



Book Policy Manual

Section Board Review Spring 2021

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Code 1 - OVERVIEW

Status



POLICY UPDATE SERVICE

PROVIDED BY NEOLA, INC.

Local Policy Update

VOLUME 35 NUMBER 1

AUGUST 2020

MASB Policy Services Provided by Neola

Effective policies are at the core of successful school district governance. Maintaining policies that reflect both local oversight and ever-changing State and Federal laws is an enormous task. School board members can rely on the MASB-Neola Partnership to keep their policy manuals up-to-date. Under this partnership, Neola provides comprehensive policy services for MASB members on behalf of MASB. Working together, MASB and Neola produce uniform school policies and guidelines to better serve all Michigan school districts.

Policy Development and Updating

Neola, with assistance from MASB, if and when needed, will work with the board, administrators, and committee(s) to develop a comprehensive policy manual that suits your district's needs. Each manual is based on templates that have been thoughtfully prepared, then vetted by Neola's outside counsel and MASB's legal counsel. These templates are customized to the district's unique circumstances through choices made by the board and administrative team. The bylaws, policies, and administrative rules/regulations are a unique collection assembled by educators and attorneys. The end result will be a policy manual that's in line with the law and court decisions containing legal citations, footnoted reference material, and will be searchable by keyword or phrase.

OVERVIEW AND COMMENTS

All production-related materials and questions should be directed to the Coshocton Office at 632 Main Street, Coshocton, Ohio 43812 (phone 800-407-5815, fax 740-622-2557). Billing questions should be directed to the Stow Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone 330-926-0514, fax 330-926-0525).

Please do not retype Neola materials before returning them for processing. We prefer to have the original materials returned after you have marked them indicating which changes and additions you choose to have/not have for your District. If a District chooses not to adopt a policy or an administrative guideline, the District is still obligated to follow applicable Federal and State laws relating to that section.

The proposed new, revised, and replacement policies, administrative guidelines, and forms included in this update have been thoughtfully prepared and reviewed by Neola's legal counsel for statutory compliance. If you make changes or substitute in its entirety policies or other materials of your own drafting, those materials should be reviewed by your legal counsel to verify compliance. Neola does not review district-specific edits to update materials or District-specific policies for statutory compliance.

If a policy or guideline is marked as a revision, the changes have been marked in bold (to add material) and crossed out (to delete material). As you review a revised policy or guideline, you may choose to accept one, many, or all of the changes provided. If a policy or guideline is marked as a replacement, that means there have been enough changes made that justify a complete, clean replacement copy. As you review a replacement policy or guideline, you should also check the materials you have in your current policy or guideline to see if there is some specific wording you want to be included in the replacement policy. If so, any wording from the current policy should be added using "Track Changes" or the editing tools in the BoardDocs platform in the replacement policy or guideline before returning it electronically to the Coshocton office for processing.

If the District alters language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute District-specific edits.

Policies that are to be deleted from the policy manual require Board action to rescind the policy.

Your Neola Associate will contact you in the near future to schedule an appointment to review this update and to assist you in staying current on this and previous updates.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Neola Operations

Neola's office operations continue to be active during the phased-in approach to reopen businesses. While some business and processing operations have continued from home or remote locations, essential business activities have returned to Neola offices. Regular telephone access is available Monday through Friday between the hours of 8:00 AM and 1:00 PM. Email and voicemail access will continue throughout the day, and telephone access may be available beyond the hours indicated.

As the Update "season" gets underway, Neola recommends the following options for accessing comprehensive policy services through your Neola Associate:

- A. Keep or schedule an appointment date/time to review the update or policy templates in a telephone conference.
- B. Keep or schedule an appointment date/time to review the update or policy templates via virtual meeting, such as Google Meeting or other electronic options.
- C. Schedule/reschedule update or drafting visits for a later time.

Your Neola associate will be in contact with you soon to discuss these options with you.

Processing Update Materials

If you will be making changes to these Update documents electronically, use "Track Changes" or editing tool in the BoardDocs platform to mark the Neola materials indicating which of the proposed revisions and additions you choose to include or not include for your District, or to make additional edits, before returning them electronically for processing. Be sure to leave the "track changes" and marked up version as the one you submit to the production office in Coshocton, Ohio.

District-Specific Material

If the District chooses, during any step of the Update process, to incorporate District-specific material into a new policy or guideline that has been proposed or to insert District-specific material into a current policy or guideline for which revisions have been proposed in an update issued by Neola, then the District agrees to hold Neola harmless for those District-specific edits and acknowledges that Neola's warranty for legal challenges to that District-specific language in that policy or guideline will not be in effect. In addition, Neola retains ownership of the text from the original policy template that remains in a policy to which District-specific material has been added. District-specific materials include the following:

- A. Materials from the District's existing materials that the District requests be incorporated during the drafting process;
- B. New materials that the District develops in their entirety and exclusive of Neola; and

C. Revisions or deletions that substantively depart from Neola's templates.

Further, Neola does not recommend the use or incorporation of District-specific materials. Neola will, at the request of the District, incorporate District-specific materials into the licensed materials, with the implicit understanding that the District bears all risks associated with the District's decision to request that such District-specific materials be incorporated. Neola reserves the right to, but is not obligated to, advise the District to seek its own legal review of District-specific materials.

Notice Regarding Legal Accuracy

Neola is vigilant in providing policy language to clients that has been vetted for legal accuracy by outside legal counsel. Should questions arise as to the legal compliance or accuracy of Neola materials, it is our expectation that Neola's counsel would have the opportunity to assist in the resolution of such a claim. Please notify the Neola corporate office if an issue arises in which such a review or assistance is necessary.

Policies in this update have been reviewed by Varnum, LLP (Grand Rapids, MI) for consistency with Federal and State law.

Resource Materials

Included with this update are 3 resources provided in response to several client requests for identifying information and research-based practices to promote a gender-inclusive school environment. These include:

- A. ACLU Memo - Developments in Federal and State of Michigan Law Impacting LGBTQ Students.
- B. Resources for School Policy-Makers.
- C. Policy Checklist for Internal Review

SAMPLE RESOLUTION

Included with this update is a sample resolution:

Resolution to Grant Emergency Powers to the Superintendent During the 2020-2021 School Year BYLAWS AND POLICIES

Policy 4362.01 - Threatening Behavior Toward Staff Members (Revised)

The corresponding policy (Policy 3362.01) for instructional staff was revised in the Volume 34 Number 2 Update in February 2020 in response to client requests to provide more clarity to the characterization of "threatening behavior".

This revision is recommended for adoption.

Policy 5610 - Removal, Suspension, Expulsion, and Permanent Exclusion of Students (Revised)

Policy 5611 - Due Process Rights (Revised)

Revisions to these 2 policies provide for the use of the "Preponderance of Evidence" standard of evidence in determination of student discipline. This standard is consistent with the standard of evidence that has been applied in the Nondiscrimination and Anti-Harassment policies in effect. In addition "Retention of Investigatory Records" has been added to both policies.

These revisions are recommended for adoption.

Policy 7440 - Facility Security (Revised)

This policy has been revised in response to Public Act 2020-45 (effective June 1, 2020), which authorizes the Superintendent to install temporary door locking devices when deemed necessary. The law requires notification and approval of local fire department and law enforcement agencies, as well as the training of staff working in the building where such devices are used.

This optional language should be adopted if such a device or system is to be used.

NOT ADOPTED

Policy 8450.01 - Protective Facial Coverings During Pandemic/Epidemic (New)

This new policy is provided in response to client requests. It is based on guidance from the Center for Disease Control and Prevention (CDC). The guidance and content of this policy may be included in the District's Restart/Reopening plan for the 2020-21 school year. The policy provides coverage for students, district employees, and volunteers/visitors.

This new policy is provided for district consideration.

NOT ADOPTED

ADMINISTRATIVE GUIDELINES

AG 7420F - Hand Washing Protocol (NEW)

This new guideline is provided in response to client requests for a guideline on Hand Washing to address hygiene and sanitizing issues related to the return to school.

COMMENTS

Reviewing Board Minutes

A feature of your subscription to the Update Service is the review of your District's Board minutes to identify actions that result in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the District will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.