer with the Board and Superintendent to determine what action is necessary to resolve the complaint and prevent recurrence.
 - a. The complainant should be made whole: in the case of an employee, for any lost earnings, employment opportunities, personnel records should be corrected; in the case of a student, lost educational opportunities, extracurricular opportunities, student records updated; in the case of a

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Board member; lost opportunities of public service, such as chair of special committees, appointments or professional development opportunities.

- b. The potential for continuing problems should be alleviated by reassignment where possible.
3. The parties will be advised of the results of the investigation and the actions to be taken.
4. Appropriate discipline will be imposed, as required by the strength of the evidence, the severity of the incident, and the position and prior record of the offender.
5. All actions will be documented and a record placed in the offender's permanent personnel file or student discipline records.
6. The Board's policy regarding discriminatory and/or sexual harassment and the mechanism for complaint resolution will be reiterated to all Board members, employees, or students involved in the investigation.
7. All documentation regarding the complaint and the investigation will be maintained in a separate confidential file in the event that litigation is commenced or a charge is filed with the Equal Employment Opportunity Commission or the Michigan Department of Civil Rights.

All complaints, interviews, and investigations will be treated with the strictest confidentiality and utmost discretion. Only those Board members, employees, or students whose participation in the investigation of a complaint was essential to its resolution will be informed of it.

The Board reserves the right to contact outside investigators for sensitive and/or extensive complaints of harassment.

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8018-R Discriminatory Harassment of Students

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Sanctions

- a. A substantiated charge against a staff member in the District shall subject that staff member to disciplinary action, up to and including discharge.
- b. A substantiated charge against a student in the District shall subject that student to disciplinary action, which may include suspension or expulsion, consistent with the Code of Student Conduct.
- c. A substantiated charge against a Board member in the District shall subject that Board member to any legal and disciplinary action allowed under current law.

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8020 Attendance

8020

The Board encourages regular attendance at school by all students.¹ Daily attendance records shall be maintained for each student in each school. Regular attendance contributes not only to the probability of scholastic success but also to the development of attitudes of consistent performance, which will carry over into adult life.

Approved: May 23, 2007

LEGAL REF: MCL 380.1231(2); 380.1561; 380.1571; 380.1577; 380.1586-1589; R 340.71; OAG, 1977-1978, No 5414, p 738 (December 20, 1978); OAG, 1987-1988, No 6467, p 196 (September 16, 1987)

¹ **380.1561 Compulsory attendance at public school; enrollment dates; exceptions. [M.S.A. 15.41561]**

Sec. 1561. (1) Except as otherwise provided in this section, every parent, guardian, or other person in this state having control and charge of a child from the age of 6 to the child's sixteenth birthday shall send that child to a public school during the entire school year. The child's attendance shall be continuous and consecutive for the school year fixed by the school District in which the child is enrolled. In a school District that maintains school during the entire calendar year and in which the school year is divided into quarters, a child is not required to attend the public school more than 3 quarters in 1 calendar year, but a child shall not be absent for 2 or more consecutive quarters.

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8020-R Attendance

8020-R

The primary responsibility for recording attendance shall be assigned to the homeroom teacher in the high school(s) and to the classroom teacher in the middle school and elementary school(s) under the supervision of the building Principal and upon forms prescribed by the Superintendent and State Department of Education. The Superintendent shall include an attendance report as a section of the annual report to the Board and may report attendance problems to the Board at other times, as he/she deems necessary.

District personnel are to follow the state guidelines regarding student attendance accounting and reporting. The District's staff is to cooperate with attendance officers and law enforcement personnel when enforcing the compulsory attendance laws.

Section 8000 – Students

8030 Truancy

8030

Truancy is defined as excessive absences and/or tardies.

A significant part of the school day, for student attendance purposes, shall be 90 percent of the time in attendance at school.

Approved: May 23, 2007

LEGAL REF: MCL 380.1571; 380.1586-1596, 380.1599; OAG 5414 (12/20/78.)

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8035 Absences and Excuses (Cf. 7610, 8350)

8035

Regular school attendance of school-aged children is required by state law. The Board considers regular school attendance essential for success in school. Absence will be excused only for necessary and important reasons. Such reasons include illness, bereavement, family emergencies, and observations of major religious holidays.

In the event of a necessary absence known in advance, the parent is expected to inform the school in advance. If the absence is caused by emergency, the parent is expected to telephone the school office. When a student returns to school following an absence, a note of explanation from the parent is required unless the absence was prearranged.

Frequent or prolonged absence or repeated tardiness without satisfactory reasons will be grounds for disciplinary action.

Specific regulations will be formulated for attendance reporting and administration within individual schools. These regulations may be subject to Board review. The regulations will be incorporated into the appropriate staff and student handbooks.

Approved: May 23, 2007

LEGAL REF: MCL 380.1561

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8040 School Admissions

8040

The Board expects the administrative procedures for the admission of students to be designed in such a fashion that enrollment is handled expeditiously and with the least possible inconvenience to parent(s)/guardian(s), or other caregivers, and students. The enrolling school administrator shall enter on the student's permanent record card the student's legal name and the name, address and telephone number of his/her lawful custodian(s), or other relatives acting as caregivers, as required in Board policy 8090 Release of a Student During the School Day. Any unusual custody circumstances shall be explained and updated insofar as possible. The District may require "Power of Attorney" papers for relatives of the student acting as caregivers in the stead of the legal parent(s)/guardian(s). A student may also be considered a resident of the School District if he/she is living with a relative within the School District, but only where it is proven that the parent or legal guardian is unable to provide a suitable home for the student.

First Time Enrollments

The parent(s)/guardian(s), or person *in loco parentis* applying to have a child registered for the first time in a school and, beginning in 2002-2003, the parent(s)/guardian(s) or person *in loco parentis* of a child entering the sixth grade, shall present to school officials, at the time of registration or not later than the first day of school, a certificate of immunization or statement of exemption under section 1177 of the Revised School Code. A social security number for the child will be requested. Social security numbers are to be used only as an identifier in data collection and analysis.

Resident Students

In order to obtain an estimate of the number of resident students who are expected to enroll in school during the following year, a pre-enrollment period shall be scheduled annually during the spring months.

New Resident Students

New resident students are urged to contact the Superintendent's office as soon as possible after establishing residence in the District.

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8040 School Admissions

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Non-Resident Students

A non-resident student shall be defined as any student who does not meet the requirements to be a resident student of the District, as defined in state law. The enrollment of non-resident students is a privilege granted by the District and is not a legal right provided to the non-resident student and/or his/her parent(s)/guardian(s). Non-resident students shall not be granted or refused enrollment based upon disability, religion, race, color, national origin, sex, height, or weight, or generally, in violation of any state or federal law prohibiting discrimination.

The Board will consider and may permit the enrollment of non-resident students upon receiving a release from the school District of residence or upon payment of tuition unless exempt from either by state law.

Enrollment requests from non-resident students will be subject to space availability as determined by the Superintendent considering resident student enrollment projections.

Requests from the parent(s)/guardian(s) of special education students for admission shall be considered in accordance with applicable state and federal laws. The student's current Individual Education Plan (IEP) shall be used to determine if the requested school or program can meet the student's needs. When necessary, a written cooperative agreement with the student's resident District shall cover, but not be limited to, an arrangement on the responsibility for the payment of the added costs of special education programs and services, including transportation, for the student.

Non-resident students admitted pursuant to the following exceptions will not be required to pay tuition or seek approval from their District of residence if:

1. The student was a victim of a criminal sexual assault or other serious

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8040 School Admissions

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assault, that (1) occurred “at school”² in the student’s District of residence, or (2) that was committed by one or more students from the student’s District of residence, or (3) that was committed by employee of the student’s District of residence.

2. The student was enrolled as a resident in the District at the beginning of the school year and became a non-resident after the pupil membership count day (fourth Wednesday in September).
3. The student is the child of an employee who is under a full-time or part-time employment during the current school year. This exception shall cease to exist when the parent(s)/guardian(s) ceases to be an employee of the District. However, under such circumstances, a student may finish the school year without payment of tuition or approval from his/her resident District if the parent(s)/guardian(s) discontinues employment with the District after the pupil membership count day.

Unless as otherwise required by law, transportation for enrolled non-resident students shall be furnished by their parent(s)/guardian(s).

Resident Attendance in another District – Non-Schools of Choice

The Board may approve resident students attending another school District when the needs of the student dictate as determined by the school’s counselors, teachers, administrators and the student’s parent(s)/guardian(s).

Assignments

To Schools

Attendance areas may be established for each attendance center in the District.

To Classes

² “At school” means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event, whether or not it is held on school premises. MCL 388.1606(6)(g)(i).

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8040 School Admissions

8040-4

To the extent possible, class assignments will be made in such a way as to give each student the greatest freedom of choice consistent with the student's interests and abilities.

Transfers and Withdrawals

Transfers will not normally be permitted between elementary schools during the school year unless the needs of the student dictate.

All students who plan to transfer to another District or who intend to withdraw entirely from the school are encouraged to give advance notice, insofar as this is possible, in order that the school rolls may accurately reflect the current student enrollment of the District.

Approved: February 26, 2007

Revised: March 17, 2009

LEGAL REF: MCL 380.10; 380.1134-1135; 380.1147-1148; 380.1177; 380.1204a; 380.1282; 380.1324; 380.1401; 380.1416; 388.1606; OAG, 1979-1980, No 5642, p 587 (February 4, 1980); OAG, 1981-1982, No 5925, p 234 (June 23, 1981); OAG, 1981-1982, No 5995, p 412 (October 12, 1981); OAG, 1987-1988, No 6467, p 196 (September 16, 1987)

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8040-R School Admissions

8040-R

The Superintendent, in cooperation with the Principals, shall establish an advance enrollment date for all students. Enrollment procedures will be communicated to the news media, and every attempt will be made to enlist the cooperation of the media in informing the public of the enrollment procedures to be followed.

First Time Enrollments

The proof of identity for students enrolling for the first time in the District may include, but may not be limited to, such items as the student's birth certificate, a copy of a court order placing the student in the custody of the Department of Human Services, a certified transcript of the student, a baptismal certificate, or other reliable documentary evidence that the Board considers satisfactory.

If the identity of the student is not proven by documentary evidence within 30 days, the enrolling officer shall notify the local law enforcement agency as required by law. If the enrolling officer suspects the identity affidavits to be inaccurate or suspicious in nature, he/she shall contact the local law enforcement agency.

Resident Students

The Superintendent shall ascertain that all students who apply for admission to the schools are lawfully entitled to enroll. In the event that there is a doubt about the legal status of a student, the Superintendent shall refer the question to the school attorney who shall prepare a written report to the Board.

New Resident Students

The Superintendent shall cause public announcements to be made from time to time, with greater frequency during the summer months, as to the procedures that new residents of the District are expected to follow in enrolling in the schools of the District.

Section 8000 – Students

8040-R School Admissions

8040-R-2

Non-Resident Students

Application for a non-resident student who desires to be admitted to the schools of the District shall be submitted to the Superintendent. In the event a non-resident student is denied admission to the schools of the District, the parent(s)/guardian(s) or student, if an emancipated minor, may appeal the decision, in writing, to the Board.

The parent(s)/guardian(s) of a non-resident student who wishes to enroll a student because the parent(s)/guardian(s) is/are employed by the District may be required to provide proof of employment.

Tuition

The tuition for any student, that is to be paid by another District, shall be paid on the date provided in the agreement with that District. In the event tuition for a non-resident student is to be paid by the parent(s)/guardian(s), the tuition shall be paid in full at the time of enrollment in the amount determined by the Superintendent.

Assignment

The building Principal shall be initially responsible for specific classroom and grade level assignment of all students within the school. In the elementary schools, the Principal, in determining the grade level for any new student, may take into consideration the previous schooling of the student but may assign the student to a lower grade level or higher grade level, if in his/her judgment, and with the cooperation of the parent(s)/guardian(s), the best interests of the student would be served thereby.

In the middle school and in the senior high school, credit may be given to units earned in other accredited schools, after review by the Principal and other designated staff.

Section 8000 – Students

8040-R School Admissions

8040-R-3

Should the parent(s)/guardian(s) (or student, if an emancipated minor) elect to exercise their judgment in opposition to the best professional judgment of the Principal or Superintendent, the parent(s)/guardian(s) (or student, if an emancipated minor) shall be required to sign an affidavit that they have elected to ignore the best professional judgment of the District in the grade level placement of the student. The affidavit will be retained in the student's permanent record.

To Schools

Any parent(s)/guardian(s) who wish to enroll a child as a student in a school outside of the attendance area in which the student would otherwise attend may make application to the Superintendent, including in such application a justification for the variance from the assignment policy of the Board. The Superintendent is authorized, in any case in which he/she feels that the better interest of the schools or the student involved will be served, to grant an exception from the attendance areas established by the Board.

School records will be mailed to the new school upon written request from the school. (Former P-8050)

To Classrooms

The building Principal shall be responsible for assigning students to specific classrooms within the school. In making classroom assignments, the Principal shall take into account available space, class sizes, and scheduling requirements.

School Admissions - Non-Accredited Schools

Students attending or having attended a non-accredited school or home school, which wish to attend school in the District, must be tested by an appropriate guidance counselor to determine grade level placement. The school officials shall make grade placement after consultation with the parent(s)/guardian(s), guidance personnel and the Superintendent.

Section 8000 – Students

8040-R School Admissions

8040-R-4

Criteria for final placement shall include past educational experience and successful performance and/or examination at the level of initial assignment.³

Transfers and Withdrawals

It shall be the responsibility of the Principal of the appropriate school to determine whether a student has transferred or withdrawn from school. Any student who is absent from school for more than fifteen consecutive days shall be presumed to have transferred or withdrawn, unless the Principal may determine by investigation that such is not the case.

Within 14 days after enrolling a transfer student at school, the enrollment office shall request, in writing, that the student's previous school forward a copy of said student's records to the new school.

Resident Attendance in another District - Non-Schools of Choice

All requests to attend another school District that is not a "schools of choice" District shall be made to the Superintendent. The student and/or his/her parent(s)/guardian(s) shall be given the opportunity to make a presentation to the Board in support of the request prior to the final decision of the Board.

³ It is permissible for schools to disallow grades earned at non-accredited schools - which would include "home schooling" - as part of a middle school or high school GPA calculation or for use in calculating entrance into National Honor Society or for purposes of determining salutatorian or valedictorian honors. If that is the District's choice, the following rules language need simply be added to these rules: "Grades earned at non-accredited schools shall not be used in determining Grade Point Average, National Honor Society Membership, or valedictorian/salutatorian honors."

Section 8000 – Students

8045 Homeless Children

8045

The Board is committed to identifying homeless children and youth.⁴ The Superintendent shall develop guidelines and procedures for identifying homeless children within the District and will produce written guidelines for distribution to each school that explains the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

Such children shall be provided with educational services to meet their needs as determined and directed by the Superintendent. Regulations/Guidelines will be developed that implement the requirements of the No Child Left Behind Act.

The child may attend the school, which is in the best educational, social, and emotional interest of the child.

⁴ Under the McKinney Act, the terms homeless children and youths mean “individuals who lack a fixed, regular, and adequate nighttime residence ... and includes:

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings...;
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children ... who qualify as homeless for the purposes of this part because the children are living in circumstances described [above].”

Section 8000 – Students

8045 Homeless Children

8045-2

The Superintendent shall waive fees and charges that may act as barriers and prevent homeless children from enrolling in school and/or acquiring an appropriate education.⁵

Approved: May 23, 2007

LEGAL REF: 42 USCA §11433 (McKinney Homeless Assistance Act); 20 USCA § 6311
(No Child Left Behind Act)

⁵ To be eligible for federal funds for programs assisting the education of homeless children, a District must provide written notice to the parents/guardians of each child enrolled in a separate school for homeless children of the choice of schools that homeless children are eligible to attend, that no homeless child is required to attend a separate school, and that homeless children must be provided transportation services, educational services and meals through school meal programs comparable to those offered to other children in the school attended. The notice must also include contact information for the local liaison for homeless children and the state coordinator for education of homeless children. If the District sends a homeless child to a school other than the school of origin or the school requested by the parent/guardian, the District must provide the parents/guardians a written explanation for, including notice of the right to appeal, the decision. This information must also be provided whenever a dispute arises over school selection. 42 U.S.C. § 11432 (e) (3) , (E); 11432 (g) (2) (B), (E)

Section 8000 – Students

8045-R Homeless Children

8045-R

The District will emphasize the rights of homeless students to:

- Equal access to all educational programs and services including transportation,
- Continue to attend school in their school of origin for the duration of homelessness,
- Attend regular public school with non-homeless students, and
- Continue to receive all services for which they are eligible, such as special education, gifted and talented, or LEP.

Section 8000 – Students

8055 Changing Student Letter Grades

8055

A student, age 18 years or older, parent(s)/guardian(s) or another person acting as a representative for the student, may request to have a letter grade changed only for grades on final exams or grades at the end of a marking period, term, or semester.

The Superintendent will promulgate rules for the procedures to be followed when a request for a change in a letter grade is made.

Approved: May 23, 2007
LEGAL REF: MCL 380.11a

Section 8000 – Students

8055-R Changing Student Letter Grades

8055-R

Should a request be made to change a letter grade on final exams or grades at the end of a marking period, term, or semester, the following procedures are to be followed:

Step 1 - Informing the Teacher

If a student/parent(s)/guardian(s) is/are dissatisfied with the letter grade received, the teacher is informed by the student/parent(s)/guardian(s), within 10 calendar days, the reason(s) for wanting the grade changed.

Step 2

- a. The teacher who gave the original grade agrees with the student's request, within 10 calendar days, to the change and the procedure ends, or
- b. The teacher who gave the grade does not agree, or does not respond to the student's request within 10 calendar days, the student proceeds to the next step.

Step 3

Principal Receives Request

Within 30 calendar days after the student receives the grade and the teacher does not agree to change the grade, the Principal, or person designated by the Principal, must receive a written request from the student stating the reasons for wanting the grade change.

Meeting with Principal

The Principal shall consult with the teacher who assigned the grade and the student within 20 calendar days after receiving the written request from the student.

The student, parent(s)/guardian(s) may attend this meeting or may make a presentation, orally or in writing, to the Principal.

Section 8000 – Students

8055-R Changing Student Letter Grades

8055-R-2

Rational Basis Guideline

The Principal cannot change the grade unless he/she finds that the student requesting the change has established there was not a “rational basis” for the challenged grade under the teacher’s established grading procedures. If the student has established a “rational basis,” the Principal may change the grade.

Principal’s Decision

The Principal shall make his/her decision within 10 calendar days after the meeting with the teacher and student/parent(s)/guardian(s).

Step 4 - Timely Appeals

The teacher or the student/parent(s)/guardian(s) may appeal the Principal’s decision to the Superintendent’s Office within 20 calendar days after receiving the Principal’s decision. Failure to make a timely appeal means the Principal’s decision is final.

The Superintendent’s Office shall render a decision within 30 calendar days.

Step 5

Either the teacher or the student may appeal the Superintendent's decision to the Board (or a committee of the Board) within 20 calendar days after receiving the decision from the Superintendent's Office. Failure to make a timely appeal means the decision is final.

Step 6

The Board (*or designated committee*) shall meet within 30 calendar days to consider the appeal. The Board (*or committee*) shall review the reasons for and against the proposed change. The Board (*or committee*) will not interview the parties nor hear oral presentations.

The Board (*or committee*) shall either approve or disapprove the decision of the Superintendent’s Office. The Board (*or committee*) shall not modify the decision.

Section 8000 – Students

8055-R Changing Student Letter Grades

8055-R-3

The Board's (*or committee's*) decision is final.

Step 7 - The Student's Record

If the Principal, Superintendent's Office or Board (*or committee*) acts to change a grade under this policy, a notation shall be made in the student's record that the Principal, Superintendent's Office or Board (*or committee*) changed the grade.

Section 8000 – Students

8080 Re-admissions

8080

Students, whose enrollment has been terminated, either voluntarily or otherwise, may be re-admitted by following the procedures established by the Board.

Approved: May 23, 2007

LEGAL REF: OAG, 1985-1986, No 6271, p 13 (February 7, 1985)

Section 8000 – Students

8080-R Re-admissions

8080-R

All applications for re-admission to the schools shall be submitted in writing to the appropriate building Principal. If the student who is applying for re-admission has been previously expelled from the school, the Principal shall attempt to establish communication with the parent(s)/guardian(s) and to counsel with parent(s)/guardian(s) and student concerning his/her re-admission. If the student who is applying for re-admission has previously withdrawn, either formally or otherwise, the Principal or his/her representative by appropriate counseling shall assist the student in planning his/her schedule, in obtaining the necessary books and supplies and in re-establishing him/herself as an active participant in the program of the school.

Section 8000 – Students

8090 Release of a Student during the School Day

8090

In recognition of the District's obligation to parent(s)/guardian(s) for the health, welfare and safety of students, building Principals shall not release a student during the school day except in emergencies or to a student's lawful custodian as defined by Michigan law. Other staff, including but not limited to teachers, custodians, aides, and administrative assistants, shall refer any requests for an early release during the school day to the Principal. The identification of the student's lawful custodian shall be verified to the satisfaction of the Principal. All written or verbal requests of the lawful custodian shall be verified to the satisfaction of the Principal. The name, address and telephone number of the lawful custodian shall be entered on the permanent record of the student in accordance with Board policy 8040 and 8090-R.

Approved: May 23, 2007

LEGAL REF: MCL 380.1561; R 340.71-75; OAG, 1989-1990, No 6596, p 195 (August 9, 1989)

Section 8000 – Students

8090-R Release of a Student during the School Day

8090-R

At the time of school enrollment and admission, the building Principal, enrolling officer, or designee must complete the student's permanent record form that shall identify the student's legal name and the name, address and telephone number of the student's lawful custodian(s).

Before releasing a student during the school day, the building Principal or designee shall be responsible for the verification of the identity of any lawful custodian or any representative seeking release of a student.

If a lawful custodian, as indicated on the student's permanent record, is not recognized by sight, the Principal shall require identification to his/her satisfaction before such release. If there is doubt, he/she may refuse to grant the release.

In the case of a written or verbal authorization by a lawful custodian of record, the Principal shall verify to his/her satisfaction the message as being from the lawful custodian of record by a return phone call or any other means at his/her disposal. If there is doubt, he/she may refuse to grant the release.

If, in the granting of a release of a student, a change in the record of the student's lawful custodian(s) becomes apparent or due to court action and verified to the satisfaction of the Principal, such change shall be entered immediately on the student's permanent record.

Section 8000 – Students

8090-R Release of a Student during the School Day

8090-R-2

Emergency Release

Dear Parent(s)/Guardian(s):

Our school needs to know what to do in case of early school dismissal because of severe weather or other emergency. Please complete this form and return it as soon as possible.

Principal or Designee

School Building

My child (Name) _____ will:

Check One:

- Ride the bus as usual
- Walk, drive, or ride bike as usual.
- Be picked up by his/her parent(s)/guardian(s) who can be contacted during the school day at:

Daytime phone number: _____

Pager number: _____

Cell phone number: _____

Email address: _____

- Be picked up by the friend or relative named below:

Name of person _____

Relationship: Friend Relative

Phone or cell phone number where this person can be reached during the school day:

- Follow a different plan. (Please give detailed instructions below.)

I verify I have reviewed this plan and these instructions with my child and he/she understands what procedure is to be followed in the event of early dismissal due to weather or other emergency.

Parent(s)/Guardian(s) Signature: _____

Date: _____

Section 8000 – Students

8095 Closed Campus

8095

The District shall maintain a closed campus for all schools except the L’Anse Creuse-Mt. Clemens Adult Education Center.

Exceptions

The high school Principal may offer an exception to the closed campus policy to high school students.

Any motorized vehicles driven to school by students must remain on the school property unless specific permission is granted by the Principal due to a need related directly to the students academic program (examples: Travel to a career experience placement or travel to a junior college, college, or university for purposes of taking dual enrollment classes).

The Superintendent may suspend the exceptions program at any time for any cause.

Approved: May 23, 2007

LEGAL REF: MCL 380.1561(1)¹

¹380.1561 Compulsory attendance at public school; enrollment dates; exceptions {M.S.A. 15.41561}
Sec. 1561. (1) Except as otherwise provided in this section, every parent, guardian, or other person in this state having control and charge of a child from the age of 6 to the child’s sixteenth birthday shall send that child to a public school during the entire school year. The child’s attendance shall be continuous and consecutive for the school year fixed by the school district in which the child is enrolled. In a school district that maintains school during the entire calendar year and in which the school year is divided into quarters, a child is not required to attend the public school more than 3 quarters in 1 calendar year, but a child shall not be absent for 2 or more consecutive quarters.

Section 8000 – Students

8095-R Closed Campus

8095-R

The Closed Campus policy will be implemented in the District as follows:

Violations

Students caught violating the closed campus policy or these rules shall be disciplined under the student code of conduct for direct insubordination and failure to follow a legitimate and clear directive of the Board of Education and the administration. Discipline up to and including permanent expulsion from the District for repeated violations can result.

Exceptions

With the permission and approval of the Superintendent, the high school Principal has the latitude to grant exceptions to the closed campus policy and rules for high school students who have met the following criteria:

1. A parent permission form, provided by the administration, must be submitted to the designated administrator at each building at the beginning of each marking period.
2. Participating students may depart the campus by motorized vehicle only as scheduled by the administration and only for reasons directly connected to their educational program of study.

The student will be monitored throughout the year.

Revoked exceptions may be reinstated, when eligible, at the Building Principal's discretion. Participating students are subject to all student codes and regulations.

The District shall issue appropriate tags or passes for orderly process of the program.

Section 8000 – Students

8100 Supervision of Students

8100

When students are in school, engaging in school sponsored activities, or traveling to and from school on school buses, they are responsible to the school—and the school is responsible for them. School personnel assigned to their supervision serve in *loco parentis*.

The Board expects all students to be under assigned adult supervision at all times when they are in school sponsored activities. School personnel assigned this supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

During school hours, or while engaging in school sponsored activities, students will be released only into the custody of parents/guardians or other authorized persons.

Approved: May 23, 2007
LEGAL REF: MCL 380.11a

Section 8000 – Students

8120 Care of School Property by Students

8120

Students who lose or damage textbooks, library books, or any other supplies or equipment provided by the school District will be required to pay for the suitable repair or replacement of the damaged or lost item(s). A book deposit will be collected and used toward the repair or replacement of the damaged or lost items. Costs or the amount of the deposit will be the responsibility of the student/parents.

Student inflicted damage or vandalism of any school District property will not be tolerated and will require satisfactory restitution as a provision for continued enrollment in the L'Anse Creuse Public Schools school District.

Approved: May 23, 2007
LEGAL REF: MCL 380.11a

Section 8000 – Students

8130 Searches of Motorized Vehicles, Lockers, and Students

8130

Searches of lockers, motorized vehicles, and students shall be conducted under the appropriate legal standard, to maintain the safety and security of students, teachers, guests, and school property.

Lockers

All lockers assigned to pupils are the property of the school District. At no time does the school relinquish its exclusive control of its lockers. The school Principal or designee shall have custody of all combinations to all lockers and locks. Students are prohibited from placing locks on any locker without the prior approval of the Principal or designee.

The school may assign temporary use of lockers to students for their convenience and the lockers may be used only as permitted by the rules developed by the Superintendent. The Board authorizes the Principal or designee to search lockers and locker contents at any time, without notice, and without parent(s)/guardian(s) or pupil consent. Random searches shall be conducted pursuant to a method and/or schedule approved by the Superintendent.

The Principal or designee may request the assistance of law enforcement in conducting a locker search pursuant to state statute. If law enforcement is summoned, the Principal and/or designee shall supervise the search. In conducting a search, the privacy rights of the student regarding any items discovered that are not illegal or against school policy and rules shall be respected.

Any illegal or unauthorized items found during a locker search or items deemed to be a threat to the safety and security of others may be seized. Such items include, but are not limited to:

- Firearms,
- Explosives,

Section 8000 – Students

8130 Searches of Motorized Vehicles, Lockers, and Students

8130-2

- Dangerous weapons,
- Flammable material,
- Illegal controlled substances or controlled substances analogues or other intoxicants,
- Contraband,
- Poisons, and/or
- Stolen property.

Law enforcement authorities shall be notified immediately of seizure of such items, or of items that must be reported to law enforcement under the Statewide School Safety Information Policy. The items seized will be turned over to law enforcement. The parent(s)/guardian(s) of a minor student or a student 18 years of age or older, shall be notified by the Principal or designee of items removed from the locker. A copy of this policy and accompanying administrative rules regarding locker searches shall be provided annually to each pupil and parent(s)/guardian(s) of the pupil assigned a school locker.

Motorized Vehicles

Student use of a motorized vehicle on school property is a privilege. Motorized vehicles brought onto school property by students are subject to search by the Principal or designee, without notice or consent, if the Principal or designee reasonably suspects that the contents of the motorized vehicle may present a threat or potential threat to the health, safety, or welfare of other students, staff, or to the school in general.

In the case of a locked motor vehicle, every effort will be made to have the vehicle unlocked by the student before proceeding with the search. Students refusing to cooperate in allowing a search of a vehicle brought by them onto school property shall be subject to disciplinary action up to and including revocation of driving privileges on school property and/or long-term suspension or expulsion.

Section 8000 – Students

8130 Searches of Motorized Vehicles, Lockers, and Students

8130-3

Students

Upon reasonable suspicion, and in order to protect the health, safety, or welfare of the students under school jurisdiction, the Principal, or designee, are authorized to search students. All searches shall be carried out in the presence of an adult witness.

Strip Searches

No strip searches shall be conducted by school authorities.

Law Enforcement Searches

School officials shall cooperate with law enforcement officers who seek to execute a search warrant. Where law enforcement officers desire to search without a warrant, school officials should request that the circumstances be explained, and should normally not assist, unless a clear emergency exists.

Approved: May 23, 2007

LEGAL REF: MCL 380.1308(5), Statewide School Safety Information Policy, MCL 380.1311(2), *New Jersey v. T.L.O.*, 469 U.S. 325 (1985)

Section 8000 – Students

8130-R Searches of Motorized Vehicles, Lockers, and Students

8130-R

Search of Lockers

The lockers in the schools of the District shall be under supervision of the building Principal or designated representative. Students are to use lockers only for school-related materials and authorized personal items, such as outer garments, footwear, grooming aids, or lunch. Students are not to use lockers for any other purpose unless prior authorization has been obtained from the Principal or designee. Students are responsible for the content of their lockers and should not share lockers, or divulge locker combinations unless authorized to do so.

The building Principal shall have sole custody of the combination or key to all locker locks in a storage place designed to guard against unauthorized access or use. He/She may search any locker at any time. Such search may be made without notice to the student to whom such locker has been assigned. Random searches will be conducted. Students are prohibited from placing locks, other than the regularly issued school lock, on their lockers. Law enforcement officers may be asked to assist, but school officials must supervise searches that school officials instigate pursuant to policy 8130.

If a law enforcement officer desiring to search a student's locker has a warrant for such search, the Principal shall immediately take such person to the student's locker and permit him/her to search the locker. Whenever possible, such search shall be made in the presence of the Principal.

If a law enforcement officer desires to search the student's locker without a warrant, the building Principal shall ask what facts lead the officer to believe that evidence of a crime will be lost, destroyed or moved if the search and seizure did not take place immediately, before a warrant is obtained.

Prohibited items recovered from a student's locker shall remain in the custody of the building Principal, until such items are turned over to law enforcement officials. The Principal shall receive a receipt for such items so delivered.

Section 8000 – Students

8130-R Searches of Motorized Vehicles, Lockers, and Students

8130-R-2

Search of Motorized Vehicles

The building Principal or designated representative may search any motorized vehicles brought onto school premises by a student at any time upon reasonable suspicion that the motorized vehicle contains an item(s) hazardous to the health, safety, and welfare of students, personnel, or property. These items include but are not limited to firearms, explosives, liquor, flammable material, dangerous weapons, narcotics, or other matter prohibited by law or school regulations from being on school property. Such search may be made without notice to the student. Students refusing to cooperate in allowing a search of the motorized vehicle shall immediately lose their parking/driving privileges and shall be subject to further disciplinary action up to and including long term suspension or expulsion.

Prohibited items recovered from motorized vehicles shall remain in the custody of the building Principal, until such items are turned over to law enforcement officials. The Principal shall receive a receipt for such items so delivered.

Search of the Person

When it has been determined by the building Principal that there is reason to suspect that a student is in possession of an object which can jeopardize the health, welfare or safety of other students, that student shall be ordered to report to the building Principal's office. This determination may be based on any information received by the building Principal or by a member of the faculty or staff. It also may be based on knowledge of the student's disciplinary problems, the student's association with known drug offenders, the students' exhibiting objects associated with drug use, or the students' exhibiting such objects as bullets or a knife sheath that could be associated with dangerous weapons.

Once in the Principal's office, the student shall be advised of the reason why he/she has been ordered to report to the Principal's office. The student shall then be requested to empty items such as, but not limited to, pockets, purses, shoulder bags, and

Section 8000 – Students

8130-R Searches of Motorized Vehicles, Lockers, and Students

8130-R-3

briefcases. Items that the building Principal believes may be connected with illegal activity may remain in the custody of the building Principal, until such items are turned over to law enforcement officials, and if this is done, the Principal shall receive a receipt for such item so delivered.

If the student refuses to comply with this request, the building Principal shall notify the student's parent(s)/guardian(s) and request that they come to the school at once. The building Principal shall advise the parent(s)/guardian(s) of the situation. If the parent(s)/guardian(s) of the student are unable to persuade the student to comply, the parent(s)/guardian(s) and the student shall be advised that law enforcement officials will be notified, and the matter turned over to an appropriate law enforcement agency.

If the parent(s)/guardian(s) refuse to come to the school or are unable to be notified and the student continues to refuse to cooperate, the building Principal shall notify law enforcement officials and inform them of the facts, which give him/her reasonable suspicion to believe that the student has illegal or dangerous objects on his/her person. Any further search of the student shall be at the discretion and under the control of the law enforcement officials with a valid warrant, if law requires a warrant. Once the building Principal has relinquished control of the student to the law enforcement officials, the building Principal or representative shall remain with the student and request to be present during any search of the student made by law enforcement officials on school property.

Upon any search, a written report shall be made indicating:

1. The name of the student,
2. The time, date and place of the search,
3. The reason(s) for the search,
4. Whether or not law enforcement officials were called,

Section 8000 – Students

8130-R Searches of Motorized Vehicles, Lockers, and Students

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5. Name of the person conducting the search,
6. Name(s) of person(s) present while search was conducted, and
7. Item(s) confiscated.

The Superintendent shall keep a copy of the written report on file.

Section 8000 – Students

8140 Interrogation and Investigations Conducted in School

8140

It shall be the policy of the District that a reasonable cooperative effort is maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on the school premises or during a school-sponsored activity or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property. Administrators have the responsibility and the authority to determine when the presence and assistance of law enforcement officers is necessary within their respective jurisdictions. The District's administrators shall at all times act in a manner which protects and guarantees the rights of students and parent(s)/guardian(s) and shall cooperate with law enforcement officials as provided in 8140-R.

School staff members shall be informed annually of the contents of this policy and rules.

Approved: May 23, 2007

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R

In these rules, the administration is reminded that a student who has attained the age of 18 enjoys the responsibility of speaking for him/herself without the agreement of the parent(s)/guardian(s), or representative as to whether or not he/she will submit to questioning.

Initiated by School Administrators and Conducted by Administrators

Building Principals shall have the authority and duty to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law. Such investigations shall be conducted in a manner, which does not interfere with school activities.

Initiated by School Administrators and Conducted by Law Enforcement Officers

The building Principal shall determine when the necessity exists that law enforcement officers be asked to conduct an investigation of alleged criminal behavior which jeopardizes the safety of other people or school property or which interferes with the operation of the schools.

The building Principal may request that law enforcement officers conduct an investigation and question students who are potential witnesses of such alleged criminal behavior during school hours. A reasonable attempt shall be made to contact the student's parent(s)/guardian(s), or representative prior to questioning by law enforcement officers. Reasonable requests of the parent(s)/guardian(s), or representative shall be observed. The administrator involved shall document such notifications or attempted notifications to parent(s)/guardian(s) or representative. In the absence of a student's parent(s)/guardian(s), or representative during any questioning of such students, the Principal or a designated, certified school staff person shall be present as may be allowed by law.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-2

If the investigation has centered on any particular student suspected of any alleged criminal activity, the procedure for taking students into custody by the procedure set forth below shall be followed to the extent that it does not interfere with reasonable law enforcement procedures.

Initiated and Conducted by Law Enforcement Officers

Although cooperation with law enforcement officers will be maintained, it is the preference of the District that it will not normally be necessary for law enforcement officers to initiate, and conduct any investigation and interrogation on the school premises, during school hours, pertaining to criminal activities unrelated to the operation of the school. It is preferred that only in demonstrated emergencies, when law enforcement officers find it necessary, will they conduct such an investigation during school hours. These circumstances might be limited to those in which delay might result in danger to any person, flight of a person reasonably suspected of a crime from the jurisdiction or local authorities, destruction of evidence, or continued criminal behavior. No school official, however, should ever place him/herself in the position of interfering with a law enforcement official in the performance of his or her duties as an officer of the law.

If the law enforcement officials are not recognized and/or are lacking a warrant or court order, the building Principal shall require proper identification of such officials and the reason(s) for the visit to the school. If the Principal is not satisfied, he/she shall attempt to notify the Superintendent and the officers' superior, documenting such action.

In all cases, the officers shall be requested to obtain prior approval of the Principal or other designated person before beginning such an investigation on school premises. The administrator shall document the circumstances of such investigations as soon as practical.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-3

Alleged criminal behavior related to the school environment brought to the Principal's attention by law enforcement officers shall be dealt with under the provisions of the two previous sections.

Interrogation of Student during Investigation of Violations of School Rules

In instances where school rules have allegedly been violated, the Principal may notify the suspected rule violator(s) or potential witness (es) to the infraction. When suspension or expulsion may be a consideration, the suspect student shall be advised orally or in writing of the nature of the alleged offense and of the evidence, if any, against the student.

In questioning a potential student witness to an alleged disciplinary infraction, care should be taken by the administrator to ensure there is a reasonable likelihood that the student was indeed a witness. School officials should not engage in detailed questioning of students at random without reasonable cause in hope of gathering information as to school misconduct. Probable witnesses should be told the nature of the alleged misconduct and the reason to believe that they were witnesses. Such students should be given the opportunity to give their consent before answering questions of school officials.

Circumstances may arise where it would be advisable to have another adult present during questioning of students.

Violations of Criminal Law

During an investigation of violation of school rules, it may come to the attention of an administrator that the investigated activity may also be a violation of criminal law. In proceeding with the investigation, the Principal, in consultation with the school safety officer, shall attempt to ascertain whether there is sufficient justification to believe that a criminal offense was committed that warrants notifying law enforcement officials.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-4

When a suspected violation of criminal law has occurred on the school grounds involving the operation of the school or a school-sponsored activity, law enforcement officials may be notified and their presence requested for the questioning of suspected students.

Reasonable attempts shall be made to contact a student's parent(s)/ guardian(s), or representative who, unless an emergency exists, shall be given the opportunity to confer with the student and to be present with the student during such questioning. The administrator shall document the notification or attempted notification to the student's parent(s)/guardian(s), or representative.

In the absence of parent(s)/guardian(s) and student consent, it is the preference of the District that law enforcement officers on school premises shall not question a student. The law enforcement officers shall be asked to advise the student of his/her legal rights. If the parent(s)/guardian(s) or student refuses consent to the questioning, the law enforcement officer(s) will determine the course of action to be pursued.

Information of criminal conduct not related to the schools shall be turned over to law enforcement officials, without additional investigation by school officials.

Taking a Student into Custody

School officials shall not release students to law enforcement authorities voluntarily unless the student has been placed under arrest or unless the parent(s)/ guardian(s) or representative and the student agree to the release.

When students are removed from school for any reason by law enforcement authorities, every reasonable effort will be made to notify the student's parent(s)/ guardian(s), or representative immediately. Such effort shall be documented.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-5

Whenever an attempt to remove a student from school occurs without an arrest warrant, court order, or without acquiescence of the parent(s)/guardian(s)/ representative, or the student, the administrator shall immediately notify a superior of the law enforcement officers involved to make objection to the removal of the student and shall attempt to notify the parent(s)/guardian(s) of the student. The Superintendent's office shall be notified immediately of any removal of a student from school by law enforcement officers under any circumstances.

The building Principal shall make reasonable efforts to persuade law enforcement officers not to make arrests or to take students into custody on school premises. Whenever the need arises to make arrests or take students into custody on school premises, the Principal shall make reasonable efforts to persuade the law enforcement officers to utilize a non-uniformed officer in making the arrest.

When it is necessary to take a student into custody on school premises and time permits, the law enforcement officer shall be requested to notify the building Principal and relate the circumstances necessitating such action. When possible, the Principal shall have the student summoned to the Principal's office where the student may be taken into custody.

When an emergency exists, the Principal may summon law enforcement officials to the school to take a student into custody.

When a student has been taken into custody or arrested on school premises without prior notification to the building Principal, the school staff present shall encourage the law enforcement officers to notify the Principal of the circumstances as quickly as possible. In the event that the officers decline to notify the Principal, the school staff members present shall immediately notify the Principal or the Superintendent.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-6

If possible, the parent(s)/guardian(s), or representative of the student shall be notified by the Principal or other school administrator before the student is taken into custody by law enforcement officers or as quickly thereafter as possible. The administrator shall document such notification or attempted notification.

Disturbance of School Environment (Cf. 9290)

Law enforcement officers may be requested to assist in controlling disturbances of the school environment which the building Principal or other school administrator has found to be unmanageable by school personnel and which disturbances have the potential of causing harm to students, other persons, or school property. Such potential of possible disturbance includes members of the public who have exhibited undesirable or illegal conduct on school premises or at a school event held on school property, and who have been requested to leave by an administrator, but have failed or refused to do so.

Coordination of Policies by Enforcement Officials

Secondary school administrators shall meet at least annually with local law enforcement officials to discuss the District's policy and rules regarding law enforcement contacts with the District. Law enforcement officials will be asked to instruct their staffs as to the terms of the school's policies and rules.

Student Interrogations, Searches, and Arrests - A Checklist

- I. What factors caused a reasonable suspicion that the search of the student or effects, locker or automobile will produce evidence that the student has violated or is violating the law or the student code of conduct?

Section 8000 – Students

8220 Alcohol, Inhalants, Steroids, and Drug Abuse

8220

The Board of Education recognizes its obligation to provide students with the best education possible

Students who abuse alcohol, inhalants, steroids, and/or drugs not only perform poorly in school, they perform poorly in life.

The Board of Education and School District will not tolerate students who refuse to say “no” to alcohol, inhalants, steroids, and drugs.

Students, who unlawfully possess, use or distribute alcohol, inhalants, steroids, and/or illicit drugs on school premises or at a school-activity or event will be subject to discipline up to and including expulsion and referral to the police for prosecution, in accordance with the District’s “Student Code of Conduct.” Students may also be required to complete an appropriate rehabilitation program successfully.

Approved: May 23, 2007
LEGAL REF: MCL 380.1170

Section 8000 – Students

8230 Tobacco Products

8230

The use and/or the possession by any student, regardless of age, of any tobacco product are prohibited in any school building, at school-sponsored events - regardless of location, or on any school property at any time.

Possession of tobacco products by any student under the age of 18 years may be reported to appropriate law enforcement authorities. (Cf. 2790)

Approved: May 23, 2007

LEGAL REF: MCL 380.1170; 333.12601 *et seq.*; 722.642; 750.473; OAG, 1977-1978, No 5202, p 167 (July 11, 1977); OAG, 1977-1978, No 5336, p 502 (June 28, 1978)

Section 8000 – Students

8240 Student Appearance

8240

Students' dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be included in the Student Handbooks.

Approved: May 23, 2007

L'Anse Creuse Public Schools Dress Code

The following guidelines were developed by a committee of students, parents, teachers, administrators, and board of education members.

L'Anse Creuse Public Schools require appearance standards that are based on safety, modesty and health. Clothing that is disruptive to the educational environment is not acceptable.

Examples of inappropriate dress include, but are not limited to, the following:

- Clothing that advocates the use of drugs, alcohol, tobacco, violence, profanity, sex, or innuendos, as well as negative depiction of race, religion, sex or national origin
- Hats/headwear except for religious or medical reasons
- Revealing clothing such as tank tops, low-cut tops, skirts or shorts above mid-thigh, see-through clothing, sleepwear, or showing of undergarments
- Appropriate footwear needs to be worn at all times
- Outer/winter garments and backpacks are to be left in lockers

Parents/guardians and students are responsible for attire worn to school. However, the final decision as to appropriateness with regard to the aforementioned standards of modesty, safety and potential disruption will be determined by school administration and may differ between elementary and secondary.

Reviewed by L'Anse Creuse Public Schools Board of Education
February 13, 2006 with a vote of advice and consent.

Section 8000 – Students

8245 Gangs

8245

The Board desires to keep District schools and students free from threats or harmful influence of any groups or gangs, which advocate drug use, violence, or disruptive behavior. The Superintendent shall maintain continual, visible supervision of District premises to deter gang intimidation of students and confrontations between members of different gangs.

The Superintendent shall:

- Establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort,
- Provide in-service training to help staff identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior, and
- Keep the staff informed about conflict management techniques and alerted to intervention measures and community resources, which helps students.

The Board prohibits the presence of any apparel, jewelry, accessory, notebook or manner of grooming which, by virtue of its color, arrangement, trademark or any other attribute, denotes membership in gangs, which advocate drug use, violence, or disruptive behavior.

Approved: May 23, 2007

LEGAL REF: Statewide School Safety Information Policy

Section 8000 – Students

8245-R Gangs

8245-R

At the Principal's discretion, staff may use the following techniques to discourage the influence of gangs:

1. Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang membership shall be referred to the Principal. The student's parent(s)/guardian(s) shall be contacted and the student sent home to change clothes if necessary.
2. Any gang graffiti on District premises shall be quietly removed, washed down, or painted over as soon as discovered.
 - a. Daily checks for graffiti shall be made throughout the campus, including restroom walls and doors.
 - b. Graffiti shall be photographed before it is removed. The photographs will be shared with local law enforcement authorities and used in future disciplinary or criminal action against offenders.
3. Classroom and after-school programs at each school shall be designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of wholesome activities.
4. Staff shall actively promote membership in authorized student organizations, which can provide students companionship, safety, and a sense of purpose and belonging.

Gang Prevention Education

Gang prevention instruction offered in the schools shall:

1. Explain the dangers of gang membership.
2. Include lessons or role-playing workshops in non-violent conflict resolution and gang avoidance skills.
3. Promote constructive activities available in the community.
4. Involve students in structured, goal-oriented community service projects.
5. Encourage positive school behavior.

Section 8000 – Students

8245-R Gangs

8245-R-2

Teachers and law enforcement staff may teach gang prevention lessons jointly.

Community Outreach

Gang prevention classes or counseling offered for parent(s)/guardian(s) shall address the following topics:

1. The dangers of gang membership.
2. The nature of local gang apparel and graffiti.
3. Ways to deal effectively with one's children.
4. Warning signs that may indicate that children are at risk of becoming involved with gangs.

Community programs offered for staff, parent(s)/guardian(s), churches, city officials, business leaders and the media shall address:

1. The scope and nature of local gang problems.
2. Ways that each segment of the community can help to alleviate these problems.

Intervention Measures

Staff shall make every effort to assimilate gang-oriented students into the academic, extracurricular, and social mainstream and into work experience programs. To this end:

1. Staff members shall be provided with the names of known gang members.
2. Insofar as possible, classroom teachers shall assign individual gang-oriented students to cooperative learning groups in which they may work toward common goals with students who are not members of their gang.
3. Students who seek help in rejecting gang associations may be referred to community-based gang suppression and prevention organizations.

Section 8000 – Students

8255 Terroristic Threats/Acts

8255

The Board recognizes the danger that terroristic threats or acts by students present to the safety and welfare of District students, staff, and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

A terroristic threat shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk causing such terror or inconvenience.

A terroristic act shall mean an offense against property or involving danger to another person.

The Board prohibits any District student, at any time, regardless of whether school is in session, from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member, school building, or property. Any such threat, either real or intended as a joke, or any terroristic act will not be tolerated in or around the L’Anse Creuse Public Schools, its properties or in or on any vehicle or watercraft owned, leased, rented or used in connection with any school activity and hereby adopts a “zero tolerance” of any such actions.

The Board directs the Superintendent to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act and to initiate or recommend the most serious disciplinary action available under the law for such threats or acts.

Staff members and students shall be responsible for informing the Superintendent regarding any information or knowledge they may have relevant to a possible or actual threat or act. Failure to bring forward information or knowledge relative to a possible or actual threat or act shall result in disciplinary consequences for students up to and including permanent expulsion and for staff members up to and including discharge.

Section 8000 – Students

8255 Terroristic Threats/Acts

8255-2

When the Superintendent has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

1. The Superintendent shall immediately suspend the student.
2. The Superintendent shall promptly report the incident to the Board President.
3. Based upon further investigation, the Superintendent will determine whether the student shall be reported to law enforcement officials.

The Superintendent, based upon further investigation, shall recommend expulsion, if appropriate, of the student to the Board.

If a student is expelled for making terroristic threats or committing terroristic acts, the Board may require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a risk of harm to others.

Approved: May 23, 2007

LEGAL REF: MCL 380.1308; Statewide School Safety Information Policy

Section 8000 – Students

8260 Bullying (Cf. 8018)

8260

Bullying Prohibited

Bullying is a form of harassment. For the purposes of this policy, “bullying” is defined as: “The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to, actions such as verbal taunts, name-calling and put-downs, including ethnically-based or gender based verbal put-downs, extortion of money or possessions, and exclusion from peer groups within school.” Such conduct is disruptive of the educational process and, therefore, bullying is not acceptable behavior in this District, and is prohibited and subject to provisions of the Student Code of Conduct.

Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while enroute to or from school are subject to disciplinary action, up to and including suspension or expulsion. As may be required by law, law enforcement officials shall be notified of bullying incidents.

The Superintendent shall develop administrative regulations and programs that will increase awareness of the problem of bullying, and train teachers and other staff to intervene effectively if bullying is witnessed in their presence or brought to their attention. In designing administrative regulations and anti-bullying programs or strategies, the Superintendent should consult with the greater school community, including students.

This policy shall not be interpreted to prohibit a reasoned and civil exchange of opinions, or debate that is protected by state or federal law.

Approved: May 23, 2007

LEGAL REF: “Policies on Bullying,” Michigan State Board of Education, 7-19-01; Tinker v Des Moines Independent School District, 393 US 503(1969). See also: Saxe v State College Area School District, 240 F3d 200(CA 3, 2001)

Section 8000 – Students

8270 Hazing

8270

Hazing Prohibited

The act of “hazing” is a crime in the state of Michigan and will not be tolerated by the District. The District will comply, in all ways, with Michigan law regarding any “hazing” incidents.⁶

Students engaging in any hazing or hazing-type behavior will be subject to the provisions of the Student Code of Conduct as would apply to any other student violation of State law.

This policy shall be included in all student handbooks of the District and shall be disseminated to the public in a manner to be determined by the Superintendent.

Approved: May 23, 2007

LEGAL REF: MCL 750.411t (PA 11 of 2004, AKA “Garret’s Law”)

⁶ As defined in MCL 750.411t, “hazing” means “an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organizations. Further, the term “organization” means “a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution.”

Section 8000 – Students

8280 Electronic Communications Devices - Students

8280

Students may be in possession of a cellular telephone, pager/beeper, or other electronic communications device subject to the terms of this policy and the administrative rules of the District. Use of the device shall be limited to the period before classes begin in the morning and after the student's last class in the afternoon. Such devices shall not be used during instructional time or in the passing time between classes unless there is a bona fide health or safety emergency.⁷

In no case will any personal communication device be allowed that provides for a wireless, unfiltered connection to the Internet or which has the capability to take "photographs" of any kind.

Students violating this policy may be subject to disciplinary action; i.e., detention, suspension and/or expulsion.

The administration shall promulgate rules to enforce this policy at the building level.

Approved: May 23, 2007

LEGAL REF: MCL 380.1303 (PA 132 of 2003)

⁷ THE REVISED SCHOOL CODE (EXCERPT) Act 451 of 1976; MCL 380.1303 (PA 132 of 2003)
Pocket pager, electronic communication device, or other personal communication device; applicability of subsection (1). Sec. 1303. (1) Until the end of the 2003-2004 school year, unless the Board or Board of directors adopts its own local policy to the contrary, the Board of a school District or Board of directors of a public school academy shall not permit any pupil to carry a pocket pager, electronic communication device, or other personal communication device in school except for health or other unusual reasons approved by the Board or Board of directors. A Board or Board of directors may develop penalties that it considers appropriate for a pupil who violates this prohibition or its own policy.

(2) Beginning with the 2004-2005 school year, subsection (1) does not apply and the Board of a school District or Board of directors of a public school academy may adopt and implement its own local policy concerning whether or not a pupil may carry a pocket pager, electronic communication device, or other personal communication device in school.

History: Add. 1988, Act 215, Imd. Eff. July 1, 1988;—Am. 1995, Act 289, Eff. July 1, 1996;—Am. 2003, Act 132, Imd. Eff. Aug. 1, 2003.

Section 8000 – Students

8280-R Electronic Communications Devices - Students

8280-R

While certain electronic communications devices are allowed in school, the following regulations apply:

- "Walkie Talkies," either long or short range, portable scanning devices, or portable games or toys that transmit a signal more than 20 feet or through walls, shall not be allowed in any circumstance unless specific permission for possession or use of the device has been granted by the building Principal. In no case will any device be allowed which has the capability to take "photographs" of any kind.
- Cellular telephone or audible pagers/beepers shall be turned off during instructional or class time, during passing times between classes, and at school-sponsored events where there is a reasonable expectation of quiet attentiveness or where use of the device would cause any disruption unless there is a bona fide case of a health or safety emergency.
- Devices operated in violation of this rule, or for any illegal purpose, shall be confiscated, and not returned until, where appropriate, parent/guardian conference has been held.
- Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent/guardian conference has been held. Students violating this rule will be disallowed from carrying any personal communication device following the incident unless it can be established by the building Principal that such a device is necessary for a bona fide health or safety emergency.

Section 8000 – Students

8280-R Electronic Communications Devices - Students

8280-R-2

- Students found to be using any electronic communications device in violation of these rules shall be subject to disciplinary action under the Student Code of Conduct. Where appropriate, police authorities may be contacted.

Section 8000 – Students

8300 Student Discipline (Cf. 5220)

8300

The Board approves of the following disciplinary measures for use in the District for those students violating the District's student code of conduct: deny participation in special school activities; before or after school detention; disciplinary contractual arrangements; out-of-school suspension; in-school suspension; expulsion; and/or disciplinary probation.

The District's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to a felony or an act that would be considered a felony if committed by an adult, an assault or battery, drug law violations, or sexual misconduct of a serious nature. Any disciplinary action pursued by the District shall be in accordance with the student's appropriate due process rights.

Positive Behavior Support (PBS)

Positive interventions that support adaptive and pro-social behavior and build on the strengths of the student lead to an improved learning environment. It is the policy of the Board, therefore, that the Superintendent is authorized and directed to implement a system of positive interventions for student behavior.

The Superintendent and District's administrators shall develop the appropriate procedures dealing with student conduct and shall consider an effective parent/guardian communication plan; the use of the District's counselors, social workers, and psychologists; and/or shall arrange such services with other units of state government.

All employees are responsible for the regulation of student conduct.

Approved: May 23, 2007

LEGAL REF: MCL 380.1311; 380.1312; Michigan State Board of Education Publication, *Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint*, December 2006.

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R

Corporal Punishment

The Board does not condone the use of force, fear, hitting, paddling, spanking, slapping, or other forms of corporal punishment as an appropriate procedure in student discipline or punishment.

No employee, volunteer, or contractor of the District shall inflict physical pain by hitting, paddling or spanking, or cause to be inflicted, corporal punishment upon a student as a means of punishment. *Reasonable physical force may be used to maintain order and control in a school or a school related setting for the purposes of providing an environment conducive to safety and learning.*

Emergency or otherwise, the following practices are prohibited at all times:

Prohibited Practices - Restraint

The following procedures are prohibited under all circumstances, including emergency situations:

Mechanical restraint;

Chemical restraint;

The deprivation of basic needs;

Anything constituting child abuse;

Any restraint that negatively impacts breathing

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R-2

Prone restraint

(School personnel who find themselves involved in the use of a prone restraint – restraint of a student face down - as the result of responding to an emergency must take immediate steps to end the prone restraint)

The intentional application of any noxious substance(s) or stimuli which results in physical pain or extreme discomfort. A noxious substance or stimuli can either be generally acknowledged or specific to the student.

Definition of Emergency Seclusion

Seclusion is a last resort emergency safety intervention that provides an opportunity for the student to regain self-control. Seclusion is the confinement of a student in a room or other space from which the student is physically prevented from leaving and which provides for continuous adult observation of the student.

Seclusion

A. The room or area used for seclusion:

Must not be locked;

Must not prevent the student from exiting the area should staff become incapacitated or leave that area; and

Must provide for adequate space, lighting, ventilation, viewing, and the safety of the student.

B. Limitations in Use

1. Seclusion shall not be used:

For the convenience of staff;

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R-3

As a substitute for an educational program;

As a substitute for less restrictive alternatives;

As a substitute for adequate staffing; or

As a substitute for staff training in positive behavior supports and crisis prevention and intervention.

2. *Seclusion is inappropriate for students who are severely self-injurious or suicidal.*

C. Definition of Timeout

Timeout is a behavior intervention in which a student, for a limited and specified time, is placed in an environment where access to positive reinforcement is unavailable. Timeout should not be confused with seclusion because in a timeout setting a student's movement is not physically restricted. Timeout lies within a continuum of procedures that help students self-regulate and control their behavior. The timeout continuum⁸ is:

Planned ignoring

Withdrawal of materials

Contingent observation

Exclusionary timeout

⁸ **Timeout Continuum**

Planned Ignoring – is the systematic withdrawal of social attention for a predetermined time period upon the onset of mild levels of problem behavior.

Withdrawal of Materials – materials that the student is using are removed upon the occurrence of the inappropriate behavior.

Contingent Observation – student remains in a position to observe the group without participating or receiving reinforcement for a specified period of time.

Exclusionary Timeout – student is removed from the immediate instructional setting in response to behavior that requires immediate and direct cessation. This form of timeout can take place within the same classroom or in a nearby location that can be supervised by an adult. (Using Timeout in an Effective and Ethical Manner)

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R-4

Physical force upon a student may be necessary to restrain, seclude, or remove a student whose behavior is interfering with the orderly exercise and performance of District functions within a school or school related activity if that student has refused to comply with a request to refrain from further disruptive acts; for self defense or the defense of another; to prevent a student from inflicting harm on him/herself; to quell a disturbance that threatens physical injury to any person; to obtain possession of a weapon or other dangerous object; and to protect property.

Employees should not find it necessary to resort to physical force, violence, or threats to compel obedience. If all means fail, staff members may always resort to the removal of the student from the classroom or school through established suspension or expulsion procedures.

Section 8000 – Students

8320 Assaults Committed by Students

8320

Assaults Committed Against School Personnel

Physical Assaults

The Board shall permanently expel a student in grade 6 or above if the student commits a physical assault, as defined by MCL 380.1311a(12)(B)⁹, against a District employee or against a person engaged as a volunteer or contractor for the District, on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event.

Threats of Assault Committed by Students

Any student in grade 6 or above who commits a verbal, written or electronically transmitted threat of assault on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event against a District employee or against a person engaged as a volunteer or contractor for the District shall be suspended or expelled by the Board for up to 180 days. The Board may modify the expulsion period on a case-by-case basis.

For the purpose of this policy, “threat of assault” shall be defined as any willful verbal, written, or electronically transmitted threat to inflict injury upon another person, under such circumstances that create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury.

Physical Assaults Committed Against Other Students

The Board shall suspend or expel a student in grade 6 or above for up to 180 days if the student commits a physical assault, as defined by MCL 380.1310(3) (b), against another student on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event. The Board may modify the suspension or expulsion period on a case-by-case basis.

⁹ MCL 380.1311a(12)(B) and MCL 380.1310(3)(B) define “Physical Assault” as “intentionally causing or attempting to cause physical harm to another through force or violence.”

Section 8000 – Students

8320 Assaults Committed by Students

8320-2

Reinstatement

The parent(s)/guardian(s) of a permanently expelled student, or an emancipated permanently expelled student may petition the Board for reinstatement. The Board shall provide all due process rights to reinstatement as outlined in state law.

Application to Students with Disabilities

This policy shall be applied in a manner consistent with the rights secured under federal and state law to students who are determined to be eligible for special education programs and services.

Implementation

The Superintendent shall develop specific procedures for dealing with suspensions or expulsions authorized by this policy. Regulations ensuring due process to all students before a long-term (10 days or more) suspension or expulsion is imposed shall be developed with the advice of the District's attorney.

The regulations shall include procedures for reporting violations of this policy to the Board, procedures for referring permanently expelled students to Department of Human Services or County Community Health Agencies and specifics for the reinstatement of students.

Approved: May 23, 2007

LEGAL REF: MCL 380.1310; 380.1311a

Section 8000 – Students

8350 Student Suspension and Expulsion (Cf. 8080)

8350

The Superintendent, building Principals, committee of certified employees, individual teachers (for up to one school day only - see "Suspensions by Teachers"; "Class, Subject or Activity Suspensions") or a Board appointed hearing officer may suspend, either for a short-term or long-term, or may make a recommendation to the Board regarding the permanent expulsion of a student guilty of any of the following:

- Willful violation and/or persistent disobedience of any published regulation for student conduct authorized, adopted or approved by the Board,
- Willful misconduct which substantially disrupts, impedes, or interferes with the operation of any school,
- Willful misconduct which substantially impinges upon or invades the rights of others, or
- Disobedience of an order of a teacher, police officer, school security officer or other school authority, when such disobedience can reasonably be anticipated to result in disorder, disruption or interference with the operation of any school or substantial and material impingement upon or invasion of the rights of others.

Suspensions

The Board authorizes the Superintendent to suspend or expel a student for up to 180 school days without Board action or approval. A suspension may be for a short-term not exceeding ten school days, or for a longer term, exceeding ten school days. Should a suspension be imposed for a number of days exceeding the remaining days in a semester, the days remaining on the suspension will commence with the beginning of the next semester unless otherwise determined by the Superintendent.

A short-term suspension may be imposed immediately upon a student without first affording the student or the parent(s)/guardian(s) a hearing if the presence of the student endangers other persons or property or substantially disrupts, impedes or interferes with the operation of the school.

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8350 Student Suspension and Expulsion (Cf. 8080)

8350-2

A long-term suspension shall not be imposed upon a student unless the student has first been suspended for a short-term and not until an opportunity for a formal hearing on the suspension has been afforded the student.

Suspensions by Teachers

Class, Subject or Activity Suspensions

A teacher is authorized to immediately remove and suspend a student from their class, subject, or activity when the student engages in conduct prohibited by law, Board of Education Policy, or the school's Student Code of Conduct.

Any student suspended pursuant to this policy shall not be allowed to return to the class, subject, or activity from which he or she was suspended from or participate in after school extracurricular activities until the passage of one full school day from the time of the student's infraction unless otherwise permitted. Students attending separate class periods throughout the school day shall be permitted during the term of the suspension to attend other classes taught by other teachers only when the student's conduct does not rise to the level of requiring a multiple day suspension or expulsion in accordance with Board of Education Policy and the school's Student Code of Conduct.

Any student suspended from the same class, subject, or activity for ten accumulative days during the school year shall given a formal procedural hearing for each additional suspension beyond the tenth day in accordance with due process requirements required by Board of Education Policy for suspensions of ten days or more.

Application to Students with Disabilities

This policy shall be applied in a manner consistent with the rights secured under federal and state law to students who are determined to be eligible for special education programs and services.

Implementation

The Superintendent shall develop detailed written regulations to implement this policy in compliance with state law requirements. He/She shall ensure uniform and

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8350 Student Suspension and Expulsion (Cf. 8080)

8350-3

consistent application of the policy and shall report to the Board as required on its effectiveness.

The regulations shall include safeguards for the dismissal of students suspended for more than ten accumulative days, procedures for reporting violations of this policy to appropriate members of the District's administration, and procedures for calling an immediate conference with parent(s)/guardian(s) subsequent to the student's suspension.

Expulsion

No student may be permanently expelled from the District until an opportunity for a formal hearing before the Board has been afforded the student.

Appeals

The student and parent(s)/guardian(s) may appeal to the Board or a Board appointed hearing officer a long-term suspension ordered by the Superintendent or a building level administrator.

Hearing Officer

The Board may appoint one or more hearing officers for purposes of hearing appeals made in cases of long-term suspensions. The hearing officer shall be a member of the Board or a certified employee of the District.

Whenever a Board appointed hearing officer hears any appeal, a written report shall be provided the Board. After receiving the report, the Board shall determine the appeal with or without an additional hearing. Any appeal determination by the Board in accordance with this policy and administrative procedures shall be valid to the same extent as if the matter were fully heard by the Board without a hearing officer.

Written Notices

All required written notices may be mailed to the residence of the parent(s)/guardian(s) at the address on file in the school records of the student. In lieu of mailing the written notice, it may be personally delivered.

Approved: May 23, 2007

LEGAL REF: MCL 380.1204a; 380.1309; 380.1311, OAG, 1985-1986, No 6271, p 13
(February 7, 1985); 20 USCA § 7151 (No Child Left Behind Act)

Section 8000 – Students

8350-R Student Suspension and Expulsion (Cf. 8080)

8350-R

Any Short Term Suspension - Teachers or Administrators

No short-term suspension by any school employee shall be imposed upon a student without giving the student notice of the charges and affording the student a hearing, meaning, at minimum, the opportunity to reply to the charge. The notice may be oral or written and the hearing may be held immediately. The hearing may be conducted informally but shall include the following procedural due process requirements:

- (a) The rights of the student to be present at the hearing,
- (b) The right of the student to be informed of the charges,
- (c) The right of the student to be informed of the basis for the accusation,
and
- (d) The right of the student to make statements in defense of the charges or accusations.

A written notice of any short-term suspension and the reasons for the suspension shall be given to the student involved and to the parent(s)/guardian(s) of the student within 24 hours after the suspension has been imposed. In the event the student has not been afforded a hearing prior to any short-term suspension, an informal hearing shall be provided as soon as practicable but in no event later than 72 hours after such short-term suspension has been imposed.

Long Term Suspension

A "long term suspension" is defined as any suspension longer than ten instructional days up to and including 180 days of instruction (a full school year.) A written notice of any proposal for a long-term suspension and the charges upon which the suspension is based shall be given to the student proposed for suspension and to the parent(s)/guardian(s).

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8350-R Student Suspension and Expulsion (Cf. 8080)

8350-R-2

Any notice of a proposal to suspend for a long-term shall state the time, date and place that the student will be afforded an opportunity for a formal hearing, and the hearing shall be held no later than 10 school days after the date of the notice. A copy of this policy and administrative procedures shall accompany the notice.

Whenever any formal hearing results in a long-term suspension, the person or committee conducting the hearing may make a recommendation that the student return to regular classes pending any appeal or during the period allowed for notice of appeal. However, it should reasonably be anticipated that the student not continue to cause repeated material disorder, disruption or interference with the operation of the school or substantial and material impingement upon or invasion of the rights of others.

Whenever the person or committee conducting a hearing fails to make a recommendation for the return of the student to regular classes, the report of the hearing shall provide that the suspension shall continue until appeal is determined or until the period of suspension has expired, whichever is sooner.

Expulsion

"Expulsion" means a permanent and complete severance of the relationship between the student and the District. While the word "expulsion" or "expel" may appear, at times, in State of Michigan law or rules that refer to a period less than a permanent and complete severance of the District/student relationship, the term, for the purposes of this District, shall mean a permanent severance.

A written notice of any proposal to expel permanently, and the charges upon which the permanent expulsion is based, shall be given to the student and the student's parent(s)/guardian(s). The notice of the proposal to permanently expel shall state the time, date and place that the student will be afforded an opportunity for a formal hearing before the Board. It shall also state the right of the student to be represented by counsel, to produce witnesses, and submit evidence on his or her behalf, and to cross-examine any

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8350-R Student Suspension and Expulsion (Cf. 8080)

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adult witnesses who may appear against him or her. A copy of the Board policy and the administrative procedures shall also be given with the notice.

The hearing before the Superintendent shall not be held later than 10 school days after the date of the notice.

Upon any conclusion, which results in a recommendation to the Board for permanent expulsion, the Superintendent shall submit a written report detailing the reason(s) for the recommendation to the Board. The report shall be open to the inspection of the student who is being recommended for permanent expulsion, and if the student has not attained 18 years of age, to the student's parent(s)/guardian(s) and counsel or other advisor of the student. If the student is 18 years of age or older, the report shall be open to inspection by the parent(s)/guardian(s) and counsel or other advisor of the student only upon written consent of the student.

At the permanent expulsion hearing, the Board shall hear evidence of whether the student is guilty of the gross disobedience or misconduct as recommended. After the presentation of the evidence, the Board shall decide the issue of guilt and take such action as it finds appropriate.

Written Notice

Written notice of the result of any hearing resulting in a long-term suspension or in a permanent expulsion shall be given to the student and to his/her parent(s)/ guardian(s) in a timely manner after the determination.

Formal Hearing Procedure: Suspension and Expulsion

The formal hearing provided for in Board policy shall be conducted in accordance with the following procedures:

- The right of the student to have counsel of their own choice present and to receive the advice of counsel or other person the student may select,
- The right of the student's parent(s)/guardian(s) to be present at the hearing,

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- The right of the student and his/her counsel or advisor to hear or read a full report of testimony of witnesses against the student,
- The right of the student and his/her counsel to confront and cross-examine witnesses who appear in person at the hearing,
- The right of the student to present his/her own witnesses,
- The right of the student to testify in his/her own behalf and give reasons for his/her conduct,
- The right of the student to have an orderly hearing, and
- The right of the student to a fair and impartial decision based on substantial evidence.

In these procedures, counsel means any person a student selects to represent and advise him/her at all proceedings conducted according to these procedures.

Appeals to the Board

Any student who has been suspended for a long-term may appeal the long-term suspension to the Board by filing a written notice of the appeal with the Board Secretary no later than 10 calendar days after receiving written notice.

Any appeal shall be heard by the Board, a Board committee, or hearing officer appointed by the Board.

The student and his/her parent(s)/guardian(s) shall be notified in writing of the time and place of the appeal hearing at least five days prior to the appeal hearing. The appeal hearing shall be conducted in accordance with the procedures stated above.

Formal Hearing Procedures

Mechanical or electronic recording may be used to make a record of the appeal hearing in all long-term suspension or permanent expulsion cases, and the costs shall be borne equally by the District and the student/parent(s)/guardian(s).

The Board shall render its decision on any appeal within five calendar days after the conclusion of the appeal hearing.

Section 8000 – Students

8440 Early Graduation (Cf. 7630)

8440

A student who, for educational and vocational reasons, wishes to graduate from high school in less time than the normal four-year grade 9-12 sequence may request permission for early graduation. The student and parent(s)/guardian(s) shall consult with high school administrative and/or guidance personnel in order to develop a graduation plan.

The student shall request in writing to the Superintendent permission for early graduation with reasons supporting his/her plan and request. Examples of reasons to be given consideration are:

- Hardship circumstances,
- Vocational opportunities,
- Enlistment in the military occupations,
- Pursuit of a continuous specialized education objective, and/or
- College entrance.

The student, parent(s)/guardian(s) of the student must submit a letter in support of the student's request for early graduation, and such letter is to accompany the student's written request. The request letters to the Principal are to be submitted to the Superintendent no later than thirty (30) days prior to the anticipated completion of the required high school program.

The student must reasonably be expected to complete all state and local graduation requirements of subjects and credit units or their accepted equivalents satisfactorily in order for consideration to be given to any request.

Each request is to be determined by the Board on the merits of the individual circumstances; one case shall not set a precedent for others.

Approved: May 23, 2007

Section 8000 – Students

8450 Student Welfare (Cf. 8590, 8590-R)

8450

The Board and Superintendent will endeavor to provide a suitable environment conducive to the general health, safety, and welfare of each student in school attendance and at school-sponsored activities. The Superintendent shall promulgate appropriate administrative rules, known, generally, as the “Student Code of Conduct” in order to implement this policy.

Approved: May 23, 2007

LEGAL REF: MCL 333.26301-26306

Section 8000 – Students

8450-R Student Welfare

8450-R

The Superintendent and his/her staff shall develop and enforce the necessary rules and regulations relating to student welfare.

The building Principal, in cooperation with the District nurse and building custodian, will periodically inspect areas of the school building and ground, for potential health and safety hazards; and, if found, such hazards are to be reported to the Superintendent immediately or as provided herein.

Every building Principal shall have the authority to correct any health or safety hazard without consulting with the Superintendent if no costs are involved.

If the building Principal determines that the costs of correcting a potential or real health or safety hazard exceed his/her allocated funds for building maintenance or that his/her custodial staff or school nurse does not have the equipment to correct the hazard, the Principal shall requisition from the Superintendent the necessary funds or personnel to correct the situation.

Section 8000 – Students

8451 Student Memorials

8451

The Board of Education recognizes the value and worth of every student who attends L’Anse Creuse Public Schools. Whenever a student dies, members of the school community experience a loss.

The Board acknowledges the need for students to memorialize a student who has died. Guidelines are provided to ensure memorials are appropriate and consistently applied across the District. The guidelines will warrant that memorial efforts reflect sensitivity for the family and friends most strongly impacted by the death, consider the safety and welfare of all students and allow the educational process to continue.

In regards to student memorials, L’Anse Creuse Public Schools has the following stipulations:

1. Any request for a student memorial shall be made to the building administrator and approved by the Superintendent/Designee.
2. A student memorial can only be requested after the passing of the individual for whom the memorial is intended;
3. The request shall be approved by the immediate family of the student who has passed; and
4. The student must have been actively enrolled in an education program (including homebound) to be recognized.

The Superintendent/Designee will ensure guidelines are followed appropriately and consistently.

The L’Anse Creuse Public Schools Board of Education recognizes the need for students, family, friends, staff and community members to memorialize the life of a student who has died. The purpose of this regulation is to provide guidelines for the various memorials, which may occur in the school setting. These guidelines have been

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established to ensure that memorials are appropriate, safe, consistently applied across the district, and allow the educational process to continue.

Specific memorial tributes, ceremonies or dedications that may be desired by family or friends, which do not fall in the scope of this regulation, shall occur outside of the school setting. Spontaneous expressions of grief that are part of the human grief process are not addressed in this regulation.

Memorial events, activities and tributes taking place in school are subject to the approval of the Superintendent/Designee and are to be selected from and limited to the following:

1. Yearbook: A student who has died may be acknowledged in his/her school yearbook the year of the student's death. Assuming that the yearbook has not gone to print, the name of the student and a current photo (if available) will be printed at the end of the class section on an "in memory of" page/section. In the years following the student's death, the family/classmates may annually request the name and date of the student's death to be printed at the end of the class section until the student would have moved to the next level (i.e., elementary to middle school) or graduated. Advertising space sold in yearbooks is intended to congratulate graduating seniors and is inappropriate to commemorate a student who has died. If the yearbook has gone to print, no changes will be made to the original layout set for production.
2. School Newsletter/District Publication: With the family's permission, publications (district, school and/or parent organization publications sent home to all families or current students) may include an article that is written and placed by a member of the crisis/trauma response team, or its designee, to appear in the

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8451 Student Memorials

8451-3

- issue immediately following the death of the student. To provide consistency in the case of all students, the article will state facts relevant to the life of the student. Students, crisis/trauma team members and family will provide input for the article. The District's Office of School and Community Relations will provide the format for and approve the article prior to publication.
3. Student Publications: Acknowledgement of the student's death and/or tribute to his/her life may appear in student publications such as newspapers produced in journalism classes. An article providing an overview of the life of the student could/may appear in the student produced newspaper, if applicable. With the family's permission, the article could include the schools the student attended, any hobbies, school activities, family information and other areas of interest. The advisor of the paper, crisis/trauma response team and principal may work with students responsible for writing the article. The article may appear in the printed newspaper or through electronic means if the paper is posted on the school web page.
 4. Dedications: Those close to the student who has died may wish to dedicate a program, book or special event to the memory of the student. The dedication should take place within one calendar year of the student's death and be relevant to events/activities in which the student participated. Dedications are to be limited to one-time events and activities.
 5. Assemblies: School assemblies involving the entire school body or large groups of student may appear to glamorize the death of the student and will not be planned.

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8451 Student Memorials

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6. Memorials: Permanent memorials which include objects that could not be relocated at a later date present challenges including, but not limited to: causes and circumstances of death(s), variation in status of deceased, variations in cultural views and customs, size and location, resources to maintain and potential for vandalism. Additionally, the National Institute for Trauma and Loss in Children recommends that schools do not create permanent memorials of any kind; therefore, the District does not permit permanent monuments or memorials. Requests for temporary memorials that could be moved at a later time shall be submitted to the building principal and approved by the Superintendent/Designee. Temporary displays may be permitted for a limited period of time. Trauma/crisis response team members will supervise any temporary displays in a designated area (i.e. classroom, counseling center) as determined by team members. No memorial shall be guaranteed a permanent location. The District reserves the right to remove student memorials.
7. Graduation: For students who have died prior to their senior year, a moment of silence will be observed and an announcement made sometime during the commencement ceremony. For example, “In memory of those individuals who are not able to be with us.” If a student dies in his/her senior year, the name of the student will be mentioned during the ceremony and will appear at the end of the listing of graduates as “in memory of.”
8. Memorial Tributes: Programs or planned activities recognizing the birthday or anniversary of the death of the student may be sponsored by the family, friends, or members of the community. If such activities are planned, they will occur outside of the school setting.

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8451 Student Memorials

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9. Monetary Donations/Collections: All memorial contributions will be coordinated through the District's Business Department.
10. Gifts: Any gifts given to honor students who have died will be accepted by the District's Business Department.
11. Scholarships: Families that wish to honor their loved one through a scholarship will do so through the District's Business Department.
12. Fundraisers: Fundraising efforts must be approved by the building administrator and such activities may not occur during regular school hours.

Memorial Services: Memorial services and funeral events, including before and after activities, shall not take place in District facilities.

Approved: May 16, 2011

Section 8000 – Students

8453 Student Wellness Policy (Cf. 4450, 4460)

8453

The L’Anse Creuse Public Schools is committed to creating a healthy school environment that enhances the development of lifelong wellness practices to promote healthy eating and physical activities that support student achievement and hereby adopts this Student Wellness Policy.¹

Nutrition Education

Every year, all students, Pre - K-12, shall receive nutrition education that is aligned with the *Michigan Health Education Content Standards and Benchmarks*.² Nutrition education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. Nutrition education information shall be offered throughout the school campus including, but not limited to, school dining areas and classrooms. Staff members who provide nutrition education shall have the appropriate training.

Nutrition Standards

The District shall ensure that reimbursable school meals meet the program requirements and nutrition standards found in federal regulations.³ The District shall encourage students to make nutritious food choices.

The District shall monitor all food and beverages sold or served to students, including those available outside the federally regulated child nutrition programs. The District shall consider nutrient density⁴ and portion size before permitting food and beverages to be sold or served to students.

¹ (MASB Note: This local Student Wellness Policy, was adopted, unanimously, by the Michigan State Board of Education on Monday, October 10, 2005. It is the product of a collaborative effort between the Michigan Department of Education and MASB as reviewed and finalized by a panel of health, nutrition, and physical education specialists from across the State. It is a MODEL, and is not MANDATED, so local districts are free to modify it some based on local needs and circumstances – particularly the administrative rules. We urge, however, that local boards give serious consideration to adoption of the POLICY itself as it is written, and allow, then, the administration to modify the administrative rules to meet local needs and expectations.)

² Michigan Department of Education Health Education Content Standards and Benchmarks, July 1998.
http://www.michigan.gov/documents/Health_Standards_15052_7.pdf.

³ Title 7—United States Department of Agriculture, Chapter ii - Food and Nutrition Service, Department of Agriculture, Part 210 - National School Lunch Program. http://www.access.gpo.gov/nara/cfr/waisidx_04/7cfr210_04.html

⁴ Nutrient dense foods are those that provide substantial amounts of vitamins and minerals and relatively fewer calories. Foods that are low in nutrient density are foods that supply calories but relatively small amounts of micronutrients (sometimes not at all). http://www.health.gov/dietaryguidelines/dga2005/report/HTML/G1_Glossary.htm

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8453 Student Wellness Policy (Cf. 4450, 4460)

8453-2

The Superintendent shall continually evaluate vending policies and contracts. Vending contracts that do not meet the intent and purpose of this policy shall be modified accordingly or not renewed.

Physical Education and Physical Activity Opportunities

The District shall offer physical education opportunities that include the components of a quality physical education program.⁵ Physical education shall equip students with the knowledge, skills, and values necessary for lifelong physical activity. Physical education instruction shall be aligned with the *Michigan Physical Education Content Standards and Benchmarks*.⁶

Every year all students, Pre-K-12, shall have the opportunity to participate regularly in supervised physical activities, either organized or unstructured, intended to maintain physical fitness and to understand the short- and long-term benefits of a physically active and healthy lifestyle.

Other School-Based Activities Designed to Promote Student-Wellness

The District may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity.

Implementation and Measurement

The Superintendent shall implement this policy and measure how well it is being managed, and enforced. The Superintendent shall develop and implement administrative rules consistent with this policy. Input from teachers (including specialists in health and physical education), school nurses, parents/guardians, students, representatives of the school food service program, the Board of Education,

⁵ Offering physical activity opportunities is required by federal law (Section 204 of Public Law 108-265). Physical education, while recommended, is not required.

⁶ Michigan Department of Education Physical Education Content Standards and Benchmarks, July 1998. http://222.michigan.gov/documents/Physical_Education_Content_Standards_42242_7.pdf

Section 8000 – Students

8453 Student Wellness Policy (Cf. 4450, 4460)

8453-3

school administrators, and the public shall be considered before implementing such rules. A sustained effort is necessary to implement and enforce this policy. The Superintendent shall report to the Board, as requested, on the District's programs and efforts to meet the purpose and intent of this policy.

Approved: May 23, 2007

LEGAL REF: Section 204 of Public Law 108-265 (Child Nutrition and WIC Reauthorization Act of 2004) (Approved by the Michigan State Board of Education, October 10, 2005.)

Section 8000 – Students

8453-R Student Wellness Policy (Cf. 4450, 4460)

8453-R

In order to enact and enforce L’Anse Creuse Public Schools’ Student Wellness Policy, the Superintendent and administrative team, with input from teachers (including specialists in health and physical education), parents/guardians, students, representatives of the school food service program, the school Board, school administrators, and the public, have developed these administrative rules.

To assist in the creation of a healthy school environment, the District shall establish a Coordinated School Health Team⁷ that will provide an ongoing review and evaluation of the L’Anse Creuse Public School’s Student Wellness Policy and these administrative rules.⁸

The Superintendent shall appoint a member of the administrative staff of the District to organize the Coordinated School Health Team and invite appropriate District stakeholders to become members of the Coordinated School Health Team. A Coordinated School Health Team may include representatives from the following areas:

- Administration,
- Counseling/psychological/and social services,
- Food services,
- Health education,
- Health services,
- Parent/Guardian, student and community (including health care providers, hospital and public health department staff, non-profit health organizations, physical activity groups, community youth organizations, and university or other governmental agencies),
- Physical education.

⁷ Centers for Disease Control’s Coordinated School health web site:

<http://www.cdc.gov/HealthyYouth/CSHP/index.htm>.

⁸ State of Michigan’s State Board of Education’s Policy on Coordinated School Health Programs To Support Academic Achievement and Healthy Schools:

http://www.michigan.gov/documents/CSHP_Policy_77375_7.pdf

Section 8000 – Students

8453-R Student Wellness Policy (Cf. 4450, 4460)

8453-R-2

(MASB Note: An existing committee may assume the responsibility of the Coordinated School Health Team.)

Staff shall be reminded that healthy students come in all shapes and sizes.

Students should receive consistent messages and support for:

- Self respect;
- Respect for others;
- Healthy eating; and
- Physical activity.⁹

These rules are subject to ongoing administrative review and modification as necessary to help assure compliance with the purpose and intent of [insert District name] Student Wellness Policy. Any District stakeholder wishing to express a viewpoint, opinion, or complaint regarding these rules should contact:

Superintendent of Schools
L'Anse Creuse Public Schools
36727 Jefferson Avenue
Harrison Twp., MI 48045
586-783-6300

Students, staff, and community will be informed about the Student Wellness Policy annually.

Nutrition Education

Nutrition education, a component of comprehensive health education,¹⁰ shall be offered every year to all students of the District. The District may offer age appropriate nutrition education classes. In addition, nutrition education topics shall be integrated into the entire curriculum when appropriate.

⁹ The Role of Michigan Schools in Promoting Healthy Weight. 2001
<http://www.emc.cmich.edu/pdfs/Healthy%20Weight.pdf>

¹⁰ The Michigan Model for Comprehensive School Health Education is a planned, sequential, K-12 curriculum that addresses the physical, mental, emotional and social dimensions of health
<http://www.emc.cmich.edu/cshp/healthed.htm>

Section 8000 – Students

8453-R Student Wellness Policy (Cf. 4450, 4460)

8453-R-3

The District shall implement a quality nutrition education program that addresses the following:

Curriculum:¹¹

- Has a curriculum aligned with the Michigan Health Education Content Standards and Benchmarks.¹²
- Equips students to acquire the knowledge and skills needed to engage in sound nutrition behavior.¹³

Instruction and Assessment:

- Aligns curriculum, instruction, and assessment.
- Builds students' confidence and competence in making healthy nutrition choices.
- Engages students in learning that prepares them to choose a healthy diet.
- Includes students of all abilities.
- Is taught by “highly qualified teachers of health education.”¹⁴

Opportunity to Learn:

- Includes students of all abilities.
- Provides adequate instructional time to build students' confidence and competence in health-enhancing skills.

Nutrition education should also be made available to parents/guardians and the community. This nutrition education may be provided in the form of handouts, wall or bulletin Board posters or banners, postings on the District website, community and student oriented presentations or other communications focused on promoting proper nutrition and healthy lifestyles.

¹¹ Michigan Model for Comprehensive School Health Education nutrition lessons meet this administrative rule: <http://www.emc.cmich.edu/Health/Maps/nutrition.htm>

¹²Health Education Content Standards And Benchmarks, Michigan Department of Education, July 1998. http://www.michigan.gov/documents/Health_Standards_15052_7.pdf

¹³Michigan Model for Comprehensive School Health Education nutrition content map: <http://www.emc.cmich.edu/Health/Maps/nutrition.htm>

¹⁴Michigan State Board Of Education, Policy On Comprehensive School Health Education, June 2004. http://www.michigan.gov/documents/Health_Education_Policy_final_94135_7.pdf

Section 8000 – Students

8453-R Student Wellness Policy (Cf. 4450, 4460)

8453-R-4

Nutrition Standards

The District shall offer school meal programs with menus meeting the meal patterns and nutrition standards established by the United States Department of Agriculture (USDA). The District shall encourage students to make food choices based on the most current Dietary Guidelines for Americans. Food and beverages that compete with the District’s policy of promoting a healthy school environment shall be discouraged.

Each school building in the District shall offer and promote the following food and beverages in all venues outside federally regulated child nutrition programs:

- Whole and enriched grain products that are high in fiber, low in added fats and sugars, and served in appropriate portion sizes consistent with the current USDA standards;
- Fresh, frozen, canned or dried fruits and vegetables using healthy food preparation techniques, and 100 percent fruit or vegetable juice in 12-ounce servings or less;
- Nonfat, low-fat, plain and/or flavored milk and yogurt, nonfat and/or low-fat real cheese, rather than imitation cheese. Offer the following serving sizes: yogurt in eight-ounce servings or less, milk in 16-ounce servings or less, cheese in 1.5-ounce (two-ounce, if processed cheese) servings or less;
- Portions of three ounces or less of cooked lean meat, poultry, or fish using healthy food preparation techniques; and
- Accompaniments (sauces, dressings, and dips), if offered, in one-ounce servings or less.
- The District shall assure that the dietary needs of food-allergic students are taken into consideration in menu planning.

Section 8000 – Students

8453-R Student Wellness Policy (Cf. 4450, 4460)

8453-R-5

The District shall monitor contracted vending providers to ensure that they provide predominantly healthy food and beverage choices that comply with this policy's purpose in all venues. (See Appendix A)

The District shall discourage using food as a reward. The District shall encourage serving healthy food at school parties. Schools are encouraged to send notices to parents/guardians either separately or as part of a school newsletter, reminding them of the necessity of providing healthy treats for students and/or encouraging the use of non-food treats for classroom birthday or award celebrations.

The District shall encourage healthy fundraisers as alternatives to fundraising that involve selling food items of limited nutritional value, such as candy, cupcakes, or sugary beverages.

Vending sales of soft drink, artificially sweetened drinks, and candy will not be permitted during breakfast and lunch hours, but may be permitted prior to the start of the school day and throughout the instructional day and at special events that begin after the conclusion of the instructional day.

Physical Education and Physical Activity Opportunities

Developmentally appropriate physical education shall be offered every year to all students of the District. In addition, physical education topics shall be integrated into the entire curriculum when appropriate.

The District shall implement a quality physical education program that addresses the following:

Curriculum:

- Equips students with the knowledge, skills, and attitudes necessary for lifelong physical activity.
- Has a curriculum aligned with the Michigan Physical Education Content Standards and Benchmarks.¹⁵

¹⁵ Physical Education Content Standards and Benchmarks, State Board of Education, July 1998. www.michigan.gov/documents/Physical_Education_Content_Standards_42242_7.pdf

Section 8000 – Students

8453-R Student Wellness Policy (Cf. 4450, 4460)

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- Influences personal and social skill development.

Instruction and Assessment:

- Aligns curriculum, instruction, and assessment.
- Builds students' confidence and competence in physical abilities
- Engages students in curriculum choices that prepare them for a wide variety of lifetime activities.
- Includes students of all abilities.
- Is taught by a certified physical education teacher trained in best practice physical education methods.
- Keeps all students involved in purposeful activity for a majority of the class period

Opportunity to Learn:

- Builds students' confidence and competence in physical abilities.

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- Has enough functional equipment for each student to actively participate.
- Includes students of all abilities.¹⁶
- Provides facilities to implement the curriculum for the number of students served.

The District should offer daily opportunities for unstructured physical activity, commonly referred to as recess, for all students Pre-K through grade five. Recess should be in addition to physical education class time and not be a substitute for physical education. Each school shall provide proper equipment and a safe area designated for supervised recess in the elementary setting. School staff should not withhold participation in recess from students or cancel recess to make up for missed instructional time. Schools should provide opportunities for some type of physical activity for students in grades six ~~seven~~ through twelve apart from physical education class and organized sports. Physical activity opportunities might include: before and after school extracurricular physical activity programs, Safe Routes to School Programs,¹⁷ and use of school facilities outside of school hours.

Other School-Based Activities Designed to Promote Student-Wellness

The District shall strive to create a healthy school environment which promotes healthy eating and physical activity.¹⁸ In order to create this environment the following activities shall be implemented:

8453-R Student Wellness Policy (Cf. 4450, 4460)

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Dining Environment:

The school District shall provide:

- A clean, safe, enjoyable meal environment for students,

¹⁶ The Exemplary Physical Education Curriculum (EPEC) meets this administrative rule:

<http://www.michiganfitness.org/EPEC>

¹⁷ Safe Routes to Schools Program Information: www.saferoutesmichigan.org

¹⁸ Michigan's Healthy School Action Tool: <http://mihealthtools.org/schools/>

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- Enough space and serving areas to ensure all students have access to school meals with minimum wait time,
- Drinking fountains in all schools, so that students can get water at meals and throughout the day,
- Encouragement to maximize student participation in school meal programs, and
- Identity protection of students who eat free and reduced price meals.

Time to Eat:

The school District recommends:

- Adequate time for students to enjoy eating healthy foods with friends in schools,
- That lunch time is scheduled as near the middle of the school day as possible, and
- That recess for elementary schools is scheduled before lunch so that children will come to lunch less distracted and ready to eat.¹⁹

Food or Physical Activity as a Reward or Punishment:

The school District shall:

- Discourage the use of food as a reward or punishment in schools,
- Not deny student participation in recess or other physical activities as a form of discipline or for classroom make-up time,

¹⁹ A Recess Before Lunch Policy Implementation Guide, Montana Team Nutrition Program, Office of Public Instruction school Nutrition Programs, September 2003.

<http://www.opi.state.mt.us/schoolfood/recessBL.html>

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- Not use physical activity as a punishment, and
- Encourage using physical activity as a reward, such as teacher or Principal walking or playing with students at recess.

Consistent School Activities and Environment

The school District recommends:

- All school buildings complete the Michigan Healthy School Action Tool to ensure that school activities and the environment support health behaviors,²⁰
- All school fundraising efforts support healthy eating and physical activity,
- Opportunities for on-going professional training and development for foodservice staff and teachers in the areas of nutrition and physical education,
- Parents/guardians, teachers, school administrators, students, foodservice professionals, and community members to serve as role models in practicing healthy eating and being physically active, both in school and at home,
- Opportunities for students, teachers, and community volunteers to practice healthy eating and serve as role models in school dining areas,
- Information and outreach materials about other FNS programs such as Food Stamps, and Women, Infants, and Children (WIC) to students and parents/guardians,

²⁰ Michigan's Healthy School Action Tool: <http://mihealthtools.org/schools>

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- Students to participate in school meals program, i.e. the National School Lunch, including snacks for After School Program, and School Breakfast programs, and
- Physical activity across the curriculum throughout the school day or in all subject areas, for example, brain breaks²¹.

Implementation and Measurement

All employees of the District are encouraged to be a positive healthy lifestyle role model for students by following, at a minimum, these administrative rules. Students can learn healthy lifestyle habits by observing the food and physical activity patterns of school personnel and other adults who serve as role models in their lives. In order to send consistent messages to students, all adults in the school environment are encouraged to make healthy food choices and engage in physical activity.²² The District shall work through its Coordinated School Health Team and building level staff to find cost effective ways to encourage staff wellness.

Revised: November 16, 2009

²¹ Tips and Tools to Help Implement Michigan's Healthy Food and Beverage Policy
<http://www.tn.fcs.msue.msu.edu/toolkit.pdf>

²² Tips and Tools to Help Implement Michigan's Healthy Food and Beverage Policy, 2004.
<http://www.tn.fcs.msue.msu.edu/toolkit.pdf>

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8455 Unsafe School Choice Policy

8455

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

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

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

Approved: May 23, 2007

LEGAL REF: 20 USCA § 7912; Michigan Statewide Unsafe School Choice Policy
(2003)

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8460 Student Insurance Programs

8460

The Board recommends that all students engaging in athletics, shop courses, science laboratories, cooking classes, physical education classes, or any other hazardous activity be covered by some type of accident insurance. Such insurance may be provided by each student's parent(s)/guardian(s) through personal insurance coverage, through the student group insurance program available from each building Principal, or through insurance provided by the Board.

Any additional medical expense not covered by the student's accident insurance or activities insurance and any voluntary, optional basic accident insurance is the responsibility of the parent(s)/guardian(s).

Approved: May 23, 2007

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8460-R Student Insurance Programs

8460-R

The Superintendent and building Principals will develop the most economical and comprehensive student group insurance plan available for consideration by the Board during the regular Board meeting in July of each year.

On the first day of regular classes, every Principal will notify the parent(s)/guardian(s) of students enrolled in the insurance program, the cost thereof, the procedure for enrolling students and the method of making claims against the insurance carrier.

Each building Principal will initiate bookkeeping procedures to ensure the maintenance of a complete record of each student enrolled in the insurance program.

One copy of a building's roster of students enrolled in the student group insurance program will be kept in the building Principal's office and one copy in the office of the Superintendent.

Students who seek to participate in interscholastic athletics will be denied participation unless and until they provide to the satisfaction of the building Principal proof of adequate accident insurance coverage and have a physical as required by the MHSAA.

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8480 Student Health Services

8480

The Board and Superintendent will endeavor to maintain a healthful environment for each student in school attendance and in school-sponsored activities.

Prior to entrance in school, Kindergarten students shall be requested to present evidence that they have had a physical examination or a statement signed by the parent(s)/guardian(s) that meeting this request is contrary to their religious beliefs.

Immunization of Students and Vision Testing

All Kindergarten students and other students entering school for the first time shall submit evidence that they have complied with the state's immunization requirements²³ by:

1. Submitting a statement by a physician that the child has been tested for, immunized, or protected against, diseases specified by the Director of public health, or
2. Submitting a statement signed by the parent(s)/guardian(s) to the effect that the child has not been immunized because of religious convictions or other objections to immunization.

The parent(s)/guardian(s) of each enrolling child shall submit a statement signed by a District, county, or city health department Director stating that the child has passed the department of public health preschool vision screening test, or signed by a licensed medical or osteopathic physician, or a licensed optometrist stating that the child's eyes have been examined during the preschool years after age 3 and before initial entrance. A vision test is not required if there is a statement signed by the parent(s)/guardian(s) to the effect that the child cannot be subjected to the test because of religious conviction.

The Board shall place a very high priority on the eradication of preventable diseases among students through an adequate program of immunization, and authorizes the use of District facilities and staff time for this purpose.

²³ Sec. 9208. (1) A parent, guardian, or person in loco parentis applying to have a child registered for the first time in a school in this state and, beginning in 2002-2003, a parent, guardian, or person in loco parentis of a child entering the sixth grade, shall present to school officials, at the time of registration or not later than the first day of school, a certificate of immunization or statement of exemption under section 9215.

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8480 Student Health Services

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To accomplish this task the District shall use the model plan developed by the Michigan Department of Education and the Michigan Department of Public Health for assessing local immunization needs and implementing an immunization program appropriate to those needs.

Approved: May 23, 2007

LEGAL REF: MCL 333.9208-9215; 380.1177

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8480-R Student Health Services

8480-R

Every building Principal will cooperate with local, county and state health agencies in disseminating materials designed to encourage students and their parent(s)/guardian(s) to maintain a high standard of health.

The District nurse will be responsible for the general conduct of such health programs, which are deemed advisable by the Board.

The building Principal may require proof of physical examination for any student engaged in activities covered by Board policy.

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8485 Participation Fees for Interscholastic Athletics

8485

The Board may establish a student participation fee for sponsored athletic teams. The fee for each sport shall be established in July and may be reviewed by the Board prior to the second semester.

Approved: May 23, 2007

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8490 Interscholastic Athletics Defined as Club or Varsity Sport

8490

All interscholastic athletic teams within the District shall be defined as either “club” or “varsity” sports. The definitions and requirements for each are as follows:

Club Sports

A “club” is defined as a parental/guardian/student funded athletic program involving interscholastic competition that is operated directly under the supervision of the building Principal and athletic Director. “Club” sports originate only with the approval of the building Principal.

Requirements to Achieve “Club” Status

In order to achieve “club” status, a student group must meet the following requirements:

- Demonstrate adequate student interest.
- If the faculty sponsor is not the coach, a qualified coach will be approved by the building Principal and athletic Director.
- There will be no minimum number of opponents or contests required to achieve or retain “club” status.
- “Club” sports and coaches shall comply with all Michigan High School Athletic Association (M.H.S.A.A) and the L’Anse Creuse Public Schools.

Administrative Requirements

The faculty sponsor of the “club” sport shall ensure that the following administrative requirements are met:

1. A written plan is approved by the building Principal and athletic Director. The plan shall include:

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8490 Interscholastic Athletics Defined as Club or Varsity Sport

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- Proposed budget,
 - Be sponsored by a faculty member, if possible, and
 - An approved transportation plan and insurance plan.
2. An annual program report is completed.
 3. Adequate administrative resources and physical facilities are available.

Varsity Sports

A “varsity” sport is defined as an athletic program operated under the direct supervision of the athletic Director and funded, under normal conditions, from a subsidy from the Board.

Requirements to Achieve “Varsity” Status

In order to achieve “varsity” status, an athletic program must meet the following requirements:

- Must have operated successfully as a club sport within the District for a minimum of two years.
- Must have demonstrated adequate student interest for the preceding two consecutive years. Adequate student interest is defined as double the minimum squad size.
- Must have adequate and appropriate competition for the given sport, defined as the interscholastic opponents within *(Board to list)* Counties.
- Must comply with M.H.S.A.A. and the L’Anse Creuse Public Schools’ rules and regulations.

Periodic Review

All “club” and “varsity” sports will be reviewed annually to determine compliance with the above guidelines and other standards as established by the school system. The

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8490 Interscholastic Athletics Defined as Club or Varsity Sport

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level of participation, including the number of participants and availability of competition, should be the major determinants for achieving and/or retaining “varsity” status for individual sport offerings. Other factors to consider are cost, safety, risk, and minority representation.

Approved: May 23, 2007

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8500 Addition and Deletion of Interscholastic Athletics

8500

The addition of new athletic teams will come only after the Board has thoroughly reviewed the proposed sport. The review shall include student interest, state and local competition, facilities, coaching, available funding, anticipated revenue, scheduling, equality of programs, and total impact on athletic and other District programs.

There is no obligation for the District to provide funding for athletics. A sport may be “parental/guardian funded” on a year-to-year basis as one process to measure and establish student interest. A sport may also be partially funded by the District while being considered for addition or deletion.

Proposals for adding new sports to the program shall be presented to the Board prior to January 31 of the school year prior to the year the sport would be added.

The Board shall establish criteria and procedures to follow when considering the addition or deletion of team sports.

Approved: May 23, 2007

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8500-R Procedures for Adding Interscholastic Varsity Sports

8500-R

The following criteria will be considered by the Board prior to the addition of any interscholastic sport as "varsity" sport. The initial request shall be from interested parties (i.e., parent(s)/guardian(s)) through the District's athletic Director.

1. Student Interest - Indicators of student interest are:

1. Successful operation as a "club" sport within the District for two years,
2. Petitions with signatures of students agreeing to participate in the sport,
3. Level of participation in area recreation programs,
4. Involvement of participants at lower levels (i.e. middle school), or
5. District students participating out of the school District.

2. State Athletic Association

The sport must be sanctioned and recognized through the Michigan High School Athletic Association.

3. Competition

There must be organized interscholastic competition offered within contiguous counties with a minimum of five interscholastic school opponents.

4. Facilities

Existing facilities must be appropriate for practice and contests. Facilities must also be appropriate for use by teams of the same sport at different competition levels. Addition of a team must not displace existing teams for adequate practice and competition space. The athletic Director will create a proposed practice schedule to assess this.

5. Locker Room

A team locker room for the additional team is to be considered.

6. Equipment

The cost, extent, and storage of equipment shall be considered.

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8500-R Procedures for Adding Interscholastic Varsity Sports

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7. Funding

The extent to which the District has the ability to fund the additional sport is a priority consideration. The expenses of the sport must be reasonable and not excessive (i.e. transportation, practice/game facility costs, equipment, etc.)

8. Revenue

The potential to generate revenue to offset costs will be given strong consideration and high priority.

9. Scheduling

The potential of scheduling competition will be a priority consideration.

10. Equal Opportunity

Priority will be given to those sports that best equalize the opportunities for boys and girls.

Process for Adding Interscholastic Varsity Sports

Petitions and requests for additional sports shall be submitted to the athletic Director and respective building Principal prior to September 30.

Approval is given by the Board to participate on a parental/guardian-funded basis as a "club" activity for an initial period of at least two years. This probationary period will be one measure in assessing the level of interest, adequacy of facilities, coaches, scheduling, revenue, and other criteria.

At the conclusion of the parental/guardian-funded time, the following evaluations will occur:

- Number of participants - Is the sport growing or declining in participation?
- Degree to which previous predictions on revenue, participation, facilities, etc. were accurate.
- Likelihood of continued participation and increased involvement.
- Transportation or other logistical considerations.

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8500-R Procedures for Adding Interscholastic Varsity Sports

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After review and recommendation from the administration, the Board may take the following positions:

- Continue the sport on a parental/guardian-funded basis for an additional year, and reassess its statistics,
- Provide 50% funding for the following season, or
- Change the status of the sport to a "Varsity" sport.

Continued funding of the sport shall be as determined under the procedures regarding the continuation or non-continuation of all other sports.

Criteria for Deleting Interscholastic Sports

The following criteria will be considered prior to the dropping of an interscholastic sport and will be monitored by the Athletic Director:

1. Student Interest

- Student interest has declined below a median point of student participation as determined by student participants over the past five years.
- Student interest remains below the median for two consecutive years.

2. Sanctions

The District's current athletic league or the Michigan High School Athletic Association does not sanction the sport.

3. Coaching

It becomes very difficult to secure or maintain coaches with experience in coaching the sport.

4. Facilities

Facilities are inadequate, do not exist, or the use of existing facilities conflict with other athletic or academic programs that are growing and have a greater amount of student interest.

5. Funding

Funding from the District to run the program is no longer feasible.

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6. Scheduling

The scheduling of contests by the athletic Director becomes increasingly difficult due to the lack of other teams against which to compete. Travel costs are disproportionately high in comparison to other sports.

7. Revenue

The sport has little or no opportunity to generate revenue or the revenue proposed in the past has shown a decline.

Process for Deleting Interscholastic Sports

1. After two years of declining participation, and declines in other criteria, the sport will be placed on probation for the following year.
2. Probationary Status - Student participation and interest must increase above previous median participation. If other indications of decline are continued, for a period of one year, the recommendation of the Board will be to place the activity on a parental/guardian-funded status and be treated the same as a sport being considered for addition.
3. Individual teams may be continued on a parental/guardian-funded status, be funded at 50% by the District, or be dropped from the District's athletic program.

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8510 Communicable Diseases - Students and Staff

8510

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

A decision to close schools due to communicable disease outbreaks shall be made by the Superintendent, or designee, in consultation with the Macomb County Health Department medical staff and/or for review to the review team.

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the District's policies.¹

Approved: May 23, 2007

LEGAL REF: MCL 333.5111; 333.5131; 20 USCA § 1232g (Family Educational Rights and Privacy Act of 1974), MDE Bulletin, September 23, 1999

¹ A student with a contagious disease is probably a "handicapped individual" under Section 504 of the Rehabilitation Act (29 U.S.C. § 794(a)). See *Thomas v Atascadero Unified School District*, 662 F. Supp.376 (C.D. Cal 1986) (a child with Aids was a "handicapped person" under Section 504).

Students with contagious diseases may also qualify for special education under the Individuals with Disabilities Education Act (20. U.S.C. § 1400 *et seq.*)

Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. *Community High School District 155 v Denz*, 463 N.E.2nd 998 (2nd Dist. 1984).

Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, legal counsel should be consulted.

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8510-R Communicable Diseases - Students and Staff

8510-R

- A. The Principal will not permit a student to enter school who is out of compliance with the required immunization schedule. School personnel shall cooperate and assist in completing and coordinating all immunization dates, waivers, and exclusions, including the necessary Immunization Assessment Program forms, to provide for preventable communicable disease control.
- B. All reportable communicable diseases will be referred to the Macomb County Health Department in accordance with Michigan statutory and administrative guidelines.
- C. The decision to close schools due to communicable disease outbreaks is at the discretion of the school District's administration. Consultation on such decisions is available from the Macomb County Health Department.
- D. Mandatory screening for any of the following listed communicable diseases (see paragraph E) of all students/employees as a condition of attending work/school or as a condition for employment shall not be required.
- E. Communicable diseases considered a serious concern to the community and/or the afflicted individual will be addressed by a Communicable Disease Review Panel (C.D.R.P). This C.D.R.P. will serve as resource to the school District to provide specific procedures for the situation.
- F. The Superintendent will inform the Board when a C.D.R.P. is formed to review a situation involving a person with a communicable disease in the schools. The Board shall be notified initially that the C.D.R.P. is meeting and the decision of the C.D.R.P. when a decision is made concerning the person with a communicable disease.

Communicable diseases that are serious in nature include:

1. AIDS - Acquired Immune Deficiency Syndrome.
2. ARC - AIDS Related Complex.

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3. Persons infected with HTLV-III/LAV-Human T-Cell Lymphotropic Virus/Lymphadenopathy Associated Virus.
4. Hepatitis B.
5. Other like diseases that may be included by the health department that may present potentially serious health problems for those who are exposed to the disease and/or the disease carrier.

Communicable Disease Review Panel

A. Purpose:

The C.D.R.P. shall serve as a resource to the local school District for specific communicable disease instruction, protocol, procedures, and to make recommendations concerning:

1. Specific serious communicable disease cases
2. Epidemic control regarding any communicable disease occurrence

B. C.D.R.P. Membership

The C.D.R.P. shall have a membership that will be limited to the following representatives:

1. The Superintendent who will serve as chairperson,
2. Physician with expertise in the related disease,
3. Physician treating the individual,
4. A physician from the Macomb County Health Department,
5. Parent(s)/Guardian(s) (if individual student case) or the staff person affected (or his/her representative) or the affected student of 18 years of age or older (or his/her representative). It would be permissible for both parents/guardians to attend or for a person to bring a representative as long as it is with the understanding that they only have one vote, and
6. The school nurse (if such a staff person is available).

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8510-R Communicable Diseases - Students and Staff

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Operation Guidelines for the C.D.R.P.

- A. Upon notification of the existence or suspicion of an affected staff person/student, the Superintendent may, after consultation with a physician from the Macomb County Health Department within 24 hours, inform in writing the affected staff person, parent(s)/guardian(s) of an affected student or an affected student 18 years of age or older, that the affected person may not attend work/school or any school sponsored activity until the C.D.R.P.'s or Superintendent's written recommendations have been received. Possible alternative delivery of school programs shall be made available to the affected student.
- B. The C.D.R.P. shall have access to any relevant material or testimony concerning the affected individual and his/her behavior as it relates to the communicability of the disease. The C.D.R.P. shall consider existing federal, state and local guidelines and have the authority to consult any experts, as they deem necessary.
- C. The C.D.R.P. shall make a written recommendation as to whether the affected person should continue to be involved in the public school setting.
- D. As recommended in the State Guidelines, the C.D.R.P.'s decision for students should be based on the behavior, neurological developments, and physical conditions of the child, setting, and the risks and benefits to both the affected student and others in the educational setting.

For an affected employee, the C.D.R.P. should consider in its determination:

1. The physical/mental condition of the school employee,
2. The expected type of interaction with others in the school setting, and
3. The impact on both the affected school employee and others in that setting.

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- E. If the recommendation is to allow the person to continue in the public school setting, then the C.D.R.P shall make a written recommendation regarding whether precautions should be taken within the school environment.
- F. If the recommendation is to exclude the person from the public school setting, the C.D.R.P. shall make a written statement as to the conditions under which they would reconsider the denial.
- G. The C.D.R.P. shall make a recommendation as to the need to review the case on a periodic basis and the timelines for such a review.

Case Review Process

- A. The Superintendent shall obtain the name of the physician treating the affected person and shall request that the physician be a part of the C.D.R.P. The parent(s)/guardian(s) or affected person shall provide the school District with a release of information so that the C.D.R.P. may review the needed information.
- B. Upon notification of the existence or suspicion of an affected staff person/student, the C.D.R.P. chairperson shall call a meeting of the C.D.R.P. within five business days at which time the case shall be reviewed. The affected staff person, parent(s)/guardian(s) of an affected student, or an affected student 18 years of age or older will have an opportunity to present written reports and verbal testimony to the C.D.R.P.
- C. If the C.D.R.P.'s decision is unanimous, the chairperson shall, within three business days of the decision, inform in writing that decision to the affected staff person, parent(s)/guardian(s) of an affected student, or an affected student 18 years of age or older will have an opportunity to present written reports and verbal testimony to the C.D.R.P.
- D. If the C.D.R.P.'s decision is not unanimous, the Superintendent shall receive, within two business days of the conclusion of the hearing, a summary of each C.D.R.P. member's position. The Superintendent shall then make the final

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8510-R Communicable Diseases - Students and Staff

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determination within three business days of the receipt of the C.D.R.P.'s summaries. Copies of this decision will be sent to the affected person, parent(s)/guardian(s) of an affected student, or an affected student 18 years of age or older, the Board and the C.D.R.P.

- E. If the affected person/student's parent(s)/guardian(s) do/does not accept the decision of the C.D.R.P./Superintendent, such persons may file, within five business days, a written request to the Board asking it to hear their appeal. The Board shall establish a date for such a hearing within two business days upon receipt of said appeal. Upon the conclusion of the hearing, the Board shall render its decision within five business days and send copies of their decision to the affected staff member, the parent(s)/guardian(s) of the affected student or to an affected student 18 years of age or older.
- F. If the decision of the C.D.R.P is not unanimous and if a majority of the members of the C.D.R.P. does not agree with the decision of the Superintendent, they may appeal that decision on their own behalf to the Board. All timelines for such an appeal will be the same as outlined in the appeal process in paragraph E above.
- G. If the student is a special education student, a copy of the C.D.R.P.'s decision shall be sent to the Director of Special Education. The Director shall then convene an Individual Educational Planning Conference (IEPC) within three business days of the receipt of the report. The IEPC shall consider the recommendation of the C.D.R.P. in determining the program and services. If the parent(s)/guardian(s) request(s) a hearing because of the IEPC recommendation, a placement of the student in the interim will be based upon the recommendation of the C.D.R.P.

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8510-R Communicable Diseases - Students and Staff

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- H. All persons involved in these procedures will be required to treat all proceedings, deliberations, and documents in compliance with the provisions of the Family Education Rights and Privacy Act (FERPA), the Freedom of Information Act, and the Employees Right to Know Act. Any employee found to have violated the confidentiality of any proceedings connected with policy 8510, or these rules, will be subject to disciplinary action up to and including discharge.

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8515 Head Lice Policy

8515

The School District will periodically conduct “head checks” to screen for head lice infestation. Designated school personnel trained to look for head lice will do this.

If a student is found to be infested with head lice, or to have nits, he/she will be sent home for treatment and a notification letter will be transmitted to the parent(s)/guardian(s).

The student shall not be readmitted to school until the child, parent(s)/guardian(s) can show proof, acceptable to the Superintendent, of an approved treatment.

The student must remain nit-free upon inspection at school. If the student is found to still have nits after returning to school, the parent(s)/guardian(s) will be notified and the child will be sent home for nit removal.

Copies of this policy, along with District rules and regulations governing head lice control and advice to parent(s)/guardian(s) on head lice control in the home, will be distributed to students and parent(s)/guardian(s) in a manner to be determined by the Superintendent.

Approved: May 23, 2007

LEGAL REF: *Michigan Head Lice Manual*, Michigan Department of Education,
Michigan Department of Community Health, July 2004 – Version 1.0

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8515-R Head Lice Policy

8515-R

District personnel shall review and follow the Michigan Head Lice Manual, Version 1.0, July 2004. Copies of the Michigan Head Lice Manual shall be available at each building.

Although head lice are highly contagious, District personnel are encouraged to use the following measures to reduce the number of outbreaks in the classrooms of the school:

- Encourage students not to share clothing and hair accessories.
- Give each student, particularly at the elementary grades, his or her own plastic bin for school supplies or provide individual lockers or separate hooks for clothing.
- Have children put their hats and scarves in their plastic bin, in the sleeve of their own coat, or in a zip-lock bag.
- Encourage children with long hair to keep it tied or braided, especially during the months of August to November, when infestation is most likely.
- Have children lay their heads on their own blanket or towel during rest time.
- Make certain carpeted surfaces are vacuumed regularly and the vacuum bags are disposed of away from the classroom setting.
- Do not keep stuffed animals, “dress-up clothing,” or hats in the classroom for children to share.
- Any headphones used by more than one student must be cleaned, wiped down, or sprayed after use by each child. Older students can be taught to do these things themselves after each use.
- Reinforce these precautions before vacation or holiday times when students are away from school.
- Provide education to children and parent(s)/guardian(s) about lice.

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8515-R Head Lice Policy

8515-R-2

- Be alert to telltale scratching that might indicate head lice. If a student is suspected of having head lice, the parent(s)/guardian(s) is to be contacted immediately and the child should have a “head check” by a trained staff member to confirm if lice are present.
- Infested children are to be sent home until proof of treatment is submitted and subsequent “head checks” show no infestation.
- Discourage “random” or repetitive treatments. Parent(s)/Guardian(s) should always be advised to consult their physician or health officials before treating a child a second or third time. Over the counter remedies are types of pesticides, which can be neurologically toxic to children if misused.
- In no case are school personnel to administer head lice medication, either over the counter or prescriptions, to students. School District personnel may demonstrate, however, to parent(s)/guardian(s) or students the use of non-medicinal means of live lice removal such as use of a “Robi-Comb.”™

When Dealing With Parent(s)/Guardian(s)

- Understand that no parent(s)/guardian(s) wants to hear that their child has head lice and some may become quite upset. It is up to school personnel to deal with the situation factually and to anticipate parent(s)/guardian(s) concerns and accusations they may make.
- School personnel should try to maintain control of the situation by adopting a calm, neutral stance with the objective of calming the person down so they can be educated and informed on how to manage and treat the infestation.
- Use information about head lice prevention and control, stressing the fact that head lice are not carriers of other diseases and head lice infestations are not indicative of an “unclean” or “unwholesome” atmosphere in the home.

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8515-R Head Lice Policy

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- Realize that parent(s)/guardian(s) may try to place “blame” on the school or on specific other children in the classroom for causing the infestation. Avoid any discussion of other children or families focusing, instead, on information about the infestation.
- Understand that what the parent(s)/guardian(s) needs the most is information about head lice; what they are, how they spread, how to treat them, how to “de-
louse” the home. The sooner the parent(s)/guardian(s) learn the facts; the sooner the need to blame someone will diminish or disappear.
- Direct them to call their doctor or the local health department if they have any questions about lice that handout information does not cover.

Section 8000 – Students

8580 Child Abuse and Neglect - Duty to Report

8580

Pursuant to MCL 722.622(f), child abuse must be reported to the Department of Human Services (DHS) where the suspected perpetrator is the parent(s)/guardian(s), or any other person responsible for the child's health or welfare or by a teacher, a teacher's aide, or a member of the clergy.

Any school administrator, school counselor, or teacher of the District who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect will immediately report, or cause a report to be made, to the Department of Human Services.²⁴ School employees will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to determine or prove that the child has been abused or neglected.

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

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

Cooperation between School and Agencies

Elementary and secondary schools, DHS, and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. To the extent that safety and practical consideration allow, it is the

²⁴ Reasonable Cause exists where the facts and circumstances within a person's knowledge and of which he/she has reasonably trustworthy information are sufficient to warrant a mandate of reasonable caution in the belief that abuse/neglect has or is occurring.

Section 8000 – Students

8580 Child Abuse and Neglect - Duty to Report

8580-2

preference of the District that law enforcement officers on school premises to investigate a report of suspected child abuse, or neglect, should not be in uniform.

Administrators shall make this District preference known to law enforcement officers and ask for their cooperation.

Approved: May 23, 2007

LEGAL REF: MCL 722.621-638; *Commonwealth v Allen*, 980 S.W. 2d 278 (Ky., 1998);
People v Beardsley, ___ Mich App___ (#246202, 8-24-2004).

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8580-R Child Abuse and Neglect - Duty to Report

8580-R

To comply with the child protection law, any school administrator, school counselor, or teacher who suspects that a child's physical or mental health or welfare is being adversely affected by abuse or neglect, shall immediately report such suspicions in the following manner:

- I. Identify suspected child abuse and or neglect.
 - a. Any school administrator, school counselor, or teacher who has reasonable cause to suspect child abuse or neglect shall report the matter to DHS personally and directly.
 - b. Any person making a report should telephone a complaint to Child Protective Services (CPS) and notify school administration.
- II. Submit completed DHS-3200 form within 72 hours.
- III. Copy school administration with written report as filed with CPS.
- IV. The administrator shall also, then, make a report to DHS first by telephone and, then, within 72 hours, in writing using DHS form 3200. This dual reporting process is intended to emphasize to DHS the urgency of the report.

As much of the following information as possible shall be given by the initial reporter during the oral report and, again, by the school administrator if the initial report came from a school counselor or teacher: name, address, and age of the student; name and address of the parent(s)/guardian(s); nature and extent of injuries or description of neglect or sexual abuse; and any other information that might help establish the cause of the child's condition.

Any personal interview or physical inspection of the child by any school employee shall be conducted in an appropriate manner with an adult witness present.

An oral report to the Principal must be made as soon as possible and will be followed by a written report.

In Michigan, anyone making a report in accordance with state law or participating in a resulting judicial proceeding is presumed to be acting without malice

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8580-R Child Abuse and Neglect - Duty to Report

8580-R-2

and in good faith and, in so doing, is immune from any civil or criminal liability that might otherwise be imposed.

Unauthorized disclosure of child abuse information to persons other than School Administrators, Law Enforcement personnel or DHS, may result in criminal and/or civil sanctions.

Section 8000 – Students

8590 Student Safety

8590

The District will endeavor to provide a safe environment for students while in school attendance or in extra-class activities.

Bicycle Use

Each building Principal will formulate plans and procedures for the safe use of and parking of bicycles on school property and publish them in the appropriate student handbooks.

Walkers and Riders

Any student who uses school-provided transportation shall be under the jurisdiction of the vehicle driver while in the vehicle and shall be subject to all rules and regulations developed by the Superintendent and building Principals to cover such activities. Such rules and regulations shall be published in the appropriate student handbooks.

Students who walk to and from school are urged to become familiar with traffic safety laws governing such activities.

Eye Protective Devices

Building Principals shall assume the responsibility of seeing that sufficient eye protective devices are available to accommodate all classes or persons requiring them. All guidelines and rules shall be published in the appropriate staff and student handbooks.

Mercury Elimination

The District prohibits the purchase, storing, or use of free flowing elemental mercury or items or instruments containing free flowing elemental mercury. Each building administrator will be responsible for enforcing this policy and reporting any violations to the District MIOSHA compliance officer.

Section 8000 – Students

8590 Student Safety

8590-2

Safety Patrols

Building Principals are authorized to organize student safety patrols to assist in the safety of students to and from school and/or loading/unloading school buses.

Approved: May 23, 2007

LEGAL REF: MCL 324.81101; 380.1274b; 380.1288; R 340.1301-1305; OAG, 1981-1982, No 6097, p 727 (August 31, 1982)

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8590-R Student Safety

8590-R

The Superintendent, together with the staff, will develop and determine the necessary rules and regulations relative to student safety.

It shall be the responsibility of each building Principal to instruct the faculty to stress the importance of safety to the students periodically during the school year.

Each teacher will be provided with an outline of safety rules and regulations for the District as recommended by the Superintendent and approved by the Board.

Local building safety rules and regulations will be explained to students at the beginning of each school year and periodically thereafter by the building Principal or classroom teacher.

Safety Units

Those teachers who instruct in hazardous curriculum areas such as physical education, industrial education, or science laboratories shall teach a unit each year or semester dedicated to safety rules inherent in the particular subject matter.

Appropriate safety signs, slogans, or other safety items shall be posted on or in the near vicinity of potentially dangerous devices or machinery.

Each student enrolled in a hazardous curriculum area will be given a test concerning the appropriate safety rules of the particular class. The test results will be kept on file until the end of the school year or the end of the class term, whichever is sooner. No student will be permitted to participate in the class until satisfactory knowledge of the safety rules is demonstrated to the teacher.

Teachers will conduct periodic reviews of safety rules during the school year.

Inspection of Buildings and Grounds (Cf. 4040)

The building Principal, together with his/her custodial staff, shall make frequent inspections of areas of the building and grounds, which may be potential safety hazards. If any such hazards are found, the building Principal will order the hazard removed, corrected, or marked in some appropriate way as a “dangerous area.” (Cf. 8450-R)

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8590-R Student Safety

8590-R-2

Students will be notified of such “dangerous areas.”

All hazards or “dangerous areas” will be reported, in writing, to the Superintendent if the costs exceed the local building maintenance budget and the building Principal will immediately submit a requisition to the Superintendent asking for the appropriate funds to correct the situation. (Cf. 8450-R)

All equipment ordered by the District shall be inspected for any defects immediately at the time of assembly and periodically thereafter by the appropriate staff member. Such defects, if found, shall be brought to the attention of the vendor for repair or replacement.

Section 8000 – Students

8640 Use of Motorized Vehicles

8640

There is a need for some students to drive motorized vehicles to school. There is also a need for safety regulations governing the use of such motorized vehicles on or near school property. The Superintendent or designee shall formulate plans and procedures regulating the driving, parking and use of student operated motorized vehicles during the school day. Failure of student drivers to observe the District's regulations governing student use of motorized vehicles may result in disciplinary action and/or revocation of on-campus driving privileges.

Approved: May 23, 2007

LEGAL REF: OAG, 1989-1990, No 6657, p 327 (August 21, 1990)

Section 8000 – Students

8640-R Use of Motorized Vehicles

8640-R

Licensed vehicles when used for transportation to and from school are permitted in school parking lots when the operator follows the rules and procedures governing the use of motor vehicles at school. The speed limit for all vehicles is ten miles per hour. Recreational use of go-carts, motor bikes, and snowmobiles is not permitted on school properties.

1. A fee will be charged for driving permits issued to students approved to drive to school by the appropriate administrator.
2. Students may park only in student lots. The school will assume no responsibility for damage or vandalism to student cars.
3. Students are expected to drive in a careful manner and remain out of cars during the school day.
4. Any violation of the driving rules may result in the loss of driving privileges.

All such rules and regulations will be given annually to each student driver and his/her parent(s)/guardian(s).

Such rules and regulations shall include but will not be limited to the following:

- Students who are observed driving recklessly on or near school property will be reported by any District employee to the high school Principal or designee. The Principal or designee will warn the driver in the incident at the first opportunity thereafter, and a written notice will be mailed to the parent(s)/guardian(s) of the driver.
- After a second warning, the student will be reported to the local civil authorities.
- Further violation of these rules and regulations may result in disciplinary action by the school pursuant to the disciplinary code.

(Non-italicized language from P-8280 & 8280-R)

Section 8000 – Students

8650 Student Accidents

8650

Accident and illness may occur in the classroom and on school grounds. All school personnel shall be prepared to follow the necessary first aid procedures and other rules described in this section.

Any school employee who discovers an accident involving a student on school property shall, in a timely manner, report the accident to the building Principal and follow the rules approved by the Board. Each building Principal shall establish procedures for handling student accidents at athletic events and other school related activities.

Approved: May 23, 2007

Section 8000 – Students

8650-R Student Accidents

8650-R

Generally, school employees are not trained to administer medical treatment to students.

In the event of a student accident which appears to require medical treatment other than emergency first aid, all school employees will follow the plans and procedures which have been developed by the Superintendent and building Principals to cover such emergencies.

The Superintendent will develop procedures to be followed in case of a student accident or injury. Such procedures will be explained to all employees at the beginning of each school year.

Only qualified school employees may diagnose or in any way treat a student suspected of injury other than attempting to make the student as comfortable as possible while waiting for competent medical treatment.

Procedures on Handling of Student and Staff Medical Emergencies at School

The District is authorized by the School Code of 1976, as amended, to make reasonable regulations relative to medical emergencies concerning students while in attendance at the District. In addition, the District desires to make reasonable regulations relative to medical emergencies concerning staff members. The purpose of these procedures is to establish a uniform method of handling student and staff medical emergencies at school.

These procedures are intended to apply to all students and staff members. The term “student” is intended to include any person of any age enrolled or participating in a course of study or activity offered by the District. “Staff member” means any person who works in a paid or unpaid capacity for the District.

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8650-R Student Accidents

8650-R-2

Procedures for Student and Staff Medical Emergencies

1. Minor Injury
 - A. Injury of student
 1. Staff member will send the student to the office and notify building administrator. The injured student shall be accompanied to the office by another student.
 2. The staff member will fill out an accident report on the injury prior to leaving for the day. See the Student Accident Report form.
 3. The administrator or designee will review the student's health emergency card and will administer the first aid he/she deems appropriate and follow any restrictions noted on the health emergency card.
 4. Parent(s) or legal guardian will be notified by the administrator or designee.
 5. The administrator will determine whether the nature of the illness or injury permits the child to return to class or whether the parent(s) or legal guardian will pick the child up from school.
 - B. Injury of staff member
 1. If a staff member receives a minor injury in the course of his/her employment with the District, the staff member will report the injury to his/her immediate supervisor.
 2. The supervisor will review the staff member's personal protection card and after consultation with the staff member, determine whether the staff member may return to the classroom or be requested to seek medical treatment.
 3. The staff member/administrator will complete the Employer's basic Report of Injury form within 24 hours of the accident.

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8650-R Student Accidents

8650-R-3

2. Injury or Serious Illness to a Student or Staff Member

When an injury or serious illness to a student or staff member occurs, the following procedures will be utilized:

- A. Clear immediate area and keep injured party still.
- B. Send for a building administrator or designee.
- C. The building administrator or designee will determine the extent of the injuries and the appropriate emergency action to be taken.
 - (1) Student - In the event of illness or injury to a student, the administrator will contact the parent(s) or legal guardian to inform them of the nature of the illness or injury and the school recommendation for follow-up.

This could include:

 - a. Parent/guardian follow-up when child arrives home for less serious injuries.
 - b. Parent/guardian pick up of child for possible medical treatment.
 - c. Possible transportation of injured party by school personnel to hospital to meet parents/guardians for treatment.
 - d. Call all and request emergency transportation.
 - (2) Staff Member - In the event of illness or injury to a staff member, the administrator will contact the person listed on the employee's personal protection card and follow the procedures indicated on that card.
- D. In cases of serious injuries including, but not limited to, such conditions as extended unconsciousness, severe bleeding, obvious broken bones, back or neck injuries causing immobilization, a decision will be made by the building administrator as to whether to call the Emergency Medical Service (EMS) for emergency transportation.

Section 8000 – Students

8650-R Student Accidents

8650-R-4

The administrator may disclose personally identifiable information from the injured or ill student's education record to EMS or others only to the extent the administrator determines necessary to protect the health of the student or other individual.

- E. In the absence of the administrator, the individual supervising the student or the activity taking place would make the final decision regarding emergency action.

In all cases, the health and welfare of the injured party should be the ultimate consideration of those who are providing first aid treatment. If there is any question regarding the extent of the injury, always utilize the most precautionary measures applicable.

Primary first aid procedures to be followed include visually determining, if possible, the extent of the injury and having the school's Secretary or a certified staff member call the parent(s)/guardian(s). (Cf. 8660, First Aid)

If the parent(s)/guardian(s) are notified, the injury should be described and appropriate action determined with consent of the parent(s)/guardian(s).

If the parent(s)/guardian(s) cannot be reached, the family physician or alternate physician if permitted by parent(s)/guardian(s) of the student should be notified.

Records

An information card for each student containing the following information shall be on file in the building Principal's office:

- Names and addresses of parent(s)/guardian(s), their home and business phone numbers,
- Names of some other persons to be called in the event of an accident and their phone number(s),
- Names of the family physician and his/her office phone number,

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8650-R Student Accidents

8650-R-5

- Permission to call the family physician in the event parent(s)/guardian(s) cannot be reached and permission to act on his/her advice,
- Permission to consult with another physician if the family physician cannot be reached, and
- Any physical condition of the student for which it would be considered appropriate to indicate a medical alert.

Revised: November 19, 2007

Section 8000 – Students

8660 First Aid

8660

The District may provide appropriate first aid and CPR training for identified personnel. This training may be provided as part of the District's in-service plan or other program established by the Board.

Only those school employees qualified by District approved training and then only in case of emergency may administer CPR to students. School employees shall not attempt to treat any student injury after the initial treatment of emergency first aid. The District will not assume liability under these policies for employees acting outside the scope of their authority.

Approved: May 23, 2007

LEGAL REF: MCL 691.1504

Section 8000 – Students

8665 Automated External Defibrillators (AED's)

8665

The Board of Education of the L'Anse Creuse Public Schools recognizes that from time to time medical emergencies may arise that justify the use of an Automated External Defibrillator (AED). The Board has acquired these units for use by qualified personnel in the schools and for use at athletic events hosted by the District. District athletic personnel are authorized to carry portable AED's for away contests under rules developed by the Superintendent.

The Board authorizes and directs the Superintendent to promulgate appropriate administrative rules to implement the use of AED's in the District.

Approved: May 23, 2007

LEGAL REF: MCL 691.1504 (3) (4) (5)

Section 8000 – Students

8665-R Automated External Defibrillators (AED's)

8665-R

When it is deemed necessary to use the AED, a call by telephone or cellular phone will be placed immediately to 911 and emergency personnel will be summoned. Use of the AED, however, will not be delayed while making the call to 911 or waiting for a response.

The local ambulance service or the local fire department serving the school building's area will be advised of all uses of an AED by employees of the District as soon as practical after each use.

Procedures for Use of the AED

During the School Day

- If a situation arises where the potential need for the AED exists, the school office is to be contacted and the location of the emergency given. The victim should be checked for consciousness and CPR started if required.
- The office will contact 911, and request that the AED be delivered to the location of the emergency immediately. The announcement will be repeated several times.
- Emergency personnel upon arrival will be directed to the location of the emergency by office personnel who are to be waiting at designated building entrances. School staff is to assist emergency responders according to directive and/or needs to prepare the victim for transport. Office personnel will notify the victim's family, if possible, as to general status and destination of transport.
- Records kept electronically by the AED machine may be required by the local responder. If required, it will be the responsibility of the Principal to have records downloaded off the device and provided to EMS and/or the physician in charge.
- Following any incident of AED use, the AED team will meet with the first responder and/or physician in charge to discuss, if necessary,

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8665-R Automated External Defibrillators (AED's)

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recommended changes in the response procedure and implement them upon administrative approval.

Section 8000 – Students

8670 Administration of Medications by School Personnel (Cf. 2780)

8670

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

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

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

Each building shall have a plan for handling medical emergencies.

Section 8000 – Students

8670 Administration of Medications by School Personnel (Cf. 2780)

8670-2

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

Self-Administration/Self-Possession of Medications

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

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

Section 8000 – Students

8670 Administration of Medications by School Personnel (Cf. 2780)

8670-3

A pupil who is in possession of an inhaler under the above conditions shall have each of his/her teachers notified of this by the building administrator.

Diabetic Emergencies

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

Management of Students with Asthma in the School Setting

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

Exercise Induced Asthma Attacks

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

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

Section 8000 – Students

8670 Administration of Medications by School Personnel (Cf. 2780)

8670-4

School Staff Training

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

Storage and Access to Medications

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

Record Keeping of Medications

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

Approved: May 23, 2007

LEGAL REF: MCL 380.1178; MCL380.1179; OAG, 1979-1980, No 5679, p 7-0 (April 11, 1980); OAG, 1993, No 6746, (January 13, 1993); MDE Bulletin, October 18, 1999, PA 378, 1978, Medical Waste Regulatory Act, R 325.1545(2)

Section 8000 – Students

8670-R Administration of Medications by School Personnel

8670-R

The following administrative rules are to be followed by District personnel in the implementation of policy 8670. These rules and procedures may not be changed or amended without the express approval of the Superintendent of Schools.

School Administration of Medications – Prescription

Prescription medications shall not be stored or dispensed by District personnel without written permission and instructions from both:

- a. The parent(s)/guardian(s) who shall request and authorize District personnel to give medication in the dosage prescribed by the physician and permission to contact the physician directly.
- b. The physician, who shall provide instructions to school personnel regarding the administration of medication, and who shall identify any specific conditions or reactions to the medication which may require contacting the physician or other professional medical personnel. Instructions from the physician must include:
 - Name of the pupil,
 - Name of the medication,
 - Dosage of the medication,
 - Route of administration,
 - Time the medication is to be administered, and
 - The length of time (not to exceed the current school year) that medications are to be administered.

Any “biohazardous” wastes produced shall be disposed of in accordance with law, and the written instructions distributed by the administration.

New parental/guardian and physician written instructions and permission must accompany any change in medication, dosage, or time of administration.

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8670-R Administration of Medications by School Personnel

8670-R-2

Storage and access to medications in school

Prescription medication to be given at school must be delivered, by the parent(s)/guardian(s), in a container as prepared by a pharmacy, physician, or pharmaceutical company with a printed label specifying:

- a. The child's full name,
- b. The name of the medication and the dosage,
- c. The time of day medication should be administered, and
- d. The name of the physician.

A building administrator shall request that a pharmacy supply the oral medication in the exact dosage prescribed. Only limited quantities of a prescription medication may be kept at school, and the parent(s)/guardian(s) shall be solely responsible for any prescription refills. All prescription medication shall be kept in locked storage or other safe place.

The Principal of each building shall designate the school personnel authorized to administer medication to students.

A building administrator may set a reasonable designated time for the administration of medications. The parent(s)/guardian(s) shall be informed of this designated time and communicate this to the physician when he/she writes medication administration instructions. The school may request that the physician send a written explanation with the medication administration instructions to the school if an exception to the school's designated time is necessary. School personnel authorized to administer prescription medication shall be given appropriate instruction in the administration of medications. After medication is administered, students should be observed for possible reactions to the medication. This observation may occur at the site of administration or in the classroom as part of the normal routine.

Section 8000 – Students

8670-R Administration of Medications by School Personnel

8670-R-3

Except in the case of an emergency that threatens the life or well being of the student, all administration of medication shall be conducted in the presence of two or more adults. When necessary for a pupil to have medication administered while on a school-sponsored field trip or off-site activity, the individual designated to administer medication must carry the medication in the original container, and record the necessary information on the medication log upon return from the trip/activity.

Staff Training

In-service training is recommended to be not less than four hours in length and include actual "hands-on" practice in identifying and dispensing medications. Individuals, with the exception of a licensed registered professional nurse, who are responsible for administering any medications that must be given by injection, by nebulizer, or administered rectally, vaginally, or into the bladder, must receive one-to-one training by a licensed health professional. Documentation that school personnel have completed the required in-service training shall be maintained by the school and made available, upon request, to a pupil's parent(s)/guardian(s), physician, licensed registered professional nurse, or by a school District official.

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8670-R Administration of Medications by School Personnel

8670-R-4

Training Guidelines

Training for all individuals who are designated to administer medications to pupils in local and intermediate school Districts, public school academies, and nonpublic schools must include all of the following content and skill practice:

1. A review and discussion of all Michigan and federal laws pertaining to the administration of medications to pupils in schools, including discussion of confidentiality issues.
2. A review and discussion of all policies and procedures relating to medications in schools including areas of responsibility of school administrators, individuals designated to administer medications (i.e., secretaries, aides, teachers, bus drivers, parent(s)/guardian(s)), and medical professionals (i.e., physicians, physician assistants, nurses).
3. Identification of the forms related to the administration of medications in schools.
4. Safe storage and handling of medications in school including procedures for receiving and disposing of medications.
5. The use, effect, and route of administration of the most commonly prescribed medications in schools, including adverse effects.
6. Procedures for safely dispensing medications to pupils in schools, on field trips, and other off-site school activities.
7. Practice in identifying and dispensing medications to pupils.
8. Policies and procedures related to pupil self-administration and self-possession of medication in schools.
9. Review and practice recording administration of medications.

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8670-R Administration of Medications by School Personnel

8670-R-5

10. Review and discuss procedures for dealing with medication administration errors. It is the responsibility of the student to report to the appropriate school official at the time any prescription is to be taken.

Records

School personnel designated to administer medications shall maintain an accurate and confidential system of record keeping. The medications log shall include the following:

1. The full name of the student,
2. The physician instructions for administration,
3. A log of the date and time, dosage, name of medication, administering adult, second adult present for each administration, and the initials of the administering adult and initials of witnessing adult for each administration. (If an error is made in recording, the individual who administered the medication shall cross out, initial the error, and make the correction in the log), and
4. Any noted effects of, or adverse reaction to the medication.

School personnel must take care to ensure that each student is provided the proper medication in the proper dosage, and shall log each administration immediately. In the event of a mistake in administration or dosage, the building administrator shall be contacted immediately. The building administrator is responsible for reporting the medication error to the pupil's parent(s)/guardian(s) immediately. It is advised that the building administrator also contact the physician so that he/she may indicate to the parent(s)/guardian(s) that staff members are conducting the appropriate medical follow-up. The school staff member shall write up the error on a District incident/accident report form and place a copy into the pupil's school record. Any adverse reaction to medication, as described on the physician's written instructions, shall be reported to the pupil's parent(s)/guardian(s) immediately.

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8670-R Administration of Medications by School Personnel

8670-R-6

Medications should be brought to the school by the student's parent(s)/guardian(s). School personnel, appropriately trained, shall, throughout the school year, periodically review medication instructions on file and inventory medications being stored by the school. Expiration dates on prescription medication, epi-pens, and inhalers shall be checked at least twice each school year.

Parent(s)/Guardian(s) request/permission and a physician's instructions for administration of medications shall be renewed every school year. No changes to medication dosage or time of administration will be made except by instruction from a physician. Medications must be claimed by parent(s)/guardian(s) at the end of the school year. If this is not done, the individual who administers the medication will dispose of the medication and record this disposal on the medication log. This procedure shall be witnessed and initialed by a second adult.

Unless otherwise dictated by law, the building Principal may refuse to administer or may choose to discontinue the extra service of administering medication at his/her discretion, provided that appropriate notice is given to the parent(s)/guardian(s).

School Administration of Medications – Non-prescription

The procedures for administering non-prescription medications to students by the District shall be identical to those for prescription medications.

Student Self-Administration of Medications

Upon the written request of the parent(s)/guardian(s), and with written instructions from the physician, and with the approval of the school administration, students may self-possess small quantities of medication for self-administration.

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8670-R Administration of Medications by School Personnel

8670-R-7

Any student may possess and use an inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, at school, on school-sponsored transportation, or at any activity, event, or program sponsored by or in which the pupil's school is participating if proper approvals are on file in writing. All self-possessed medications must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration.

Any “biohazardous” wastes produced by the student in the process of self-administration are to be disposed of in the hazardous waste containment unit located in the school office.

All necessary written permission forms detailed above for school administration of medications must be obtained and filed by the school prior to possession, storage, or self-administration by a student.

Assisting a Student in Distress

Each building shall have a plan for handling medical emergencies.

Any District staff member may assist a student in distress in self-administration of a medication (ex. Epi-pen injection, asthma inhaler, etc.). For the purpose of this policy, distress refers to any obvious and serious discomfort or threatening condition. The staff member should first confirm that the medication and dosage are proper for the student as conditions allow.

As soon as possible, the staff member shall notify the school administration, designated school medical response person, and/or the local emergency medical system. The staff member shall also complete a District incident/accident report form following the incident.

Section 8000 – Students

8670-R Administration of Medications by School Personnel

8670-R-8

Diabetic Emergencies

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

Management of Students with Asthma in the School Setting

Staff shall be made aware that chalk dust, animals in the classroom, strong odors (perfumes and paints), cleaning agents, molds, and numerous other substances may be asthma triggers for some children. In addition, environmental pollutants are often triggers for acute episodes of asthma. Therefore, the Superintendent will endeavor to schedule extensive building repairs or cleaning during long vacation periods or during the summer months to avoid exposing children to fumes, dust, or other irritants. Routine cleaning and maintenance of the heating/cooling and air filtration system is important for reducing amounts of dust and mold in the schools.

Staff with asthmatic students should know the signs of possible side effects of asthma medications, and be aware which side effects are serious enough to warrant reporting to the child's parent(s)/guardian(s) or health care provider. Information regarding qualified professionals in asthma management who can be contacted for staff in-service sessions on asthma may be found through the Michigan Department of Education's web site at <http://www.michigan.gov/mde>.

The "School - Based Asthma Management Plan" form and "School-Based Diabetes Management Plan" forms are to be used in all building sites. The form may be identified with the name of the individual school if desired.

The various forms, posters, and the Medication Daily Administration Log associated with the Administration of Medications to Students are included with policy 2680 and incorporated herein, by reference, with policy 8670 and 8670-R.

Revised: November 19, 2007

Section 8000 – Students

8700 Student Activities

8700

Any activity, which involves the expenditure of public funds, shall be subject to prior approval of the Board. An annual report shall be provided to the Board by each building Principal listing the activities involving fees and the amount of each fee.

Activity Fees

Fees for various student activities shall be established by the building Principal.

Musical Instruments

The school shall provide a variety of musical instruments for student use. The Superintendent may require a reasonable deposit for instrument use in order to protect the District against loss or damage.

Approved: May 23, 2007

Section 8000 – Students

8700-R Student Activities

8700-R

The building Principal shall be responsible for the organization of all student activities. With the assistance of delegated members of the faculty, he/she shall approve all student activities and make certain that adequate supervision is available.

The parent(s)/guardian(s) may request that a student be excused from certain types of student activities for religious or physical reasons. The Principal shall examine the request in terms of the welfare of all students as well as in terms of the welfare of the individual.

Activity Fees

Fees for special student activities not included in the general student activity fee, such as dances, may be established by the building Principal with prior approval of the Board.

Activity Fund Management (Cf. 3800)

Receipts shall be issued for all revenue taken into the activity fund of each attendance center. All payments from the activity fund shall be by checks provided for that purpose.

Activity Class Materials

The school shall furnish materials needed to perform required projects in activity classes. The projects shall remain the property of the District unless the student makes reimbursement for materials.

Section 8000 – Students

8705 Off Campus Events and Conduct

8705

School Events

Students at school sponsored events, whether or not the event is held on school premises, shall be governed by District rules, regulations and the student code of conduct, and are subject to the authority of District officials. Violators will be punished as prescribed by the appropriate section of this code.

Off Campus Misconduct

A student shall not engage in off campus misconduct of a serious criminal nature, where such misconduct represents a substantial likelihood of danger to the physical or emotional well-being of other students or teachers. Violators will be punished as prescribed by the appropriate section of the student code of conduct.

Approved: May 23, 2007

Section 8000 – Students

8710 School-Sponsored Student Clubs (Closed Forum)

8710

All school-sponsored student organizations shall be curriculum related. Only students actually enrolled in and attending the L'Anse Creuse Public Schools may participate in any school-sponsored student clubs, co-curricular events, or extra curricular offerings of the District. Consequently, the Board establishes a closed forum regarding school-sponsored organizations and clubs. By way of limited example, a "school-sponsored, curriculum related student club or organization" would be those such as: Foreign language clubs; Astronomy Club, Math Club, American History Club, American Literature Club, Student Council, or the like.

Membership in all student organizations shall be open to all students of the school without regard to race, color, sex, religion, handicap, creed, or national origin. All school-sponsored student organizations shall operate within a framework of state and federal law, Board policy and administrative rules and regulations. Persons who are not students in this District shall not be allowed membership in any school-sponsored student organization.

The Superintendent shall develop general guidelines for the establishment and operation of school-sponsored student organizations. Such guidelines shall include the approval of the building Principal prior to the formation of any club or organization, the assignment of at least one faculty advisor to each student organization, and provisions for the establishment of bylaws or operating procedures which provide a linkage to the curriculum relatedness of the organization.

The building Principal may deny requests for forming a school-sponsored student organization where the requirements of Board policy and administrative rules and regulations have not been met. When a request has been denied, the students shall be informed of the reasons for the denial.

Section 8000 – Students

8710 School-Sponsored Student Clubs (Closed Forum)

8710-2

The students may submit a written request to the Superintendent within ten days of the notice of denial for a review of the Principal's decision. The Superintendent's decision shall be final.

Approved: May 23, 2007

LEGAL REF: MCL 380.1299; 20 USCA §4071, et seq. (Equal Access Act)

Section 8000 – Students

8710-R School-Sponsored Student Clubs (Closed Forum)

8710-R

School-Sponsored Student Clubs

The administration shall establish regulations for the operation of school-sponsored clubs. Such clubs shall operate for the welfare and in the best interests of the students and the school. School-sponsored clubs are those directly under the supervision of school personnel.

Every school-sponsored club must have a faculty or staff sponsor appointed and approved by the building Principal. All meeting times and places of the club must have the advance approval of the faculty/staff sponsor and the building Principal, and the sponsor or designated representative must be present at all meetings. Every school-sponsored club shall have on file in the school office a constitution, bylaws, and operating procedures approved by the building Principal.

The Student Code of Conduct and all other Board policies and District rules and regulations will be in full force and effect during all meetings or functions of any school-sponsored club.

Student Government

A student council may be established in each attendance center if it is under the direct supervision of the building Principal or designated faculty representative.

Student councils shall exercise only that authority expressly delegated to them by the building Principal.

School-Sponsored Student Publications (Cf. 8730)

“School-sponsored student publication” means any publication, as defined herein, which is composed, compiled, published, or distributed under the official supervision of the Principal and designated faculty sponsor.

Advertisements

Advertisements concerning drug paraphernalia or any controlled substances are prohibited in any publications planned for distribution on school premises.

Section 8000 – Students

8710-R School-Sponsored Student Clubs (Closed Forum)

8710-R-2

School-sponsored student publications shall be under the supervision of the building Principal or designated faculty representative. All material published in school-sponsored publications must have the prior approval of the faculty sponsor. The faculty sponsor shall inform the building Principal of any material that is contemplated for publication that may be controversial. The final decision on content for school-sponsored student publications shall rest with the building Principal

Student Social Events

Student social events, such as dances and parties, contribute an important element in the development of the individual. All such events must have the prior approval of the building Principal and the faculty sponsor of the club or class sponsoring the event at least one month in advance.

Student social events shall be held, normally, after the last regular class period during the school day unless otherwise approved by the building Principal during other, non-instructional times before school or during the lunch period. In-class social events or activities, such as “student birthday observances,” and the like, shall be limited to the last class period of the school day and shall not disrupt normal instruction. Any “food items” served at such functions shall comply with policy 4460 – Food Allergies.

Any fee charged for a dance or party must have the prior approval of the Superintendent.

Unless otherwise approved by the Board, attendance at all social functions is limited to students of the District.

The building Principal may make such rules and regulations as he/she deems necessary for the conduct of student social events. These rules and regulations and any amendments thereto shall be published in such a manner so that all students are aware of such rules and regulations and understand their importance.

Section 8000 – Students

8720 Non-School-Sponsored Student Clubs and Organizations

8720

Student Equal Access

Student initiated, non-curricular related groups shall be permitted to conduct voluntary meetings on high school premises only before or after the school day, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school or violate Board policy or state or federal law.

Such meetings shall be open to all students without regard to race, creed, color, sex, handicap, religion, or national origin.

No public funds may be expended on behalf of the non-curricular related student groups covered by this policy except for the incidental cost of providing space for their meetings. Building use form and charges related to that may apply.

Students seeking to establish a voluntary, non-curriculum related student group shall first seek approval of the building Principal. Should the Principal not approve the student group, the students may submit a written request to the Superintendent within ten days of the notice of denial for a review of the Principal's decision. Should the Superintendent deny permission, the Superintendent's decision may be appealed to the Board of Education. The Board's decision shall be final.

Federal Compliance

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

Student Social Events

Student social events, such as dances and parties, contribute an important element in the development of the individual. All such events sponsored by non school-sponsored student clubs or organizations must have the prior approval of the building Principal and the un-official, non-participating advisor of the club or class sponsoring the event.

Section 8000 – Students

8720 Non-School-Sponsored Student Clubs and Organizations

8720-2

Student social events shall be held, normally, after the last regular class period during the school day unless otherwise approved by the building Principal during other, non-instructional times before school or during the lunch period.

Unless otherwise specifically approved, attendance at all social functions, regardless of the organization sponsoring or promoting the social event, is limited to students of the District.

Approved: May 23, 2007

LEGAL REF: MCL 380.1299; 20 USCA §4071, et seq. (Equal Access Act); 20 USCA §7905 (Boy Scout Equal Access Act).

Section 8000 – Students

8720-R Non-School-Sponsored Student Clubs and Organizations

8720-R

- A. The District will not discriminate against or deny equal access to students of the District who wish to conduct club meetings that fall within the Equal Access Act guidelines, as long as:
1. The meetings are student initiated and voluntary.
 2. The school and its employees and agents do not sponsor the meeting.
 3. Agents or employees of the school are present only in a non-participatory capacity.
 4. The meeting does not interfere with the orderly conduct of the school's educational activities materially or substantially.
 5. Non-school persons do not direct, conduct, control, or regularly attend the activities of student groups.
- B. Student meetings, held under the Equal Access Act, may take place only during "non-instructional time." Non-instructional time is defined as that time before actual classroom instruction begins in the morning, during the lunch hour, or after actual classroom instruction ends in the afternoon. School personnel may be present in all meetings under the Equal Access Act to:
1. Maintain order and discipline on school premises and enforce the Student Code of Conduct, District policies and administrative rules and regulations.
 2. Protect the well-being of students and faculty.
 3. Assure that student attendance at all meetings is voluntary.
- C. The District may deny access to a student group if meetings are for a purpose that is unlawful or for a purpose, which would interfere with the orderly conduct of educational activities within the school materially or substantially.

Student Equal Access

District employees shall not promote, lead, or participate in the meetings of non-curricular/non school-sponsored related student groups.

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8720-R Non-School-Sponsored Student Clubs and Organizations

8720-R-2

A District employee may be present as an observer at the meetings to maintain order and protect the general welfare of the students involved.

District employees shall not direct or influence the form or content of any prayer or other religious activity nor require any person to participate in prayer or any other religious activity.

Student Social Events

The building Principal must approve all social event.

Any fee charged for a dance or other social event must have the prior approval of the Superintendent.

The building Principals may make such other rules and regulations as they deem necessary for the conduct of student social events. These rules and regulations and any amendments thereto shall be published in such a manner so that all students are aware of such rules and regulations and understand their importance.

Section 8000 – Students

8730 Non-School-Sponsored Student Publications (Cf. 8720)

8730

Students are exposed to diverse opinions on an infinite number of topics through the various mass media. Students who have facts and opinions should be allowed to express them in print as well as through oral communication. However, student editors and writers of non school-sponsored student publications must observe the same legal responsibilities as those imposed upon conventional newspapers and communication media. Thus, no student shall distribute in any school any student publication that:

- Is obscene as to minors according to current legal definitions,
- Is libelous according to current legal definitions, or
- Creates a material or a substantial disruption of the normal school activity or appropriate discipline in the operation of the school.

Student publications, that are not libelous, disruptive or obscene, may be distributed on school property during school hours in areas designated by the building Principal. Distribution that substantially interferes with the normal flow of traffic within the school corridors and entranceways, which is coercive of any other person's right to accept or reject any publication or which causes substantial and material interference with "normal school activities," shall not be permitted.

Approved: May 23, 2007

LEGAL REF: *Hazelwood School Dist. v. Kuhlmeier*, 484 U.S. 261, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)

Section 8000 – Students

8730-R Non-School-Sponsored Student Publications

8730-R

Any student who desires to distribute a *non school-sponsored* student publication shall submit the publication to the building Principal for review and approval prior to distribution.

At the time of submission, the student has the right, and is encouraged to meet personally with the Principal so that the student and the Principal may freely exchange views on why the distribution of the non school-sponsored student publication is or is not appropriate. The student or his/her representative may support the case for distribution with relevant witnesses and materials.

In determining whether a *non school-sponsored* student publication is disruptive, school personnel should consider the context of the distribution as well as the content of the material. In this regard, consideration should be given to experience with similar material, to experience in dealing with and supervising students, to current events influencing student attitudes and behavior and to any instances of actual or threatened physical disruption prior to or contemporaneously with the submission of the *non school-sponsored* student publication in question.

The Principal shall render his/her decision to approve or disapprove the distribution of the non school-sponsored student publication and notify the student within one school day of its submission. If approval to distribute is not granted, the Principal shall state his/her reason to the student in writing.

If the student is dissatisfied with the decision of the Principal, the student may appeal this decision. The appeal from the Principal's decision may be taken by notifying the Superintendent, either orally or in writing, within two school days of the Principal's decision, of the student's desire to appeal and the desire for a hearing before the Superintendent.

A hearing date must be established within three school days after receipt of the notice of appeal has been filed with the Superintendent, and the Superintendent shall

Section 8000 – Students

8730-R Non-School-Sponsored Student Publications

8730-R-2

render a decision, stating reasons in writing, within three school days of conclusion of the hearing.

If the student is dissatisfied with the decision of the Superintendent, the student may appeal the decision. The appeal from the Superintendent's decision may be taken by notifying the Secretary of the Board, either orally or in writing, within two school days of the student's desire to appeal and the desire for a hearing before the Board, a committee or the Board, or a hearing officer designated by the Board. A hearing date must be established within ten days after receipt of the notice of appeal has been filed with the Secretary of the Board, and the decision shall be rendered in writing within three school days after the hearing.

At every level of the appeal process as outlined above, the student or his/her representative shall have the right to appear and present his/her case supported by relevant witnesses and materials as to why distribution of the non school-sponsored student publication is appropriate.

In exercising the right of prior review, school personnel shall be guided by the following guarantees and definitions. The First Amendment to the Constitution of the United States protects students in their exercise of freedom of expression. It is the responsibility of the school and its staff, while establishing the kind of environment, which is necessary for an orderly program of classroom learning, to ensure that the right of students to express themselves freely shall not be infringed upon at the same time. Distribution of non school-sponsored student publications shall not be prohibited because they contain the expression of unpopular, critical, controversial, tasteless, or offensive ideas.

Distribution of the non school-sponsored student publication during the period of initial review by the Principal, after a negative decision of the Principal or during the

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8730-R Non-School-Sponsored Student Publications

8730-R-3

period of appeal shall be sufficient grounds for suspension of the student(s) responsible for the distribution by the Principal in accordance with the procedures set forth in law or Board Policies.

In order for a non school-sponsored student publication to be considered disruptive, specific articulable facts must exist upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial, and material disruption to normal school activity or school discipline would occur if the material were distributed. Mere undifferentiated fear or apprehension of disturbance is not enough; school personnel must be able to show, affirmatively, substantial facts, that reasonably support a forecast of likely disruption. Such disruption would include, for example, student rioting, unlawful seizures of property, destruction of property, threats against persons or property, or acts of violence, widespread shouting or boisterous conduct, or substantial participation in a school boycott, sit-in, stand-in, walkout, or other related forms of activity. On the other hand, material that stimulates heated discussion or debate does not constitute the type of disruption prohibited herein.

Ads

Ads concerning drug paraphernalia or any controlled substances are prohibited in any publications planned for distribution on school premises regardless of source.

Definitions of Terms Used in Discussing Student Publications

“School day” means any day during the regular school year or summer session on which regularly scheduled classroom instruction takes place and excludes Saturdays, Sundays and official school holidays.

“Publication” means any non school-sponsored book, magazine, pamphlet, newspaper, yearbook, picture, photograph, drawing, or any other written or printed matter or visual representation of a staff member.

Section 8000 – Students

8730-R Non-School-Sponsored Student Publications

8730-R-4

“Student publication” means any publication as defined herein which is composed, compiled, published, or distributed by students without school sponsorship.

“Distribution” means circulation or dissemination of the student publication to students at the time and place of normal school activity or immediately prior to subsequent thereto by means of handing out free copies, selling or offering copies for sale, accepting donations for copies of the publication or displaying the material in areas of the school building or property which are generally frequented by students. In dealing with material that is “obscene” or “libelous,” the term “distribution” refers to dissemination of one or more copies; whereas in dealing with all other types of material, the term “distribution” refers to a substantial circulation or dissemination of the student publication to make the student publication generally available to the students of the school.

“Normal school activity” means organized educational activity of students under the direct supervision of a member of the school staff which includes classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and scheduled-in-school lunch periods.

“Minor” means any person under the age of 18 years.

“Obscene as to minor” means that an average person, applying contemporary community standards would find that the publication, taken as a whole, appeals to the prurient interest and has no redeeming social value; that the publication depicts or describes, in a patently offensive way, sexual conduct specified in applicable law; and that the work taken as a whole lacks serious literary, artistic, educational, political or scientific value.

“Libel” is the false and unprivileged (unprotected by immunity) publication in

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8730-R Non-School-Sponsored Student Publications

8730-R-5

writing or the printing of pictures, effigies or other fixed representations to the eye which expose a person to public hatred, contempt, ridicule or obloquy which causes him/her to be shunned or avoided or which has a tendency to injure him/her in his/her occupation.

When the publication concerns “public officials,” i.e., those who hold government office or “public figures,” i.e. those who, by reason of the notoriety of their achievements or employment or by reason of the vigor and success with which they seek the public’s attention, the defamatory falsehood must be made with actual malice in order to be libelous, i.e., with knowledge that it was false or with reckless disregard of whether or not it was false. “Public figures” also includes administrators, teachers, and coaches.

Section 8000 – Students

8740 Student Photographs (Cf. 3660, 8940)

8740

Commercial Photographers

The Board allows the practice of contracting with commercial photographers to take student pictures and make them available to parent(s)/guardian(s) as a part of the total school program.

The school may contract with commercial photographers to take pictures of students for specific purposes such as graduation pictures, yearbooks, class pictures, student records, or identification cards.

No student, however, shall be required to have his/her picture taken by school contracted commercial photographers and shall not be pressured for the purchase of photographs. Students may substitute photographs taken by photographers of their choice to be used in yearbooks or for official school records. The school may establish reasonable specifications for such pictures.

The Superintendent shall be authorized to select and contract with commercial firms to provide the photographing service. Good business practices and Board purchasing guidelines prevail in such selection.

Other Photographic or Video Images

Permission to shoot close-up pictures of students via regular film or digital imaging, or to videotape students participating in school sports or other school-related activities, and to identify those students, may be granted to the media (newspapers and television stations) only with parent(s)/guardian(s) approval for students less than 18 years of age. Parent(s)/Guardian(s) approval also shall be required before pictures of students may be used, or students identified, in non-school publications with the exception of photographs or video images taken by news media in the normal course of news coverage of District activities.

The Superintendent shall establish guidelines for implementing this policy.

Approved: May 23, 2007

Section 8000 – Students

8750 Student Volunteers

8750

Students are encouraged to volunteer their time and services to school-sponsored activities and to community activities so long as their studies are not adversely affected.

Public Service

The District encourages students to become involved in public-spirited activities associated with legitimate civic and related organizations. The District, however, prohibits students from working for such organizations in a volunteer capacity during school time unless prior approval is granted by the building Principal.

Student Performances (Cf. 8700)

Students will not participate in any community activities during school hours without the prior permission of the building Principal.

Material for school productions will be appropriate to the age of the school students, in good taste, and in accordance with the standards of our community.

Approved: May 23, 2007

Section 8000 – Students

8760 Employment of Students

8760

The Board recognizes that employment during school hours will be desirable for some students and necessary for others. A Board goal is to encourage students to complete their educational requirements of state law, the State Board of Education and the Board satisfactorily.

School Employment

The District may employ students for positions that conform to budget limitations and personnel requirements.

Except for those classroom jobs assigned by a teacher, students may not engage in jobs within a school building without the expressed approval of the administrator. This includes, but is not limited to, jobs in the kitchen, lunchroom, library, and jobs assigned by the custodian.

Outside Employment

Students will not be excused from school for employment purposes when such work infringes upon their schoolwork.

Job Placement Service

The District's staff shall work closely with other agencies in finding appropriate jobs for both graduating students and students who need to augment their incomes while attending school.

Approved: May 23, 2007

Section 8000 – Students

8760-R Employment of Students

8760-R

School Employment

School employment for students will be of a non-hazardous nature.

Outside Employment

The Principal will report all violations of the Board's policy on outside employment to the Superintendent for his/her disposition.

Students who desire to work on a regular part-time basis during the school day must first secure the approval of the Principal and file a work schedule with him/her. Such work schedule will not conflict with any of the particular student's class schedule. The student must report any deviations from this schedule immediately to the Principal. Students who work in conjunction with work-experience activities common to Board-approved, vocational programs must have all work schedules that are cooperatively developed by the employer and the supervising teacher and approved by the Principal prior to the beginning of any work activity.

Section 8000 – Students

8820 Awards and Scholarships

8820

Student awards for having represented a school in the District shall be limited to those approved by the administration and the Board. Awards for interscholastic activities shall be limited to those approved by the MHSAA.

The appropriate sponsor shall advise students that accepting cash or merchandise for participation in an activity may jeopardize the student's amateur standing and eligibility in that identical activity before the MHSAA.

Each faculty sponsor bears the responsibility for monitoring his/her student activity sponsorship and must make his/her students aware of those activities, which put him/her in violation for this policy and MHSAA regulations.

The professional staff will maintain a set of criteria and procedures for presenting awards to students for scholarships and distinguished service, scholarships or other awards from non-school donors.

All honors, awards, and scholarships will be conferred under the supervision of the building Principal.

Approved: May 23, 2007

Section 8000 – Students

8860 Homebound Instruction

8860

Physically handicapped students, including those disabled temporarily by illness, operation, or accident authenticated by a physician's order, will be eligible for homebound instruction; however, all programs will meet the criterion of the least restrictive environment.

Students who are handicapped temporarily are encouraged to attend school if able. If the student is unable to attend school and is ineligible for homebound instruction, it shall be the responsibility of the student or parent(s)/guardian(s) to secure lesson assignments from each of the student's teachers in order to keep abreast of the student's schoolwork.

Approved: May 23, 2007
LEGAL REF: MCL 388.1709

Section 8000 – Students

8860-R Homebound Instruction

8860-R

Students who are injured and have difficulty walking or climbing stairs on a temporary basis may secure permission from the building Principal to be late to class.

Each such permit will expire Friday at 4 p.m. of each week and must be renewed at the beginning of school each Monday morning.

Students with injuries, which would prohibit normal participation in physical education, must present a physician's statement prohibiting such activity to the building Principal at the time the student re-enters school after sustaining his/her injury.

Staff members who have contact with students who are handicapped permanently may consult the student's cumulative records so that they will be able to focus on such student's strengths as well as weaknesses. (Cf. 8940 et seq.)

Section 8000 – Students

8890 Pregnant Students

8890

The Board advocates the right to continued public education for all pregnant students.

A pregnant student has the right to continued schooling in regular school classes. In the event an individual pregnant student desires to withdraw from school during pregnancy, the District alone or in conjunction with other community institutions will furnish her with such assistance as is possible to enable her to return to school on a full-time basis.

The rights of a pregnant student do not eliminate her responsibility for meeting the rules and standards of behavior established by the Board and do not exempt her from disciplinary measures imposed for breaking such rules.

Approved: May 23, 2007

LEGAL REF: MCL 380.1301; R 340.1121-1124

Section 8000 – Students

8890-R Pregnant Students

8890-R

Each pregnant student's case shall be handled on an individual basis by the school's staff in relation to full participation in school activities.

Pregnant students shall be allowed to participate in all phases of the school program unless their physician advises to the contrary or unless their behavior results in material and substantial disruption of the school program. If a student fails to produce a physician's statement covering participation in school activities, the administration may deny such participation in the best interests of the student.

In the event a pregnant student's child is born during the school year, the student will be re-admitted to regular classes and activities upon written consent of her physician.

Section 8000 – Students

8895 Married Students

8895

Students who marry shall have access to the same educational opportunities, special services, and considerations that are provided other students enrolled in the District.

Marital status shall not affect the rights and privileges of students to take part in any extracurricular activity offered by the school unless such participation is regulated by an agency outside the District.

The administration is authorized, in terms of the statements above, to make special arrangements for attendance, promotion, graduation, etc., for married students who wish to continue and complete their education in the schools of the District.

Approved: May 23, 2007

Section 8000 – Students

8895-R Married Students

8895-R

Married students shall be expected to conduct themselves in the same manner as other students, observing all policies and rules of the Board. They may, however, be classified as special students for attendance purposes, subject to mutual agreement.

All cases will be handled on an individual basis. Consideration will be shown by the administration so that the best possible arrangement regarding credits and graduation can be made.

Section 8000 – Students

8920 Foreign Exchange Students

8920

The Board recognizes that students can gain additional understanding of different cultures, viewpoints, and customs in a variety of environments through travel and exchange programs. Therefore, travel and exchange programs of an instructional nature will be individually approved, provided that these programs conform to the instructional objectives of the District. The District will cooperate with students who are interested in entering the foreign student exchange program.

Approved: May 23, 2007

LEGAL REF: OAG, 1985-1986, No 6316, p 151 (September 25, 1985)

Section 8000 – Students

8920-R Foreign Exchange Students

8920-R

The District may accept a maximum of five (5) students from other nations who come to the District from foreign exchange programs officially recognized by the Board. Exchange programs recognized by the Board are American Field Service; International Christian Youth Exchange; and Youth for Understanding.

Foreign exchange students shall not be charged tuition fees.

Foreign exchange students sponsored by groups other than those officially recognized by the Board may be accepted by special Board action.

Section 8000 – Students

8940 Student Records

8940

The educational interests of students require the collection, retention, and use of data about individuals and groups of students while ensuring individual rights of privacy. The school District will maintain educational records of students for legitimate educational purposes.

School student records are confidential and information from them shall not be released except as provided by law. The information contained in school student records shall be kept current, accurate, clear, and relevant. All student records, including those maintained in District electronic database(s), shall be safeguarded during collection, maintenance, and dissemination to protect against unauthorized access or accidental release. The District may release Directory information in accord with law, provided parent(s)/guardian(s) are given the opportunity to object to the release of this information.

Directory Information

The custodian of records may make certain Directory information available without parent(s)/guardian(s) or eligible student's consent if public notice of the categories of information designated as Directory information has been given. After such public notice has been given, the parent(s)/guardian(s) have the right to object to the release of the information within a specified reasonable time. Directory information for this District includes the following information about the student: The student's name, picture; major field of study; participation in recognized activities and sports and related information; grade placement; and honors and awards received.

As provided in PA 39, 2002 (MCL 380.1139) a school must provide armed forces recruiters and service academies with a student's name, address, and telephone number unless the parent(s)/guardian(s) specifically "opts out" of having that information given to military recruiters.

Pursuant to federal law, a form will be sent to parent(s)/guardian(s) that allow them to opt out of the disclosure of Directory information to the military recruiters, and that informs the recipients that failure to complete and return the form will result in the

Section 8000 – Students

8940 Student Records

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disclosure of the information to military recruiters. Pursuant to federal law, high school Principals may not exclude military recruiters from the school campus if they do not similarly exclude prospective employers or post-secondary institutions.

The District shall inform students and their parent(s)/guardian(s) annually and upon initial enrollment of their rights under law and Board policy with respect to student records, and of the procedures for exercising those rights. This notice shall be modified to accommodate the needs of the disabled or those whose dominant language is other than English.

The Superintendent shall insure that a copy of a student's school record, including disciplinary records of suspensions and expulsions, is transferred to any public or private school in which the student has enrolled within 30 days after receipt of the request, pursuant to federal law and state mandate. Notice shall be given to parent(s)/guardian(s) of this transfer procedure and that the student's record being transferred does include a record of any suspension or expulsion action against the student.

The Superintendent shall develop rules and procedures for implementing this policy and state and federal law with respect to student records. The Superintendent shall designate one or more records custodian(s) for each site and/or media in which student records are kept, and shall provide them with appropriate training. The District may charge an appropriate fee to cover the expense of providing copies of records requested by the parent(s)/guardian(s).

The District shall protect the rights of privacy of students and their families in connection with any surveys or data-gathering activities conducted, assisted, or authorized by the Board or Superintendent. Regulations established under this policy shall include provisions controlling the use, dissemination, and protection of such data.

If students are to be surveyed or monitored by researchers, parent(s)/guardian(s) shall be notified of the dates of the planned activities, given an opportunity to review the survey instruments, and given the opportunity to opt out.

Section 8000 – Students

8940 Student Records

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Annual notice will be given to parent(s)/guardian(s) of the administration of any health or physical screening, and given the opportunity to opt out.

Student names and addresses shall not be disclosed to businesses or organizations that plan to use the information for commercial purposes. Exceptions may be made where the purpose has been approved in advance by the Superintendent and where parent(s)/guardian(s) have given, in writing, express permission for this information to be disclosed.

Section 8000 – Students

8940 Student Records

8940-4

For the purposes of this policy, whenever a student has attained 18 years of age, or is attending an institution of post-secondary education, the consent required of and the rights accorded to the parent(s)/guardian(s) of the student shall only be required of and accorded to the student.

Approved: May 23, 2007

LEGAL REF: MCL 15.231 *et seq.*; 380.1134-1135; 380.1139; 20 USCA §1232g (Family Educational Rights and Privacy Act); 20 USCA § 7908 (No Child Left Behind Act); Michigan Department of Education Memo dated 4/6/04.

Section 8000 – Students

8940-R Student Records

8940-R

For the purposes of this rule, whenever a student has attained 18 years of age, or is attending an institution of post-secondary education, the consent required of and the rights accorded to the parent(s)/guardian(s) of the student shall only be required of and accorded to the student.

Custodians

Each building Principal shall designate one or more full-time staff members as student records custodian(s) for the school. The system or database administrator at each site is designated custodian for all student records maintained in an electronic database or other computer media. The Superintendent shall designate one or more full-time staff members as custodian for any student record information maintained at the District central office.

Each custodian will be trained in their duties by their immediate supervisor. Custodians shall become familiar with law, Board policy, and these rules with respect to student records. The custodian(s) should work closely with other staff members to ensure that all data maintained in student records is current, accurate, clear, and relevant.

Record Types

Student record files shall include, but shall not be limited to, the following: permanent, supplemental, and tentative record files.

Permanent records

This classification includes official administrative records that constitute data necessary for operating the educational system, which is of long-term value or importance. It includes basic identifying information, academic transcripts, attendance records, accident and health reports, withdrawal and re-entry records, honors and activities, date of graduation, follow-up records, and information pertaining to release of

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8940-R Student Records

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records, records concerning suspension and expulsion actions against the student, and other information deemed to be of permanent value by the District.

Supplementary records

This classification includes verified information that is important in operating the educational system but is of a more sensitive nature and of less historical importance. It includes: test scores on standardized achievement, aptitude and intelligence tests; observational data gathered from teachers; counselor evaluation and observations of social and personal assets; psychological reports; disciplinary information; special education files; health data; family background information; educational and vocational plans; and other information determined by the administration to be appropriate for this category.

Tentative records

This classification includes useful information that has not been verified or is not clearly needed beyond the immediate present. It includes unevaluated reports of teachers or counselors that may be needed in ongoing counseling or disciplinary actions and student electronic mail.

Storage

The custodian is responsible for ensuring that the records under his/her care are stored in such a fashion as to protect them from harm and unauthorized alteration or access. Physical records should generally be kept in a storage area, which is well supervised and lockable; electronic records should be protected by regular back up and password or encryption security of good integrity.

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Data Gathering

Only the school Superintendent with respect to an individual school, and the Superintendent or Board with respect to the District, may authorize the collection of survey or other data pertaining to students or their families. The administrator shall confirm that the data collection will be in accord with law and Board policy prior to authorizing it. At the time of authorization, the administrator is to see to it that safeguards are in place to ensure the confidentiality and security of the information gathered, including appropriate training of the persons who will be collecting or handling the data.

Survey instruments and procedures shall be made available for inspection prior to use, and notice of the planned activity and an opportunity to opt out shall be granted.

Missing Student

When law enforcement officials have notified the District that a student has been reported missing, the building Principal shall tag this in an obvious way on that student's records. The tag shall remain until notified by law enforcement that the tag should be canceled, or until the student's eighteenth birthday. If a request had been received for a tagged student's records, the custodian shall not comply with the request but shall immediately notify the law enforcement agency.

Inspection and Copying of Records

Each school shall establish appropriate procedures for the granting of a request by the parent(s)/guardian(s) for access to their child's records within a reasonable period of time, but in no case more than 45 school days after the request has been made. Where such records or data include information on more than one student, the parent(s)/guardian(s) of any student shall be entitled to receive, or to be informed of, that part of such record as pertains to their child.

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A school official competent in interpreting student records shall be present to explain the meaning and implications of the records that are examined.

In situations where the parents/guardians of a student are divorced or separated, each parent/guardian, custodial and/or non-custodial, has equal rights to their student's records unless a court order specifies otherwise. The District's personnel shall not recognize private agreements between the student's parents/guardians.

Copies of student record(s) will be made for the parent(s)/guardian(s) upon request. Copying fees shall be charged only when multiple copies are requested in a limited period, and shall be assessed according to the procedures established for FOIA requests.

Requesting Amendments

Parent(s)/Guardian(s) may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of a student's right to privacy by writing the school Principal or records custodian, identifying the part of the record they want changed, and specifying the reason(s) for the request. The competent school or District administrator shall make a determination on the request in a timely fashion and shall reply in writing to the parent(s)/guardian(s) detailing the actions taken. If the decision is to deny the request, the parent(s)/guardian(s) shall be provided with the information and procedures to request a hearing regarding their request for amendment.

When a hearing has been requested by the parent(s)/guardian(s) for challenging the content of the student's education record, the procedure to be followed in the hearing shall include the following:

- The hearing shall be conducted and the decision rendered by a person who does not have a direct interest in the hearing outcome,
- The parent(s)/guardian(s) of the student shall be given notice of the date, place and time of the hearing within a reasonable time in advance of the hearing,

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- The parent(s)/guardian(s) may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney,
- The parent(s)/guardian(s) shall be afforded a full and fair opportunity to present relevant evidence,
- The decision shall be rendered in writing within a reasonable time after the hearing concludes, and
- The decision of the school shall be based solely upon the evidence presented at the hearing and include a summary of the evidence and the reasons for the decision.

If the decision of the school following the hearing is to deny the request, the parent(s)/guardian(s) shall be afforded an opportunity to place a statement in the record commenting on the contested information or disagreement with the school. This statement shall be attached to the record in question and copied or disclosed along with the record for as long as the record is maintained.

Disclosure without Consent

The custodian of records may disclose information contained in those records without the consent of the student's parent(s)/guardian(s) to the following persons or entities, on the condition that they agree not to disclose the information to any other party without the written consent of the parent(s)/guardian(s):

- Other school officials, including teachers within the District who have legitimate educational interests,
- Officials of other schools or school systems in which the student intends to enroll, [Note: this requires parent(s)/guardian(s) notification in each instance unless stated as a practice in the annual notification to parent(s)/guardian(s) of their rights]
- The Comptroller General of the United States, the Secretary of Education, or state and local educational authorities,
- Authorized persons to whom a student has applied for or from whom a student has received financial aid,

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- Organizations conducting studies for or on behalf of educational agencies or institutions,
- Accrediting organizations,
- In compliance with a judicial order or subpoena, provided the custodian makes a reasonable effort to notify the parent(s)/guardian(s) prior to complying so that they may seek protective action. Notification will not be made to the parent(s)/guardian(s), however, if the court or agency issuing the subpoena orders that the subpoena not be disclosed,
- In the absence of a court order or subpoena, to a court if the District initiates legal action against the parent(s)/guardian(s) or student and the records of the student are relevant for the District to proceed with the legal action, or if the parent(s)/guardian(s) or student initiates legal action against the District and the student's records are relevant for the District to defend itself, and
- Appropriate persons if knowledge of the information is necessary to protect the health or safety of the student or other persons in an emergency. The custodian of the records shall take the following factors into consideration in deciding whether the information should be released: the seriousness of the emergency; whether the information is needed to meet the emergency; whether the persons to whom the information will be released are in a position to deal with the emergency; and whether time is of the essence in dealing with the emergency.

Except for local school officials, all persons, agencies, or organizations requesting or accessing the records of a student shall be recorded on a form (including electronic forms) kept permanently along with the student's records if the request or access involved any information, which personally identified the student, except for subpoenas, which prohibit disclosure. The form must identify the requesting party, the legitimate interest the party had in making the request, the information released or made accessible, the date

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the request and/or release was made, and the name of the custodian who handled the request.

Statistical data from student records may be disclosed without consent of the parent(s)/guardian(s) for research, statistical summary, or planning purposes if the information released cannot be used to identify an individual student. The custodian shall exercise care in this regard; as statistically small populations within the District may be identifiable through seemingly innocuous data, (Ex. Race and gender of a student may be sufficient to identify an individual in a District with a low minority population).

Disclosure with Written Consent

The custodian may disclose information in a student's records or provide access to the records following written instructions signed and dated by the parent(s)/guardian(s) of the student specifying the records, the reasons, and the person(s) to whom the release is to be made.²⁵ A copy of the parent(s)/guardian(s) instructions shall be kept along with the record.

Whenever the District requests the consent to release certain records, the custodian shall inform the parent(s)/guardian(s) of the right to limit such consent to specific portions of information in the records.

Disposition of Records

The school shall maintain permanent records for an indefinite period. When the student graduates, supplementary records shall be destroyed or shall be transferred to the permanent record if they have permanent usefulness. Tentative records shall be destroyed when the use for which they were collected is ended.

²⁵ Per 34 CFR part 99, "signed and dated written consent" may include a record and signature in electronic form that (1) identifies and authenticates a particular person as the source of the electronic consent; and (2) indicates such person's approval of the information contained in the electronic consent." Per the Standards for Electronic Signatures in Electronic Student Loan Transactions, an electronic signature may include "a shared secret, such as (a) a personal identification number (PIN) or password; (b) a unique credential or token; (c) a computer file or number that corresponds to a biometric measurement uniquely associated with the borrower, such as a fingerprint or retinal pattern; (d) a signature image (a computer file that is created from the scanned image of the borrower's handwritten signature); or (e) a typed name, combined with (a), (b), (c), or (d)."

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However, tentative records may be placed in the supplementary classification if the continuing usefulness of the information is demonstrated and its validity verified.

To eliminate unnecessary or outdated information, the official custodian shall review a student's records when the student moves from elementary to a middle school or junior high, from a middle school or junior high to high school and upon high school graduation.

Custodial Discretion in Exceptional Circumstances

If the custodian of student records has special information that would indicate granting or denying access to student records in accordance with these rules would be harmful to the student, he/she may exercise discretion in granting or denying access in a manner other than provided herein.

Student Disciplinary Records

Pursuant to the directive of the Michigan Department of Education of 4/6/04, disciplinary records that concern suspension or expulsion action against the student shall be considered to be a part of the "student's record" and shall be transferred to any private or public school in which the student has enrolled within 30 days after the receipt of the request from a public or private school for the student's record.

Notification

Each school within the District shall disseminate to each student and family at least annually the following statement of rights. Parent(s)/Guardian(s) who are non-native speakers of English shall be provided a translation or otherwise contacted to inform them of these rights.

Disposition

Annual notice shall be given to parent(s)/guardian(s) and eligible students concerning the student's records. In addition, the custodian of the educational records shall give annual public notice of the class of records the institution has designated as

Directory information. The appropriate forms for said notices are on file in the office of the custodian of the educational records.

STUDENT AND FAMILY RIGHTS CONCERNING SCHOOL RECORDS

The Family Educational Rights and Privacy Act (FERPA) afford parent(s)/guardian(s) and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

1. The right to inspect and copy the student’s education records within 45 school days of the day the District receives a request for access.
 - a. Parent(s)/Guardian(s) or students should submit to the school custodian of student records a written request that identifies the record(s) they wish to inspect.
 - b. The custodian will arrange for access and notify the parent(s)/guardian(s) or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading or an invasion of privacy.
 - a. Parent(s)/Guardian(s) or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or an invasion of privacy. They should write the school Principal or records custodian, clearly identify the part of the record they want changed, and specify the reason.
 - b. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student’s school student records are forwarded to another school to which the student is transferring.

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- c. If the District decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the decision and advise him/her of their right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.
3. The right to permit disclosure of personally identifiable information contained in the student’s education records, except to the extent that the FERPA or Michigan law authorizes disclosure without consent.
4. The right to be informed that, pursuant to federal law and state mandate, records of suspension or expulsion action against the student are considered to be a part of the “student record” and the District is required to transfer those records pertaining to suspension or expulsion to any public or private school in which the student has enrolled within 30 days of the date of the request from the other school.
5. The right to be informed that disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or the parent(s)/guardian(s) or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her

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professional responsibility. The right to know that, upon request, the District discloses education records, including records of suspension or expulsion action against the student, without consent to officials of another school District in which a student has enrolled or intends to enroll as well as to person(s) specifically required or allowed by State or federal law.

6. The right to know that disclosure is also permitted without consent to: any person for research, statistical reporting, or planning, if no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.
7. The right to prohibit the release of Directory information concerning the parent(s)/guardian(s) child.

Throughout the school year, the District may release Directory information regarding students, limited to:

- Name,
- Picture,
- Grade level,
- Academic awards, degrees and honors,
- Information in relation to school sponsored activities, organizations and athletics, and
- Major field of study

Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building Principal within 30 days of the date of this notice. No Directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student are specifically informed otherwise.

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9. The right to prohibit the release of Directory information concerning the parent(s)/ guardian(s) child to Armed Forces recruiting personnel.

Student information to be released to the Armed Forces is to include:

- Name,
 - Address, and
 - Telephone number.
10. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
Washington DC 20202-4605

Student Directory Information Notification

Date

Dear Parent/Guardian/Eligible Student,

This letter informs you of your right to withhold release of student directory information.

Approved student directory information can include student name and address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photographs or video taped images of the student for press coverage or District promotional purposes, and the most recent educational institution attended by the student.

If you do not want any or part of the above student directory information released, please indicate below the information you want withheld from any District publications, television advertising, sports programs, yearbooks, or the like and sign, and return this form to the school before September 30. If you do not object to release of the above student directory information, there is no need to return this letter.

I wish the following student directory information withheld from any District publications:

Withhold ALL directory information for my child.

OR, Please withhold only those items listed below:

- 1. _____ 2. _____ 3. _____
- 4. _____ 5. _____ 6. _____
- 7. _____ 8. _____ 9. _____

Signature of Parent/Guardian/Eligible
Student if over 18 years of age

Date

Section 8000 – Students

8990 Student Fees, Fines, Charges and Deposits (Cf. 8040)

8990

Fees and Charges

Building Principals or designated representatives shall be authorized to collect fees authorized by the Board.

Fines

No fines shall be imposed upon any student provided, however, that school property lost, damaged, or destroyed by a student shall be paid for by such student in accordance with rules and regulations prescribed by the Superintendent.

Deposits

The Board authorizes the Superintendent to charge reasonable deposits on the use of District textbooks or other District instructional materials distributed to students as part of a class or instructional program. Any deposits shall be returned, in full, to the student/parent/guardian upon termination of the use of the textbook or other materials if said items are returned in good and usable condition. The Superintendent and administrative staff shall promulgate appropriate administrative rules and procedures for the handling of and accounting for deposits.

The Superintendent is authorized to reduce or waive any requirements for deposits in proven cases of indigence.

Approved: May 23, 2007

LEGAL REF: MCL 380.1332; 380.1422; R 340.241-243;

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8990-R Student Fees, Fines, Charges and Deposits

8990-R

Fees and Charges

At the time of enrollment of classes at the beginning of each school year, the Superintendent will distribute a fee schedule approved by the Board to all building Principals and other school personnel designated by him/her as being authorized to charge and collect certain fees. Such fee schedule shall include:

- A detailed list of all items for which a charge is to be collected;
- The amount of such charges;
- The date due;
- Classifications of students exempt from the fee or charge;
- A system for accounting for and disposing of such fees; and
- An appeal procedure to be used by students or parent(s)/guardian(s) to claim exemption from paying the fees or charges.

Fines

Building Principals shall attempt to collect the justifiable value of school property lost, damaged, or destroyed by a student. If, after the attempt to collect, such amount remains unpaid, the Principal shall report the matter to the Superintendent who shall consult with the school Board's attorney, and they shall jointly recommend a course of action to the Board.

Deposits

Prior to distribution of textbooks to students, a deposit shall be made by the student/parent(s)/guardian(s), if requested by the District, in an amount not to exceed the established value of the textbook.

Students will be charged for loss or damage to a textbook. Teachers and/or aides are to keep a record of all books issued and report charges for loss or damage to the Principal's office at the end of the school year or semester when the textbook is to be returned.

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8990-R Student Fees, Fines, Charges and Deposits

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Reduction or Waiver of Deposits

If the parent(s)/guardian(s) claim, in writing, that the financial condition of the family is such that the family cannot afford to pay deposits for textbooks or other school materials as requested, the Superintendent may reduce or waive the deposit. Eligibility for deposits to be reduced by fifty percent (50%) will be based on the same criteria as used for receiving free or reduced price meals. Under special circumstances, the deposit may be waived entirely based on special hardship information to support the request.

If the deposit is not paid, and no approval is on file for reduction or waiver of the deposit, and if the textbook or other material has been distributed to the student, the District may take appropriate legal action to secure immediate return of the textbook or other materials.

Upon graduation or withdrawal from the District, the textbook deposit will be refunded by check to the parent/guardian/student.