

Regular School Board Meeting

Monday, November 11, 2024 5:30 PM

High School Media Center, 420 Ypsilanti St., Dundee, MI 48131

I. Board President's Statement to the Public:
"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the 'Public Comment' portion of the meeting"

II. Pledge of Allegiance

III. Attendance

IV. Rehmann Audit Review

V. Administration Reports

VI. Informational Items

VI.A. Finances

VI.B. Debit Card Purchases

VII. Agenda

VIII. Consent Agenda

IX. Public Comment:
The purpose of public comment is to provide an opportunity for a member of the public to speak. The role of the board is to listen attentively and members of the Board will not be responding at this time. The presiding officer will refer questions to the Superintendent for research and response, if necessary. If you would like a response from the Superintendent or designee, you must provide contact information on the Public Comment Sign-In Sheet. We thank you in advance for sharing your thoughts and ideas.

» All members of the public that speak during "Public Comment" will need to state their name.

» We have designated up to 5 minutes per person.

No member of the public shall distribute materials at the meeting without prior approval. Please contact the Superintendent's office if you have any additional questions.

X. New Business

X.A. 2023-2024 Audit

X.B. 2015 Bond Refinancing

X.C. Athletic Game Manager Stipend

X.D. Personnel

X.D.1. New Hires

X.D.2. Resignations

X.E. Board Policy Updates - First Reading - Vol. 38,
No. 2 (Policy 1240, 2414, 2418, 3220, 6320, 6321,
6350, 6520, 8390, 8800); Vol. 39, No. 1 EDGAR
UGG (Policy # 1130, 3110, 4110, 6110,
6111, 6112, 6114, 6325, 6550, 7310, 7450), Vol.
39, No. 1 Update (Policy # 3120.08, 5330.02,
5340, 5500, 7440.03, 7540.09, 8321),

X.F. School Resource Officers Agreement with Village
of Dundee

XI. Superintendent

XII. Board Comments

**XIII. Closed Session for the purpose of the
Superintendent's Evaluation**

XIV. Return to Open Session

XV. Adjournment

Dundee Community Schools

June 30, 2024



Rehmann
EMPOWER YOUR PURPOSE®

Our Agenda for Today



Team Members



Questions



Board Communications



Financial Results



**Upcoming Accounting
Pronouncements**

Meet the People on Your Team

3



Daniel Clark, CPA

Signing Principal

Not Pictured

Gen Mojares, CPA

Senior Manager



Dan Merritt, CPA

Senior Manager

Not Pictured

Brendan Byrns

In-Charge

Not Pictured

Sam Samah

Supervisor

Board Communications

4

- 1** An unmodified opinion was given on the 6/30/2024 financial statements
- 2** One new accounting pronouncement was adopted in FY24 – GASB100 Accounting Changes
- 3** Accounting estimates by management were assessed and deemed reasonable
- 4** No difficulties were encountered during the audit
- 5** No material misstatements were noted. Passed immaterial adjustments were noted
- 6** A material weakness and two significant deficiencies were noted. No other matters were noted

Single Audit

5

1

An unmodified opinion was given on the 6/30/2024 schedule of expenditures of federal awards (SEFA) totaling \$917,000.

2

Report issued on internal controls over financial reporting with two findings noted

3

Report issued on compliance of the major program (Child Nutrition Cluster – ALN 10.553/555/559) with one finding noted

Assets and Deferred Outflows

6

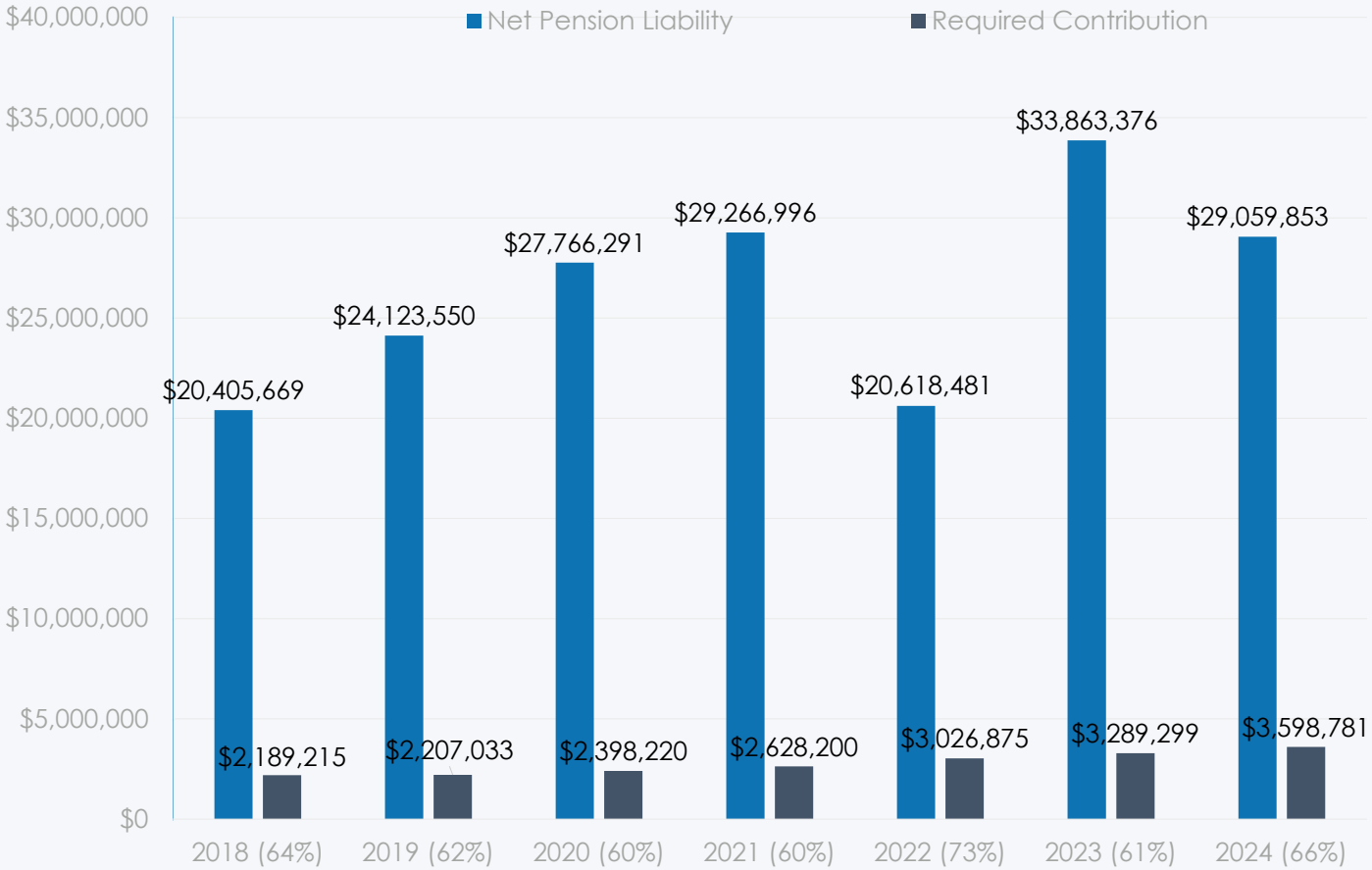
	6/30/2024	6/30/2023	Variance
Cash and investments	\$18,704,000	\$28,532,000	(\$9,828,000)
Receivables	\$3,605,000	\$3,610,000	(\$5,000)
Other assets	\$127,000	\$19,000	\$108,000
Net capital asset	\$51,247,000	\$40,040,000	\$11,207,000
Deferred outflows – refunding	\$441,000	\$514,000	(\$73,000)
Deferred outflows – pension	\$8,932,000	\$11,401,000	(\$2,469,000)
Deferred outflows - OPEB	\$1,993,000	\$2,838,000	(\$845,000)
Total	\$85,049,000	\$86,954,000	(\$1,905,000)

Liabilities and Deferred Inflows

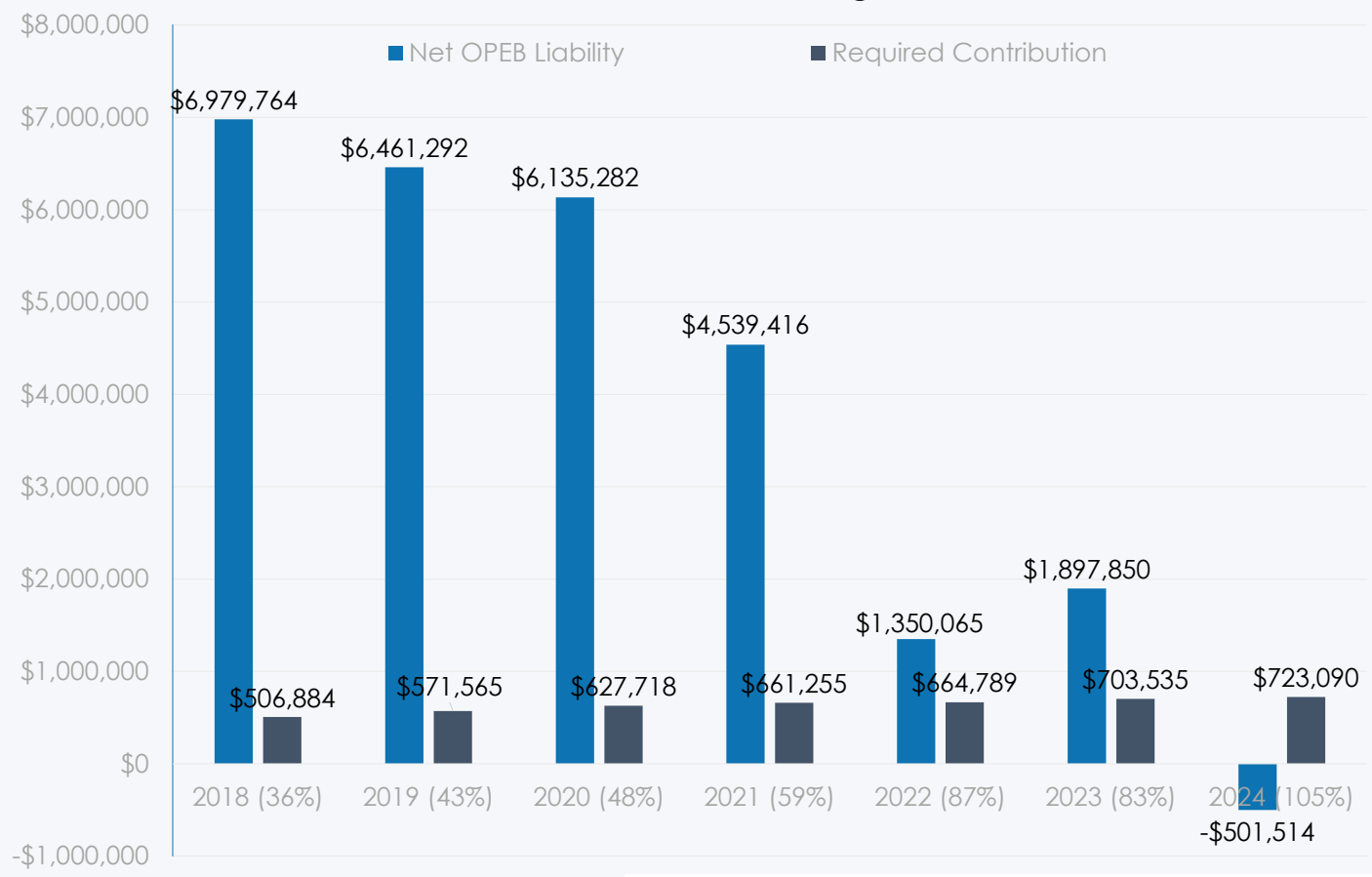
7

	6/30/2024	6/30/2023	Variance
AP and accrued liabilities	\$5,387,000	\$4,742,000	\$645,000
State aid note payable	\$549,000	\$1,500,000	(\$951,000)
Unearned revenue	\$1,308,000	\$873,000	\$435,000
Long-term debt	\$39,044,000	\$41,633,000	(\$2,589,000)
Net pension liability	\$29,060,000	\$33,863,000	(\$4,803,000)
Net OPEB liability (asset)	(\$502,000)	\$1,898,000	(\$2,400,000)
Deferred inflows - pension	\$3,035,000	\$94,000	\$2,941,000
Deferred inflows - OPEB	\$4,006,000	\$3,891,000	\$115,000
Total	\$81,887,000	\$88,494,000	(\$6,607,000)

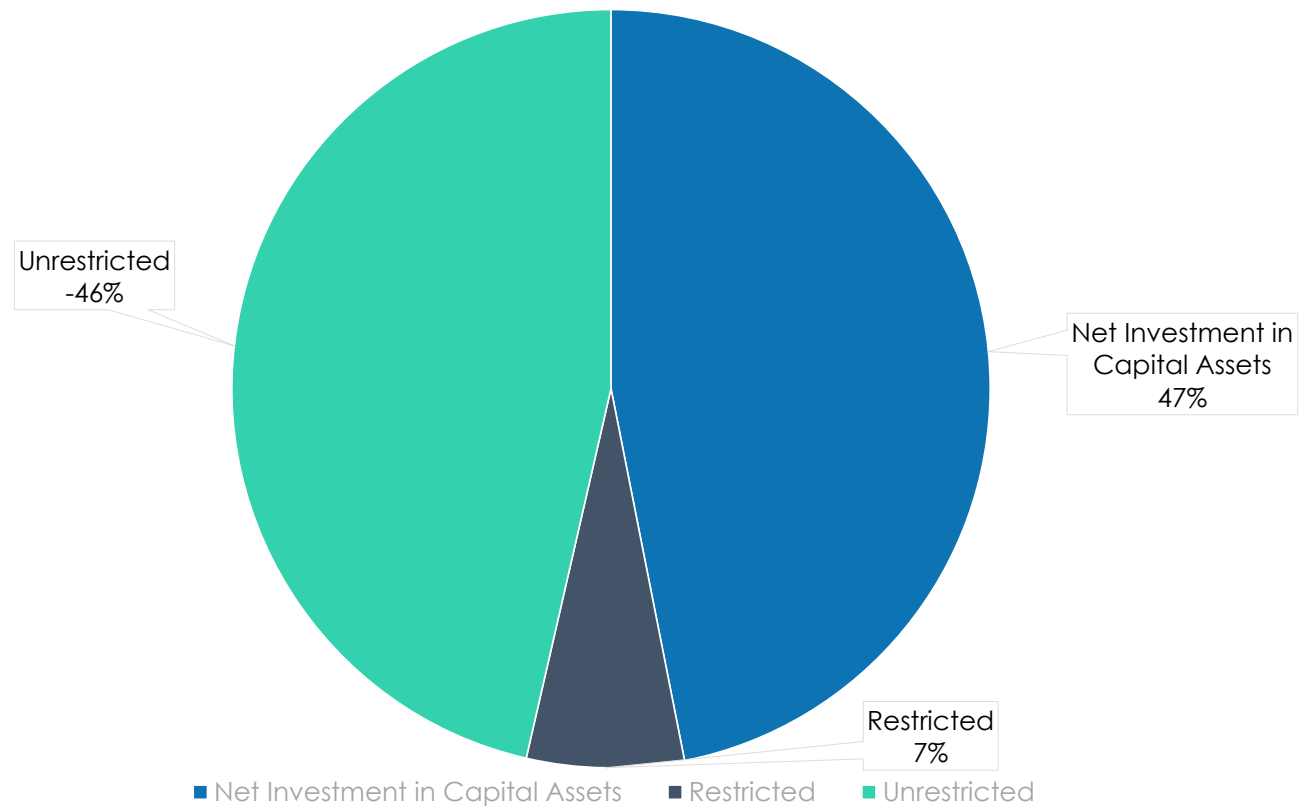
Pension Liability



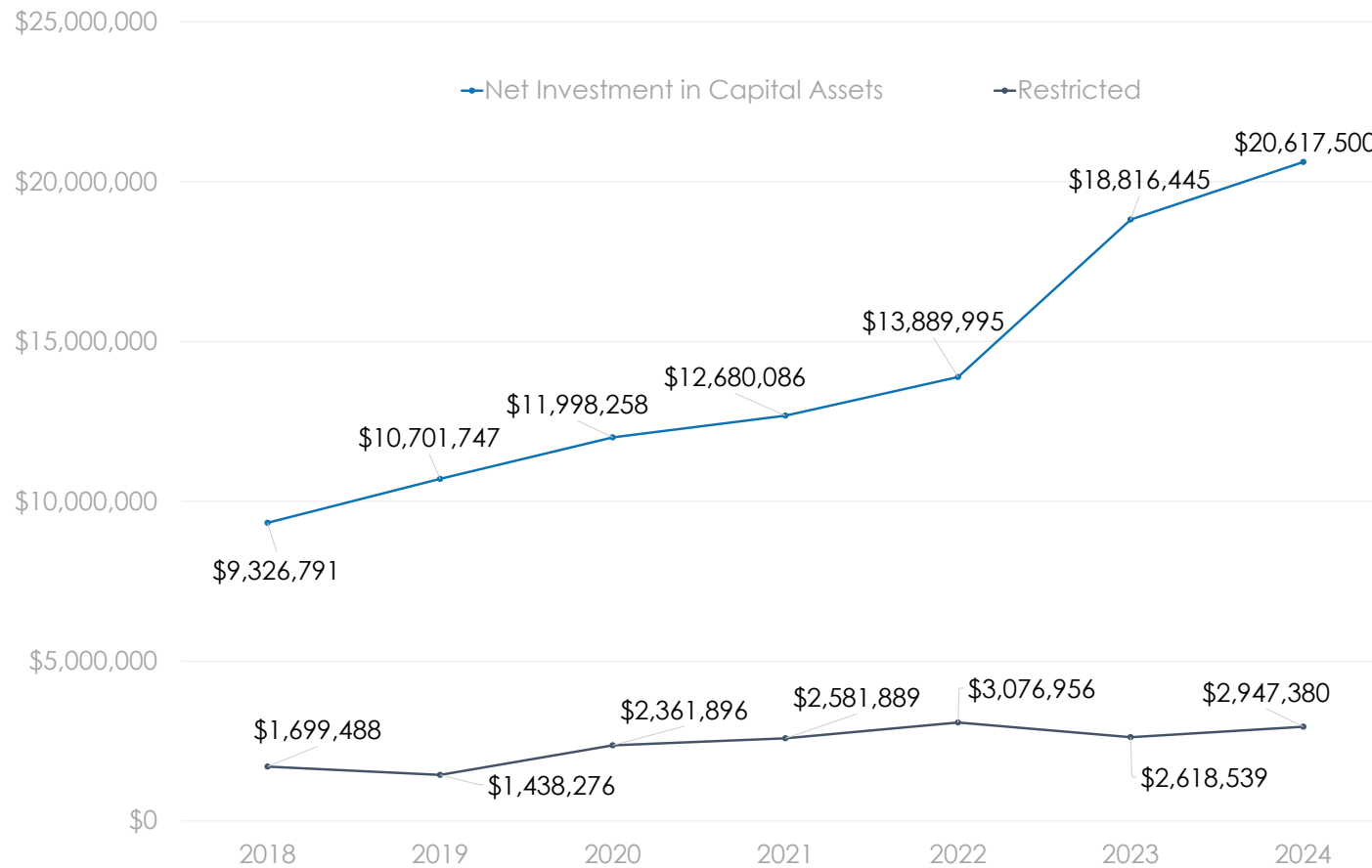
OPEB Liability



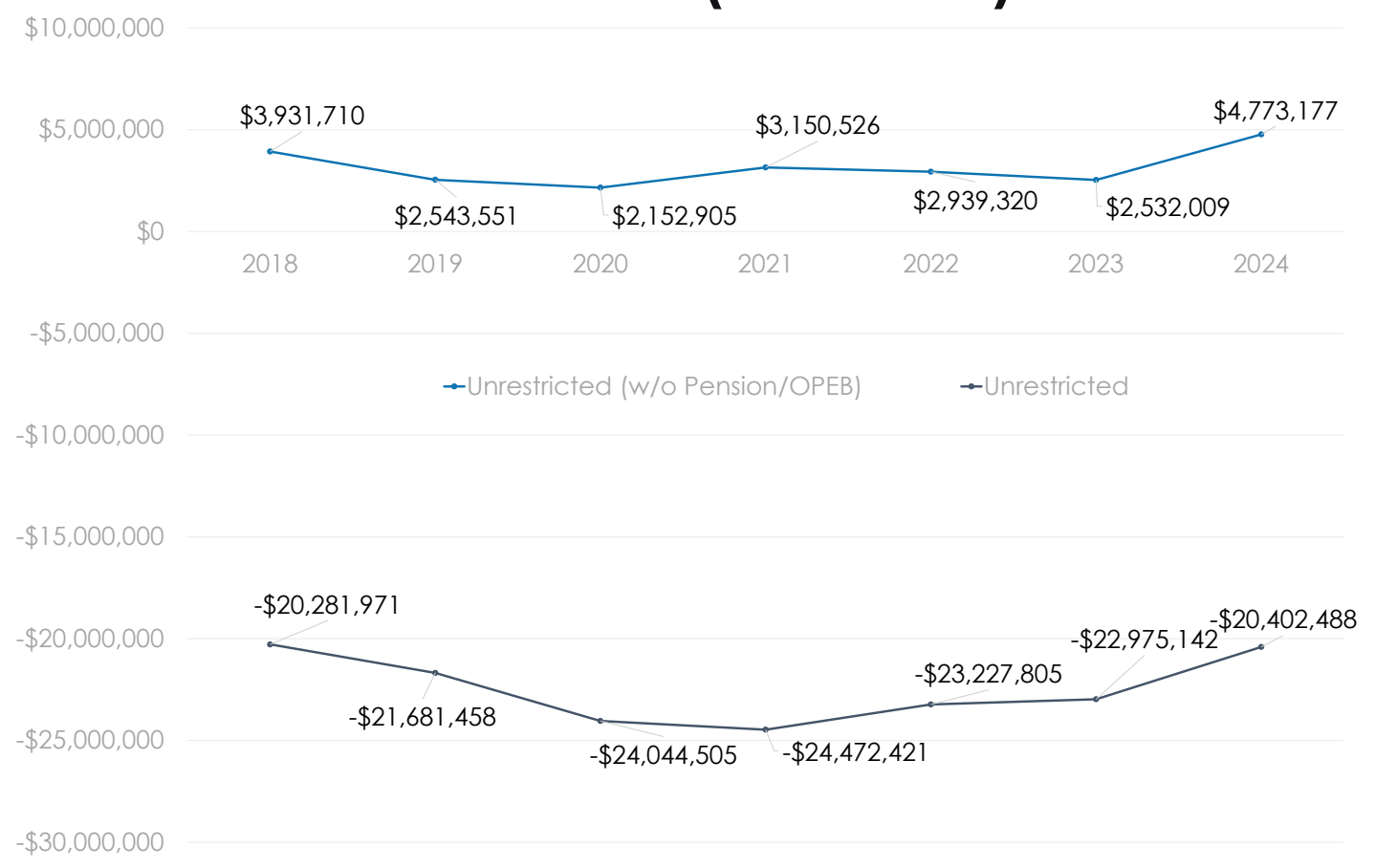
Net Position



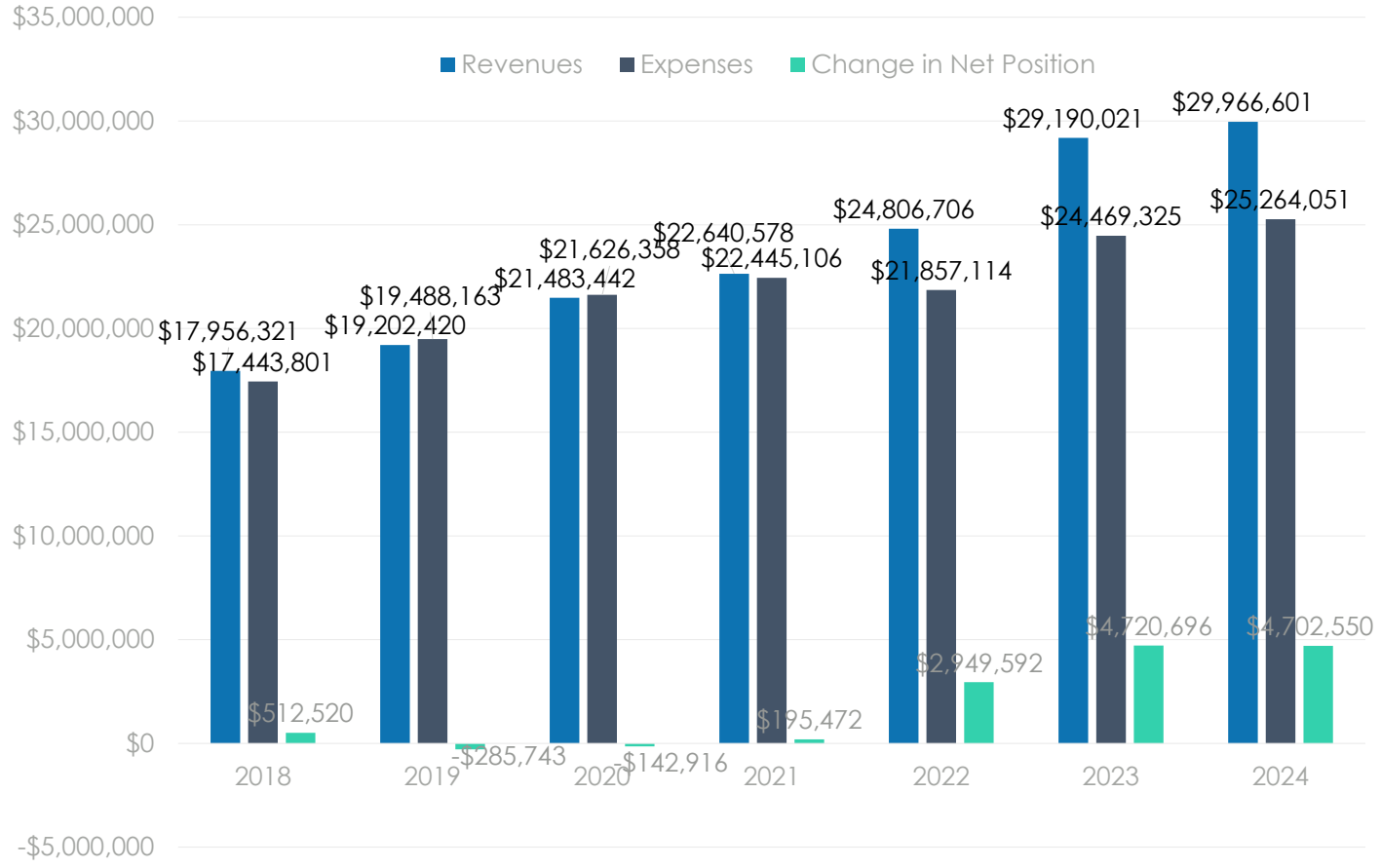
Net Position



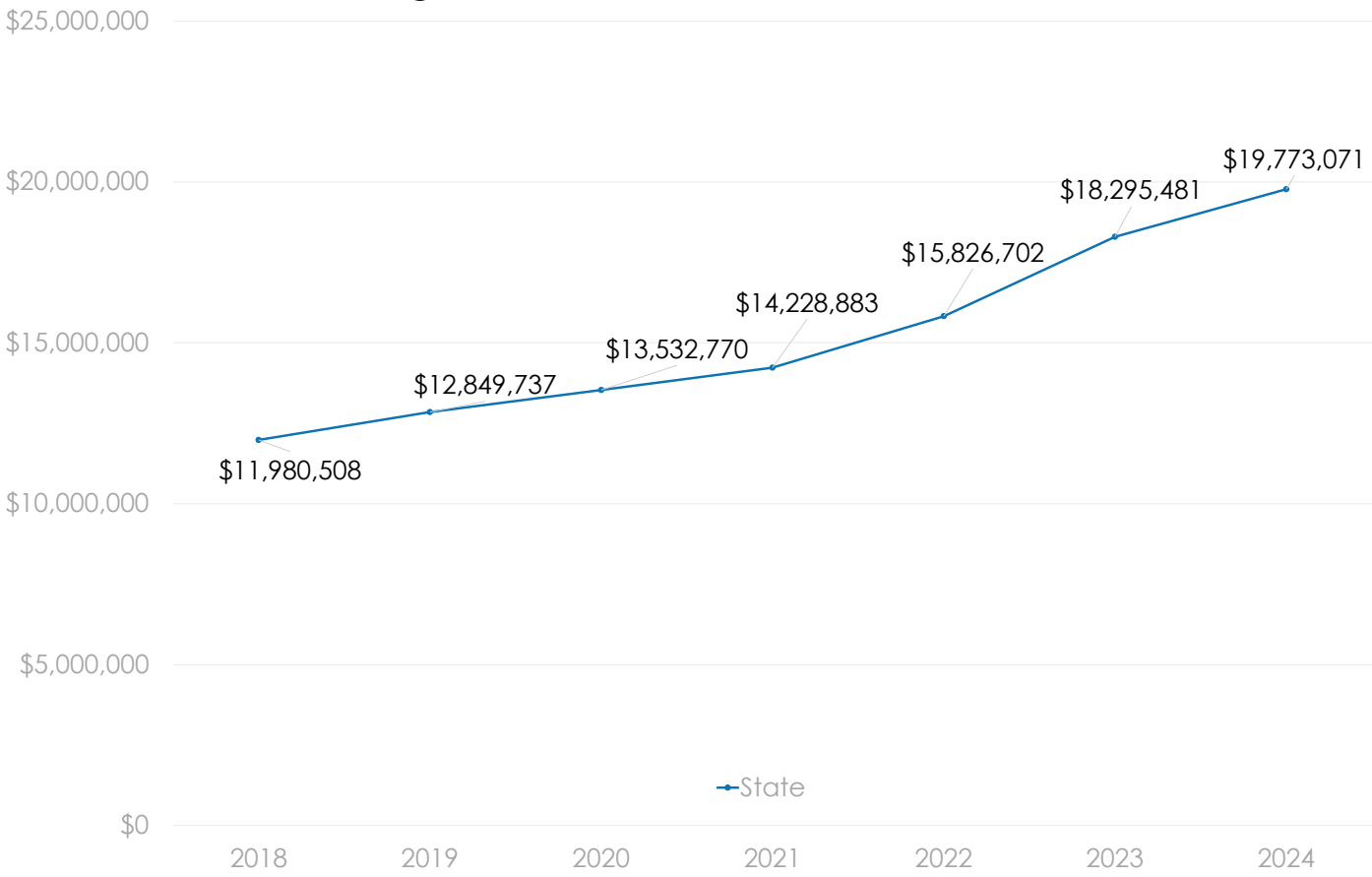
Net Position (continued)



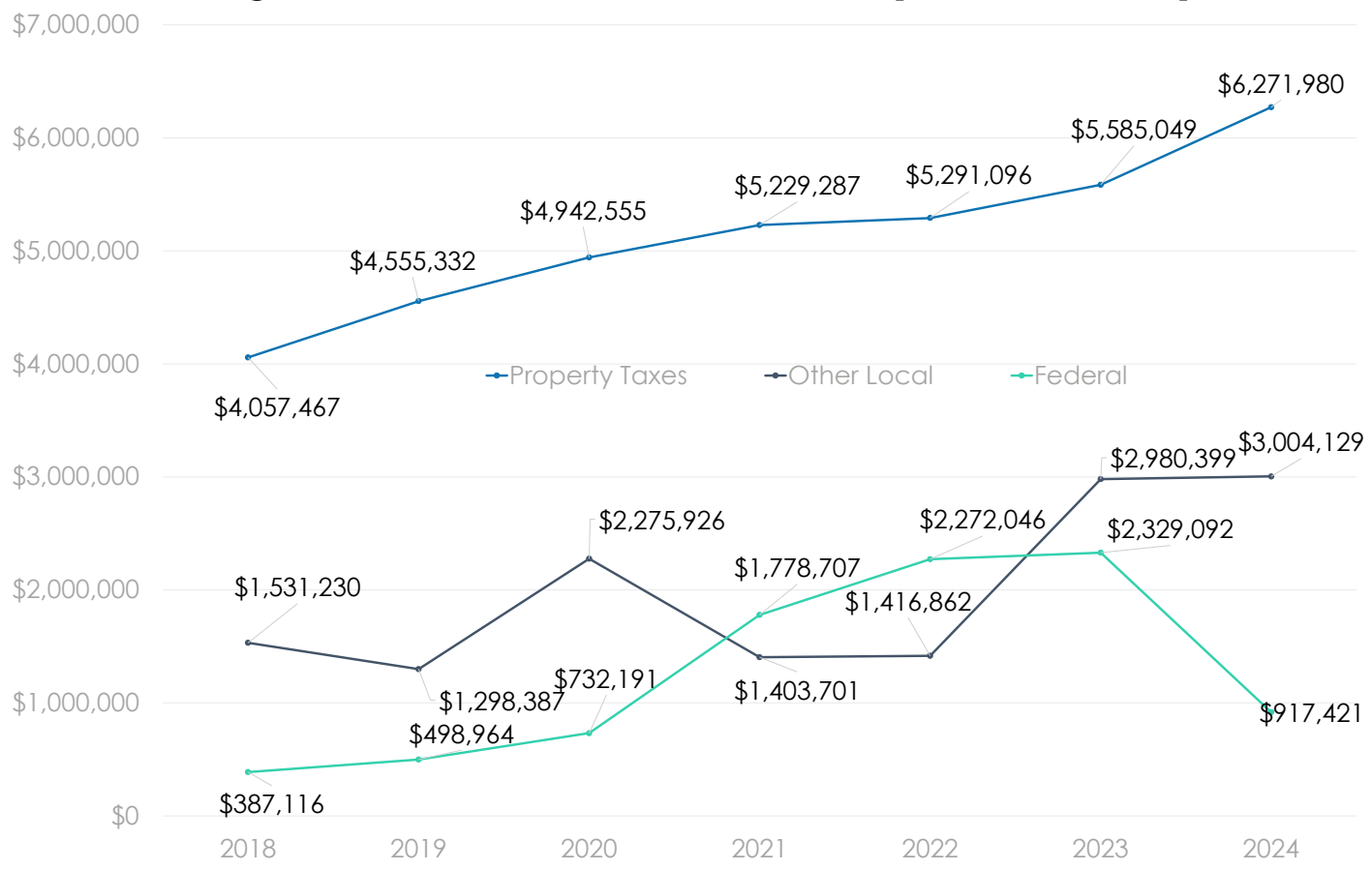
Revenues vs. Expenses (Government-Wide)



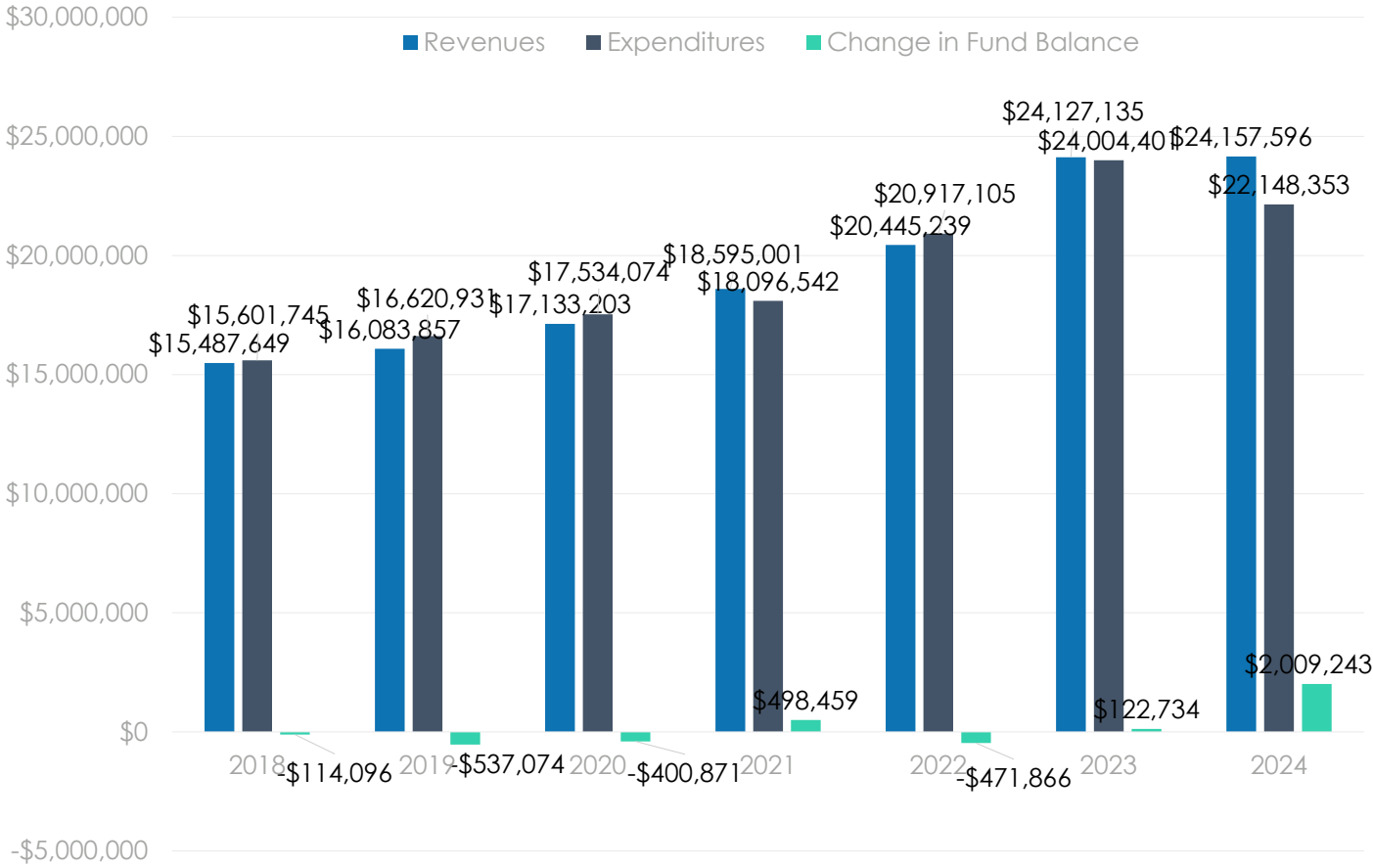
Major Revenue Line Items



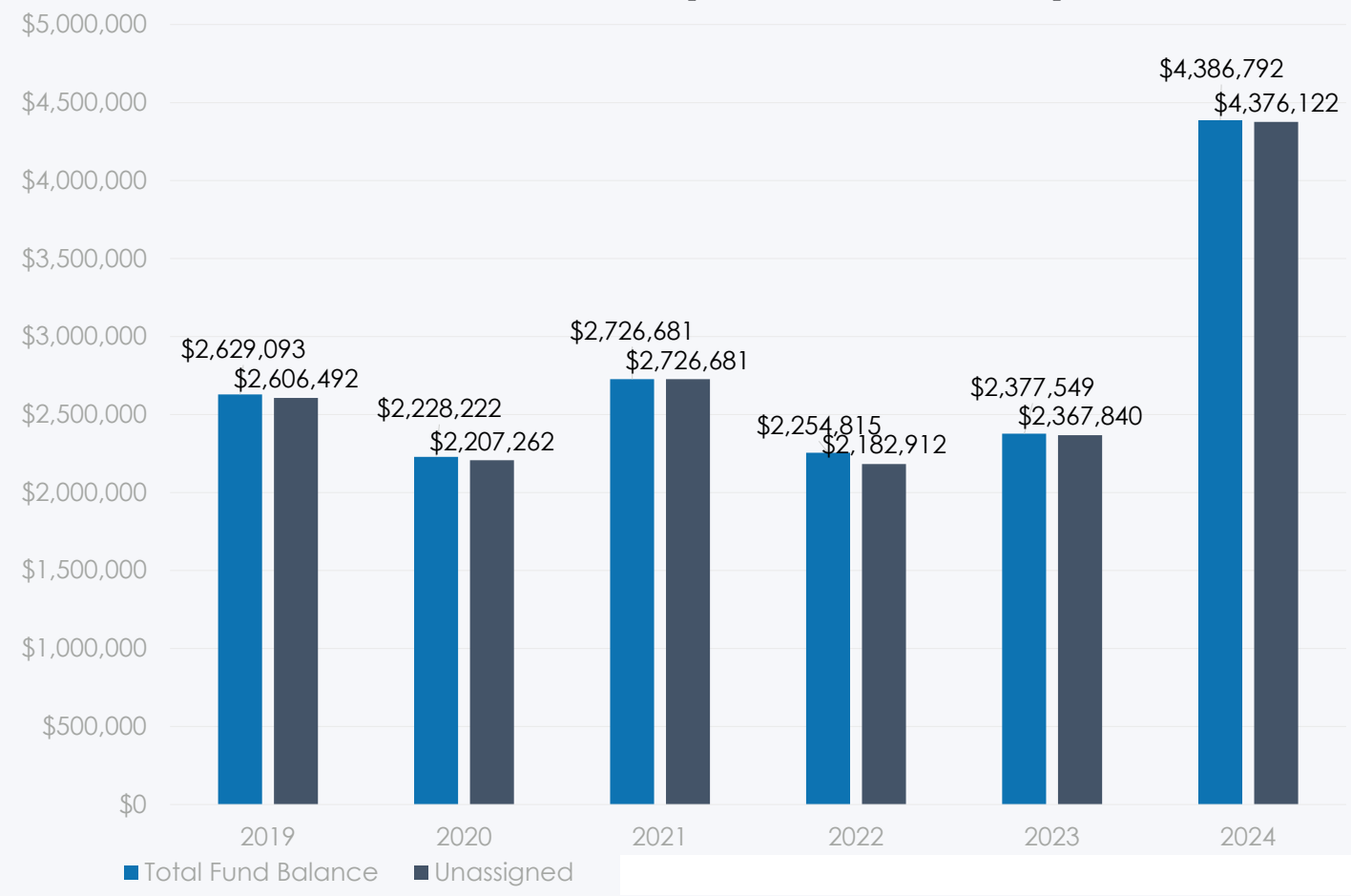
Major Revenue Line Items (continued)



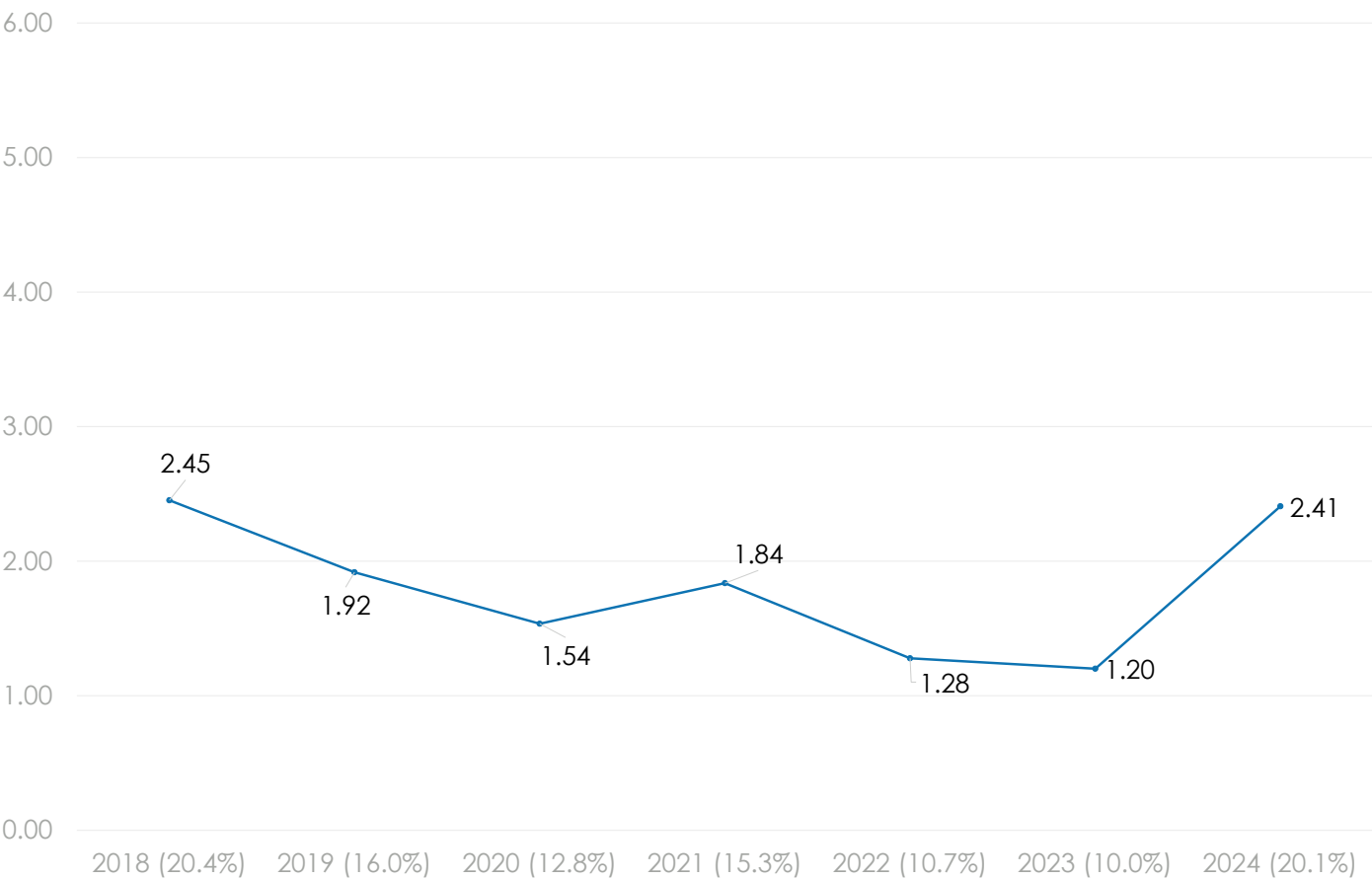
Revenues vs. Expenditures (General Fund)



Fund Balance (General Fund)



General Fund Coverage Ratio (in months)



Upcoming Accounting Pronouncements (next two years)

19

- 1** GASB 101 – Compensated Absences (FY25)
- 2** GASB 102 – Certain Risk Disclosures (FY25)
- 3** GASB 103 – Financial Reporting Model Improvements (FY26)
- 4** GASB 104 – Disclosure of Certain Capital Assets (FY26)



QUESTIONS

Food Service

<u>Capital</u> <u>Projects-41</u>	<u>Athletic</u> <u>Complex</u>	<u>CP LTGO</u> <u>BOND-44</u>	<u>Bond 2022 Capital</u> <u>Projects-45</u>	<u>Total</u>
\$ -	\$ -	\$ -	\$ 2,087,563.12	\$ 4,635,649.88
\$ -			\$ -	\$ -

Gross payroll	10/10/2024	\$	716,125.84	\$	4,964.07		\$	721,089.91
	10/25/2024	\$	728,088.90	\$	3,465.58		\$	731,554.48
							\$	-

Disbursements 10-31-24	\$ 5,014,423.40	\$ 320,847.54	\$ 90,753.64	\$ -	\$ -	\$ 184,250.00	\$ 74,025.00	\$ 505,375.00	\$ -	\$ -	\$ -	\$ 4,441,952.72	\$ 10,631,627.30
Percent of budget	21.74%	40.16%	25.93%	0.00%	0.00%	11.13%	8.42%	50.10%	0.00%	0.00%	0.00%	33.55%	

<u>Bank</u>	<u>Type of investment/account</u>
Old National	General Fund Checking
Old National	Debt Fund Checking
Old National	Student Activities
Old National	Food Service

DUNDEE COMMUNITY SCHOOLS
DISTRICT DEBIT CARD PURCHASES
October 2024

DATE	AMOUNT	VENDOR	DESCRIPTION OF EXPENSE	CARDHOLDER	BUDGET CODE	ACCOUNT
10/10/2024	250.00	MAEDS	MAEDS FALL CONFERENCE	TL	1128400000000000	3220
10/29/2024	340.26	AC HOTELS BY MARRIOT	C.ROOT MASB CONF HOTEL	JW	1123100000000000	3220
10/24/2024	31.72	GOOGLE PLAY	FAIR ISN'T ALWAYS EQUAL BOOK PURCHASE	SL	1123200000000000	5910
10/28/2024	348.04	COURTYARD BY MARRIOTT	T. MCKENZIE HOTEL	JW	1123100000000000	3220
10/28/2024	433.32	GRAND TRAVERSE RESORT	MAEDS CONFERENCE HOTEL	TL	1128400000000000	3220
10/15/2024	670.80	TEXAS LIMITED PRODUCTS	ACRON LEVER HANDLE SAFTI-TROL SINGLE TEMP	DT	1126100000000000	5960
10/22/2024	14.24	UPS	PART RETURN SHIPPING	JW	1126100000000000	3430
108/10/2024	159.65	DUNDEE BP	GAS FOR THE TRUCK/TRACTOR	DT	1126100000000000	5710
10/8/2024	35.98	VISTAPRINT	BUSINESS CARDS- Z. HOLSTEIN	JW	1124100000003300	5910
10/15/2024	98.06	SAMS CLUB	CANDY FOR DONATION TO HALLOWEEN BASH	SL	1123200000000000	7910
10/29/2024	288.00	PLANBOOK	PLANKBOOK FOR DUNDEE ELEM STAFF	TL	1111100000004300	5110
10/17/2024	69.00	NAEYC	NAEYC MEMBERSHIP- M. BROWN	JW	1122100034054300	3220
10/23/2024	500.00	MASSP	MASSP MEMBERSHIP-CROW	JW	1124100000001300	7412
10/24/2024	44.02	TRACTOR SUPPLY	BULK LP RESALE	DT	1126100000000000	5940
10/30/2024	(18.48)	COURTYARD BY MARRIOTT	T. MCKENZIE HOTEL- TAX CREDIT	JW	1123100000000000	3220
TOTAL	3,264.61					

Regular School Board Meeting
Monday, October 14, 2024 5:30 PM Eastern

High School Media Center
420 Ypsilanti St.
Dundee, MI 48131

Jacey Carner: Absent
Christian Freshour: Present
Tara McKenzie: Present
Patricia Motylinski: Present
Keith Pilbeam: Present
Crystal Root: Present
Kimberly Wilkins: Present
Present: 6, Absent: 1.

I. Board President's Statement to the Public: **"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the 'Public Comment' portion of the meeting"**

The meeting was called to order at 5:30 p.m. by board president, Christian Freshour.

II. Pledge of Allegiance

III. Attendance

IV. Art Students Best of Show

Mr. Leach introduced the teachers who introduced the students who received awards at the Monroe County Fair.

V. FFA Program of Activities

Students from the FFA presented their Program of Activities to the Board.

VI. Administration Reports

The administrators gave reports to the Board.

VII. Informational Items

VII.A. Finances

No Questions.

VII.B. Debit Card Purchases

No Questions.

VII.C. School Safety Protocol

Mr. Leach presented a PowerPoint on Safety Protocol.

Discussion regarding why this protocol is being reviewed - to remind the community of the different types of lockdowns and explain when the community would be alerted.

Mr. Leach will get this same information out to the public via a video or the like.

VIII. Agenda

To approve the October 14, 2024 Regular School Board Meeting Agenda as presented. This motion, made by Keith Pilbeam and seconded by Patricia Motylinski, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

IX. Consent Agenda

Approval of September 9, 2024 Meeting Minutes Approval of General Fund Operational and Internal Accounts Invoices. This motion, made by Keith Pilbeam and seconded by Kimberly Wilkins, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

X. Public Comment:

The purpose of public comment is to provide an opportunity for a member of the public to speak. The role of the board is to listen attentively and members of the Board will not be responding at this time. The presiding officer will refer questions to the Superintendent for research and response, if necessary. If you would like a response from the Superintendent or designee, you must provide contact information on the Public Comment Sign-In Sheet. We thank you in advance for sharing your thoughts and ideas.

» *All members of the public that speak during "Public Comment" will need to state their name.*

» *We have designated up to 5 minutes per person.*

No member of the public shall distribute materials at the meeting without prior approval. Please contact the Superintendent's office if you have any additional questions.

No Public Comment.

XI. New Business

XI.A. High School Choir Descant Overnight Trip

To approve the high school choir descants to perform at the Michigan Music Conference, Grand Rapids, MI. This will be an overnight stay on January 24, 2025, returning January 25, 2025. This trip will be paid for through fundraising costing each student \$50.00. This motion, made by Crystal Root and seconded by Patricia Motylinski, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

XI.B. Athletics Overnight Travel Requests

To approve the 2024-2025 Athletic Overnight Travel Requests as presented. This motion, made by Patricia Motylinski and seconded by Crystal Root, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

If there are additional athletic overnight or out-of-state events, they will be brought to the board individually.

XI.C. Personnel

XI.C.1. Administration Salary Schedule and Contract Adjustments

To approve the Administrative Salary Schedule and contract adjustments as presented. This motion, made by Crystal Root and seconded by Patricia Motylinski, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

Mr. Leach explained the salary schedule and the contracts that are proposed to be adjusted.

XI.C.2. Resignations

To accept the resignation of Destyne Gagg, Middle School Lunch/Recess Paraprofessional effective October 14, 2024. Ms. Gagg will continue to be a substitute paraprofessional for the district; To accept the retirement letter of Michele Alvarez Effective November 1, 2024. This motion, made by Patricia Motylinski and seconded by Kimberly Wilkins, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

XI.C.3. Hiring

To approve the hiring of Jill Vajcner as the Competitive Cheer Coach with the salary as outlined in the current EA contract. This motion, made by Crystal Root and seconded by Patricia Motylinski, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

XI.C.4. Game Manager Stipend

To approve the Game Manager Stipends as presented (Administration). This motion, made by Kimberly Wilkins and seconded by Patricia Motylinski, Tabled.

Mr. Leach explained the need for the game stipends and noted that this was recommended by the finance committee in August 2024. Discussion regarding the A.D. pay rate as compared to neighboring districts. There was a suggestion to retro-pay back to this meeting date if the item is tabled. Item Tabled.

XI.D. Verkada/Sentinel

To approve the Verkada/Sentinel contract at a cost not to exceed \$316,440.00 (2022 Bond). This motion, made by Keith Pilbeam and seconded by Kimberly Wilkins, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

Discussion regarding the amount of the remaining bond money.

Discussion regarding how Verkada was selected and the experience so far with customer service.

XII. Superintendent

- Discussions are in the works for a Therapy Dog for the district. There was a session at the leadership conference that gave caution to districts- the district would need to consider many factors. Ms. McKenzie attended the session and will forward the materials she has on the topic to Mr. Leach.
- Still waiting for the pool to be finished and a railing that needs to be installed by the elementary gym. The P.A. system at the elementary school still needs to be completed.
- Meet the Candidate night is next Monday in the high school media center.
- Unofficial, unaudited student count number is 1750, and the budgeted number is 1755.

XIII. Board Comments

- Thank you to the art program, choir, and band teachers.
- Nice to see the district-wide talent show.
- Consider returning to a separate A.D. position. Consider the pay scale when jobs are combined into one position.

XIV. Closed Session

To go into Closed Session for the purpose of a Student Hearing. (Role call vote). This motion, made by Kimberly Wilkins and seconded by Keith Pilbeam, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

XV. Return to Open Session

8:50 p.m.

XVI. Student #24250001 Recommendation

Move to expel student #24250001 permanently from the traditional setting at Dundee Community Schools. This motion, made by Keith Pilbeam and seconded by Patricia Motylinski, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

XVII. Student # 24250002 Recommendation

Move to expel student #24250002 permanently from the traditional setting at Dundee Community Schools. This motion, made by Keith Pilbeam and seconded by Kimberly Wilkins, Passed.

Jacey Carner: Absent, Patricia Motylinski: Abstain (With Conflict), Christian Freshour: Yea, Tara McKenzie: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 5, Nay: 0, Absent: 1, Abstain (With Conflict): 1

No Discussion.

XVIII. Adjournment

To adjourn the October 14, 2024 Regular School Board Meeting. This motion, made by Crystal Root and seconded by Kimberly Wilkins, Passed.

Jacey Carner: Absent, Christian Freshour: Yea, Tara McKenzie: Yea, Patricia Motylinski: Yea, Keith Pilbeam: Yea, Crystal Root: Yea, Kimberly Wilkins: Yea

Yea: 6, Nay: 0, Absent: 1

No Discussion.

Time: 8:54 p.m.

Closed Session
Monday, October 14, 2024 6:30 PM Eastern

High School Media Center
420 Ypsilanti St.
Dundee, MI 48131

Jacey Carner: Absent
Christian Freshour: Present
Tara McKenzie: Present
Patricia Motylinski: Present
Keith Pilbeam: Present
Crystal Root: Present
Kimberly Wilkins: Present
Present: 6, Absent: 1.

I. Attendance

II. Closed Session
Closed Session for the purpose of two student hearings.

III. Student Hearing 2024250001

Mr. Leach opened with comments regarding the student threat and Mr. Holstein added additional information, including a similar incident that happened last year with the same student; no admission of guilt for either incident. There is no documentation of the previous incident. The student was given due process to present their side of the story. Mom spoke on the student's behalf. The student did not want to speak, noting that the preponderance of the evidence is not enough to expel her child. The current CA60 is only from March 2024 when the student went to Monroe Middle School, as a previous CA60 was mailed to a Texas school and was lost in the mail. Mr. Leach informed the parents and the student that, if the student is expelled after 150 days, they have a right to appeal to return to school. Mr. Leach also noted that if the student is expelled there would be an option of virtual learning.

IV. Student Hearing 2024250002

The family introduced themselves. Mr. Holstein reviewed the reason for the expulsion, noting that the student said he had a hit list and his grandparents had a lot of guns. The student admitted to saying these things and had a lot of remorse. Mr. Holstein noted that conversations with the parents have been very positive. The student and parents were given due process. Mom read a statement of apology and the student asked mom to tell his side of the story. Mom clarified that he said "If I had a list", not that "he had a list". There is no other discipline in the student's file. Mr. Leach explained that if the student is expelled, after 150 days the family can appeal to the board to ask him to return to Dundee Community Schools. There would be an option of virtual learning with DCS. The student's step-dad spoke on his behalf, noting that he is not an aggressive child. The student spoke and apologized. The parents noted that the student has also written apology letters to his teachers.

V. Return to Open Session.
Return to Open Session 8:40 p.m.

[Policy 1240](#) – **Evaluation of the Superintendent** (Revised)

Senate Bill 395 and 396 were recently signed into law by Governor Whitmer. These bills change the evaluation system effective July 1, 2024. The revised policy incorporates those changes as they apply to evaluating the superintendent. As you will recall, the board was trained on the new evaluation tool by Dr. Green from MASB.

[Policy 2410](#) – **Prohibition of Referral or Assistance** (Rescinded)

The legislature repealed the portions of the School Aid Act that require a disciplinary policy for providing abortion assistance and that provide additional limitations on instruction in reproductive health or other sex education, M.C.L. 388.1766 and 388.1766a, respectively. Based on the repeal of these sections, we are rescinding PO 2410 as its sole purpose was to ensure compliance with the now-repealed section 1766.

*Keep in mind that the following language is embedded in policies 2414 and 2418: ‘No person shall dispense or otherwise distribute in a District school or on District school property a family planning drug or device. Additionally, any school official, member of the Board, or employee of the Board who is not the parent or legal guardian of the student involved is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion.’

[Policy 2414](#) – **Reproductive Health and Family Planning** (Revised)

The legislature repealed the portions of the school aid act that require a disciplinary policy for providing abortion assistance and that provide additional limitations on instruction in reproductive health or other sex education, M.C.L. 388.1766 and 388.1766a, respectively. Based on the repeal of these sections, we have updated the related provisions in this policy. Language that was present solely because of M.C.L. 388.1766 has been deleted. We have also deleted the reference to a parent's right to observe instruction as that was contained solely in the repealed section M.C.L. 388.1766a. Finally, provisions have been modified to track more closely with the notice language that is still in effect in M.C.L. 380.1507.

[Policy 2418](#) – **Sex Education** (Revised)

The legislature repealed the portions of the school aid act that require a disciplinary policy for providing abortion assistance and that provide additional limitations on instruction in reproductive health or other sex education, M.C.L. 388.1766 and 388.1766a, respectively. Based on the repeal of these sections, we have updated the related provisions in this policy. This includes deleting the reference to requirements of M.C.L. 388.1766 that have been rescinded and adding language from 1507b to ensure all curriculum requirements are noted.

[Policy 3220](#) – **Professional Staff Evaluation** (Technical Correction)

A technical correction is being made to correct grammatical errors.

[Policy 6320](#) – **Purchasing** (Technical Correction)

A technical correction is being made to include a cross reference to Policy 6350 - Prevailing Wage with the intent of encouraging districts to review all related content during implementation. Also includes miscellaneous grammar/punctuation corrections.

[Policy 6321](#) – **New School Construction, Renovation** (Technical Correction)

A technical correction is being made to include a cross reference to Policy 6350 - Prevailing Wage with the intent of encouraging districts to review all related content during implementation. Also includes miscellaneous grammar/punctuation corrections.

[Policy 6325](#) – **Procurement Federal Grants / Funds** (Technical Correction)

A technical correction is being made to include a cross reference to Policy 6350 - Prevailing Wage with the intent of encouraging districts to review all related content during implementation. Also includes miscellaneous grammar/punctuation corrections.

[Policy 6350](#) – **Prevailing Wage** (New)

This policy has been added because Michigan's Prevailing Wage Act has been restored and will take effect in March of 2024.

[Policy 6520](#) – **Payroll Deductions** (Revised)

This policy has been revised to reflect that districts can deduct union dues or services fees.

[Policy 8390](#) – **Animals on District Property** (Technical Correction)

A technical correction is being made to correct grammatical errors.

[Policy 8800](#) – **Religious/Patriotic Ceremonies and Observances** (Revised)

The policy is revised to reflect the recent U.S. Supreme Court decision in Kennedy v. Bremerton School District in which the Court clarified the equal importance of and the interaction between the Constitution's two (2) First Amendment clauses pertaining to religious rights. The Bremerton decision reinforced employees rights to the free exercise of religion such that a First Amendment analysis regarding district action (i.e. discipline or censorship) must consider whether the employee is exercising the staff members' free exercise rights. As a practical matter, the analysis remains unchanged; however, the Court clarified that the school district officials were not entitled to err on the side of avoiding a violation of the Establishment Clause. Revisions are recommended and if they are not adopted to articulate current law, a District can be exposed to a Constitutional challenge to the policy as facially invalid. Likewise, application of the concepts does require officials to apply the law as described in the policy revisions.

EDGAR Updates

The recommended revisions are in response to the April 2024 release of revisions to the Uniform Grant Guidance regulations. The Office of Management and Budget's (OMB) revisions are intended to improve Federal financial assistance management, transparency, and oversight through more accessible and easily understandable guidance. Neola has conducted a thorough review of the policies and is providing appropriate revisions to assist districts in meeting compliance standards put forth by OMB.

[Policy 1130](#) – **Conflict of Interest** (Revised)

[Policy 3110](#) – **Conflict of Interest** (Revised)

[Policy 4110](#) – **Conflict of Interest** (Revised)

[Policy 6110](#) – **Grant Funds (Uniform Grant Guidance)** (Revised)

[Policy 6111](#) – **Internal Controls** (Revised)

[Policy 6112](#) – **Cash Management of Grants** (Revised)

[Policy 6114](#) – **Cost Principles – Spending Federal Funds** (Revised)

[Policy 6325](#) – **Procurement – Federal Grants/Funds** (Revised)

[Policy 6550](#) – **Travel Payment & Reimbursement** (Revised)

[Policy 7310](#) – **Disposition of Surplus Property** (Revised)

[Policy 7450](#) – **Property Inventory** (Revised)

Sept. 2024 Recommendations

[Policy 3120.08](#) – **Employment of Personnel for Co-Curricular/Extra-Curricular Activities** (Revised)

Public Act 37 makes it necessary to require any individual serving as a high school athletic coach to hold a valid certification in CPR and the use of an AED beginning with the 2025-2026 school year. This policy has been revised to reflect this forthcoming requirement.

[Policy 5330.02](#) – **Opioid Antagonists** (Revised)

This policy has been revised to reference Narcan, to make it easier to find in searches of this manual, and miscellaneous grammar/punctuation changes.

[Policy 5340](#) – **Student Accidents** (Revised)

Public Act 36 makes it necessary to develop a cardiac response plan. This policy has been revised to reflect this requirement.

[Policy 5500](#) – **Student Conduct** (Revised)

This policy has been revised to include provisions addressing use of academic honesty and optional provisions addressing use of artificial intelligence (AI).

[Policy 7440.03](#) – **Small Unmanned Aircraft Systems** (Technical Correction)

This template has been updated to cross-reference the appropriate administrative guideline and miscellaneous corrections to grammar/punctuation.

[Policy 7540.09](#) – **Artificial Intelligence ("AI")** (New)

This policy has been added to address the use of artificial intelligence (AI) by district staff and students. We anticipate that this policy will evolve as this tool evolves.

[Policy 8321](#) – **Criminal Justice Information Security (Non-Criminal Justice Agency)**
(Revised)

This policy has been revised to reflect the updated requirements of the Michigan State Police (MSP).



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of EVALUATION OF THE SUPERINTENDENT
Code	po1240 - CH/SL 20240605
Status	
Adopted	November 12, 2012
Last Revised	April 11, 2016

Revised Policy - Vol. 38, No. 2

1240 - EVALUATION OF THE SUPERINTENDENT

The Board of Education believes it is essential that it evaluate the Superintendent's performance periodically in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership. To carry out this responsibility, the Board will evaluate the Superintendent utilizing a rigorous, transparent, and fair performance evaluation system that does all of the following:

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

A Superintendent rated highly effective prior to July 1, 2024 and/or effective after July 1, 2024 on three (3) consecutive year-end evaluations may be evaluated every other year, at the District's discretion.

- B. Establishes clear approaches to measuring student growth and provides the Superintendent with relevant data on student growth.

- C. Evaluates the Superintendent's job performance prior to July, 2024 as highly effective, effective, minimally effective, or ineffective, and after July 1, 2024 as effective, developing, or needing support using multiple rating categories that take into account student growth and assessment data. Before the 2024-2025 school year, For the 2015-2016, 2016-2017, and 2017-2018 school years, twenty five percent (25%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018-2019 school year, forty percent (40%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2024-2025 school year, twenty percent (20%) of the year-end evaluation shall be based on student growth or student learning objectives.

For the Superintendent, the pertinent data is that of the entire School District.

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

1. The effectiveness of the Superintendent, so that the Superintendents/he is given ample opportunities for improvement.
2. Retention and development of the Superintendent, including providing relevant coaching, instruction support, or professional development.
3. Removing an ineffective Superintendent after the Superintendents/he has had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

- E. The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following for the entire District:
1. The Superintendent's training and proficiency in conducting teacher performance evaluations if ~~the Superintendent~~ he does so or ~~the Superintendent~~ his/her designee's proficiency and training if the Superintendent designates such duties.
 2. The progress made by the school or District in meeting the goals established in the school/District improvement plan.
 3. Student attendance.
 4. Student, parent and teacher feedback and other information considered pertinent by the Board.
 5. **Beginning July 1, 2024, the portion of the evaluation that is not based on student growth or student learning objectives must be based on objective criteria.**
- F. For the purposes of conducting annual year-end evaluations under the performance evaluation system, ~~by the beginning of the 2016-2017 school year,~~ the District shall adopt and implement one (1) or more of the evaluation tools for teachers, or administrators, if available, that are included on the list established and maintained by the Michigan Department of Education ("MDE"). However, if the District has one (1) or more local evaluation tools for administrators or modifications of an evaluation tool on the list, and the District complies with G., below, the District may conduct annual year-end evaluations for administrators using one (1) or more local evaluation tools or modifications.
- G. ~~The Beginning with the 2016-2017 school year,~~ the District shall post on its public website all of the following information about the measures it uses for its performance evaluation system for school administrators:
1. The research base for the evaluation framework, instrument, and process or, if the District adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.
 2. The identity and qualifications of the author or authors or, if the District adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.
 3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the District adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.
 4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.
 5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
 6. A description of the plan for providing evaluators and observers with training.
- H. **The District shall** ~~Beginning with the 2016-2017 school year:~~
1. ~~The District shall~~ provide training to the Superintendent on the measures used by the District in its performance evaluation system and on how each of the measures is used. This training may be provided by a district or ~~by a~~ consortium consisting of two (2) or more districts, the intermediate school district or a public school academy.
 2. ~~The District shall~~ ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the District, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The District may provide ~~the~~ training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

The Board's evaluation may also include an assessment of the:

- A. progress toward the educational goals of the District;

B. working relationship between the Board and the Superintendent;

C. Board's own effectiveness in providing direction to the Superintendent.

Such assessments will be based on defined quality expectations developed by the Board for each criteria being assessed.

Beginning July 1, 2024, the evaluation system must include a mid-year progress report for the Superintendent in each year that they are evaluated. This mid-year progress report shall comply with M.C.L. 380.1249b and may not replace the annual evaluation.

The evaluation system shall ensure that if the Superintendent is rated as minimally effective or ineffective prior to July 1, 2024 or needing support or developing after July 1, 2024, the person(s) conducting the evaluation shall develop and require the Superintendent to implement an improvement plan to correct the deficiencies. The improvement plan shall recommend professional development opportunities and other measures designed to improve the rating of the Superintendent on the Superintendent's next annual year-end evaluation. A Superintendent rated as ineffective prior to July 1, 2024 and/or needing support after July 1, 2024 "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment with the District.

The evaluation program shall aim at the early identification of specific areas in which the Superintendent needs help so that appropriate assistance may be provided or arranged for. The Board shall not release the Superintendent from the responsibility to improve. If the Superintendent, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted of each administrator as stipulated in the revised School Code, the employment contract, the Superintendent's administrative guidelines, and as directed by the Michigan Department of Education. An administrator shall be given a copy of any documents relating to the administrator's performance which are to be placed in the personnel file.

All contracts governing the employment of the Superintendent entered into, extended, renewed, or modified on or after July 1, 2024 must include an appeal process concerning the evaluation process and rating received.

This policy shall not deprive an administrator of any rights provided by State law or any contractual rights consistent with State law.

As an outcome of the evaluation of the Superintendent's performance, the Board should be prepared to judge the advisability of retention of the Superintendent and be prepared better to:

- A. determine the Superintendent's salary;
- B. identify strengths and weaknesses in the operation of the District and determine means by which weaknesses can be reduced and strengths are maintained;
- C. establish specific objectives, the achievement of which will advance the District toward its goals;
- D. improve its own performance as the public body ultimately charged with the educational responsibility of this District.

Revised 5/11/15

M.C.L. 380.1249b

© Neola 20242016



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of PROHIBITION OF REFERRAL OR ASSISTANCE
Code	po2410 - CH/SL 20240605 - RESCINDED POLICY
Status	
Legal	M.C.L. 388.1766
Adopted	January 8, 2018
Last Revised	January 13, 2020

Rescind Policy - Vol. 38, No. 2

2410 — PROHIBITION OF REFERRAL OR ASSISTANCE

~~In accordance with Michigan statute, any school official, member of the Board of Education, or employee of the Board who is not the parent or the legal guardian of the student involved is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion. Any school official, member of the Board, or employee of the Board who violates this policy is subject to disciplinary action.~~

~~Any alleged violation of this policy shall be reported to the Superintendent, who shall follow the procedures set out in Policy 1439, Policy 3139, Policy 4139, or the current negotiated bargaining agreement, whichever is applicable, to investigate the allegation. If the allegation relates to a school official, member of the Board, or employee of the Board to whom Policy 1439, Policy 3139, Policy 4139, or a current negotiated bargaining agreement does not apply, the Superintendent shall conduct an investigation, as appropriate to the situation, including providing the person with reasonable notice and the opportunity to respond. All disciplinary measures available under Board Policy 1439, Policy 3139, or Policy 4139 may be utilized, as appropriate, if the Superintendent determines that a violation of this policy occurred.~~

~~© Neola 2019~~



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of REPRODUCTIVE HEALTH AND FAMILY PLANNING
Code	po2414 - CH/SL 20240605
Status	
Legal	M.C.L. 380.1169, 380.1507, 388.1766 A.C. Rule 388.273 et seq.
Adopted	November 12, 2012
Last Revised	October 12, 2020

Revised Policy - Vol. 38, No. 2

2414 - REPRODUCTIVE HEALTH AND FAMILY PLANNING

The Board of Education directs that instruction be provided on the principal modes by which dangerous communicable diseases, including HIV and AIDS, are spread and the best methods for the restriction and prevention of these diseases. The instruction shall stress that abstinence from sex is the only protection that is 100% effective against unplanned pregnancy and sexually transmitted diseases, including HIV and AIDS, and that abstinence is a positive lifestyle for unmarried young people.

No person shall dispense or otherwise distribute in a District school or on District school property a family planning drug or device. Additionally, any school official, member of the Board, or employee of the Board who is not the parent or the legal guardian of the student involved is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion.

Each person who teaches K to twelve (12) students about human immunodeficiency virus infection and acquired immunodeficiency syndrome shall have training in human immunodeficiency virus infection and acquired immunodeficiency syndrome education for young people. Licensed health care professionals who have received training on human immunodeficiency virus infection and acquired immunodeficiency syndrome are exempt from this requirement.

For a class in which the subjects of family planning or reproductive health are discussed, the District shall notify the parents of the fact that the student will be enrolled in the course and notify the parents about the content of the instruction. Parents shall be given prior opportunity to review the materials to be used (other than tests) and shall be advised in advance of the parents' right to have their child excused from the instruction. ~~The District shall notify the parents, in advance of the instruction and about the content of the instruction, to give the parents an opportunity, prior to instruction, to review the materials to be used (other than tests), as well as the opportunity to observe the instruction and advise the parents of their right to have their child excused from the instruction.~~

Before any revisions to the curriculum on the subjects taught pursuant to M.C.L. 380.1169 are implemented, the Board shall hold at least two (2) public hearings on the proposed revisions. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given in the manner required for board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to M.C.L. 380.1507.

Revised 1/8/18

Revised 7/8/19

Revised 1/13/20

A.C. Rule 388.273 et seq.

M.C.L. 380.1169, 380.1506, 380.1507, ~~388.1766~~

© Neola ~~2024~~2020



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of SEX EDUCATION
Code	po2418 - CH/SL 20240605
Status	
Legal	M.C.L 380.1507. 380.1169. 388.1766
Adopted	January 8, 2018
Last Revised	January 13, 2020

Revised Policy - Vol. 38, No. 2

2418 - SEX EDUCATION

In accordance with Michigan statute, the Board of Education authorizes instruction in sex education. Such instruction may include family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of sexually transmitted disease.

The instruction described in this policy shall stress that abstinence from sex is a responsible and effective method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted disease and is a positive lifestyle for unmarried young people.

Such instruction shall be elective and not a requirement for graduation.

A student shall not be enrolled in a class in which the subjects of family planning or reproductive health are discussed unless the student's parent or guardian is notified in advance of the course and the content of the course, is given a prior opportunity to review the materials to be used in the course and is notified in advance of the parent's/guardian's ~~his or her~~ right to have the student excused from the class. The Michigan Board of Education shall determine the form and content of the notice required in this policy.

Upon the written request of a student or the student's parent or legal guardian, the student shall be excused, without penalty or loss of academic credit, from attending a class described in this policy. If a parent or guardian submits a continuing written notice, the student will not be enrolled in a class described in this policy unless the parent or guardian submits a written authorization for that enrollment.

The District shall provide the instruction by teachers qualified to teach health education. Material and instruction in a sex education curriculum shall be age-appropriate, not medically inaccurate, and shall comply with the statutory requirements of M.C.L. 380.1507b.

The Board shall establish a sex education advisory board and shall determine terms of service for the sex education advisory board, the number of members to serve on the advisory board, and a membership selection process that reasonably reflects the District's population. The Board shall appoint two (2) co-chairs for the advisory board, at least one (1) of whom is a parent of a child attending a District school. At least (one-half) 1/2 of the members of the sex education advisory board shall be parents who have a child attending a District school, and a majority of these parent members shall

be individuals who are not employed by a District. The sex education advisory board shall include students of the District, educators, local clergy, and community health professionals. Written or electronic notice of a sex education advisory board meeting shall be sent to each member at least two (2) weeks before the date of the meeting.

The sex education advisory board shall:

- A. Establish program goals and objectives for student knowledge and skills that are likely to reduce the rates of sex, pregnancy, and sexually transmitted diseases. Additional program goals and objectives may be established by the sex education advisory board that are not contrary to Michigan law.
- B. Review the materials and methods of instruction used and make recommendations to the Board for implementation. The advisory board shall take into consideration the District's needs, demographics, and trends, including, but not limited to, teenage pregnancy rates, sexually transmitted disease rates, and incidents of student sexual violence and harassment.
- C. At least once every two (2) years, evaluate, measure, and report the attainment of program goals and objectives established by the advisory board. The Board shall make the resulting report available to parents in the District.

Before adopting any revisions in the materials or methods used in instruction under this policy, including, but not limited to, revisions to provide for the teaching of abstinence from sex as a method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted disease, the Board shall hold at least two (2) public hearings on the proposed revisions. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given in the manner required for Board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to M.C.L. 380.1169.

Each person who provides instruction to K to 12 students in accordance with this policy shall receive training based on District approved standards and in accordance with training requirements of the Michigan Department of Education (MDE) and the Michigan Department of Health and Human Services (MDHHS).

No person shall dispense or otherwise distribute in a District school or on District school property a family planning drug or device. Additionally, any school official, member of the Board, or employee of the Board who is not the parent or legal guardian of the student involved is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion.

For purposes of this policy, "family planning" means the use of a range of methods of fertility regulation to help individuals or couples avoid unplanned pregnancies; bring about wanted births; regulate the intervals between pregnancies; and plan the time at which births occur in relation to the age of parents. It may include the study of fetology. It may include marital and genetic information. Clinical abortion shall not be considered a method of family planning, nor shall abortion be taught as a method of reproductive health.

M.C.L. 380.1507, 380.1507b, 380.1169, ~~380.1766~~

© Neola ~~2024~~2019



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of PROFESSIONAL STAFF EVALUATION
Code	po3220 - CH/SL 20240605
Status	
Legal	M.C.L. 380.1249 (as amended)
Adopted	November 12, 2012
Last Revised	February 12, 2024

Technical Correction Policy - Vol. 38, No. 2

3220 - PROFESSIONAL STAFF EVALUATION

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

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

Teachers rated highly effective or, as of July 1, 2024, effective on the three (3) most recent consecutive year-end evaluations may be evaluated every other year or, as of July 1, 2024, every third year, at the District's discretion.

- B. establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth.
- C. evaluates an employee's job performance, using rating categories of highly effective, effective, minimally effective, and ineffective prior to July 1, 2024 and using rating categories of effective, developing, and needing support as of July 1, 2024, which take into account student growth and assessment data or student learning objectives

Before the 2024-2025 school year, forty percent (40%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning in the 2024-2025 school year, twenty percent (20%) of the year-end evaluation must be based on student growth and assessment data or student learning objectives metrics.

Evaluations must also comply with the following:

1. The portion of a teacher's year-end evaluation that is not based on student growth and assessment data or student learning objective metrics shall be based primarily on a teacher's performance as measured by the District.
2. Prior to July 1, 2024, for core content areas in grades and subjects in which state assessments are administered, fifty percent (50%) of student growth must be measured using the state assessments, and the portion of student growth not measured using state assessments must be measured using multiple research-

based growth measures or alternative assessments that are rigorous and comparable across schools within the District. Student growth also may be measured by student learning objectives or nationally normed or locally adopted assessments that are aligned to state standards, or based on achievement of individualized education program goals.

3. Prior to July 1, 2024, the portion of a teacher's evaluation that is not measured using student growth and assessment data or using the evaluation tool developed or adopted by the District shall incorporate criteria enumerated in section M.C.L. 380.1248(1)(b)(i) to (iii) that are not otherwise evaluated under the tool. (See Policy 3131) After July 1, 2024, the portion of a teacher's evaluation that is not measured using student growth and assessment data or student learning objectives metrics, or using the evaluation tool developed or adopted by the District, must be based on objective criteria.
4. Prior to July 1, 2024, if there are student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent three (3) consecutive-school-year period. If there are not student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.
5. As of July 1, 2024, the following apply: Evaluations and feedback concerning the evaluation must be provided in writing to the teacher; if a written evaluation is not provided, the teacher is deemed effective; if required by circumstances described in M.C.L. 380.1249, a teacher must be designated as unevaluated; and if a teacher receives an unevaluated designation, the teacher's rating from the immediately prior school year must be used.

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

1. the effectiveness of employees, so that they are given ample opportunities for improvement
2. prior to July 1, 2024, promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development, and after July 1, 2024, development of employees, including providing relevant coaching, instruction support, or professional development
3. prior to July 1, 2024, whether to grant tenure or full certification, or both, to employees, using rigorous standards and streamlined, transparent, and fair procedures
4. prior to July 1, 2024, removing ineffective tenured and untenured employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

E. provides a mid-year progress report for every teacher who is in the first year of probation or has received a rating of minimally effective or ineffective or, after July 1, 2024, needing support or developing on the most recent year-end evaluation

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

1. prior to July 1, 2024, be based, at least in part, on student achievement;
2. be aligned with the teacher's individualized development plan;
3. include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.

F. includes classroom observations in accordance with the following:

1. must include review of the lesson plan, State curriculum standards being taught, and student engagement in the lesson and, as of July 1, 2024, the items described in this paragraph must be discussed during a post-observation meeting between the observer and the teacher
2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) year-end evaluations
3. observations need not be for an entire class period but, as of July 1, 2024 must not be less than fifteen (15) minutes

4. one (1) observation may be unscheduled;
5. the school administrator responsible for the teacher's performance evaluation shall conduct at least one (1) of the observations;

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

6. the district shall ensure that, within thirty (30) calendar days after each observation, the teacher is provided with written feedback from the observation.

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

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

H. The District will post on its public website all of the following information about the measures it uses for its performance evaluation system for teachers:

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

I. The District shall also:

1. provide training to teachers on the evaluation tool(s) used by the District in its performance evaluation system and how each evaluation tool is used. This training may be provided by a district or ~~by a~~ consortium consisting of the District, the intermediate school district, or a public school academy.
2. ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the District, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The District may provide ~~the~~ training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.
3. by not later than September 1, 2024, and every three (3) years thereafter, each individual who conducts an evaluation shall complete rater reliability training provided by the District that complies with M.C.L. 380.1249

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform assigned responsibilities in a satisfactory manner, dismissal or non-renewal procedures may be invoked. A teacher rated as ineffective or, as of July 1, 2024, needing support on three (3) consecutive year-end evaluations must be dismissed from employment as a teacher with the District. In such an instance, all relevant evaluation documents may be used in the proceedings.

Prior to July 1, 2024, if a non-probationary teacher is rated as ineffective on an annual year-end evaluation, the teacher may request a review of the evaluation and the rating by the Superintendent. The request for a review must be submitted in writing within twenty (20) days after the teacher is informed of the rating. Upon receipt of the request, the Superintendent shall review the evaluation and rating and may make any modifications as appropriate based on review. However, the performance evaluation system shall not allow for a review as described in this subdivision more than twice in a three (3) school-year period.

After July 1, 2024, if a teacher is rated as needing support, the teacher must be provided with the options related to review of the evaluation, including a written response, the ability to request mediation, and when appropriate, utilization of the grievance process or binding arbitration as set out in M.C.L. 380.1248.

The District shall not assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective or, after July 1, 2024, as needing support on the teacher's two (2) most recent annual year-end evaluations. If the District is unable to comply with this and plans to assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective or, after July 1, 2024, as needing support on the teacher's two (2) most recent annual year-end evaluations, the Board will notify the student's parent or legal guardian in writing not later than July 15 immediately preceding the beginning of the school year for which the student is assigned to the teacher, that the District is unable to comply and that the student has been assigned to be taught in the same subject area for a second consecutive year by a teacher who has been rated as ineffective or, as of July 1, 2024, as needing support on the teacher's two (2) most recent annual year-end evaluations. The notification shall include an explanation of why the Board is unable to comply. After July 1, 2024, if a teacher requests a review of the teacher's evaluation under the amendments to the statute, the Board must not issue the notification until the review process is complete.

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

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

Revised 11/10/14

Revised 5/11/15

Revised 4/11/16

Revised 1/13/20

© Neola ~~2024~~2023



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of PURCHASING
Code	po6320 - CH/SL 20240605
Status	
Legal	M.C.L. 380.1267, 380.1274 et seq.
Adopted	November 12, 2012
Last Revised	February 8, 2021

Technical Correction Policy - Vol. 38, No. 2

6320 - PURCHASING

Procurement of all supplies, materials, equipment, and services paid for from District funds shall be made in accordance with all applicable Federal and State statutes, Board policies, and administrative procedures. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts are established in Policy 1130, Policy 3110, and Policy 4110 – Conflict of Interest.

All procurement transactions shall be conducted in a manner that encourages full and open competition and in accordance with good administrative practice and sound business judgment.

Each year, the State of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.

It is the policy of the Board that the Superintendent adhere to the following:

A. Seek informal price quotations on purchases:

1. that are under fifty percent (50%) of the amount allowed by State statute for a single item, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the School.
2. in excess of \$7,500.

B. When the purchase of, and contract for, single items of supplies, materials, or equipment is:

1. in excess of fifty percent (50%) but less than the amount allowed by State statute, statute the Superintendent ~~shall, shall~~ whenever possible, require two (2) competitive price quotations.
2. less than the amount allowed by State statute, but exceeds \$15,000 the Superintendent ~~shall, shall~~ whenever possible, require three (3) competitive price quotations.

Purchases in a single transaction that are in excess of the dollar amount permitted by State statute shall require competitive bids and, whenever possible, have at least three (3) such bids for substantiation of purchase and shall require approval of the Board prior to purchase.

Competitive Bids

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L. 18.1263.

Bids shall be sealed and shall be opened by the Superintendent in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:

- A. the quality of the item(s) to be supplied;
- B. its conformity with specifications;
- C. suitability to the requirements of the school;
- D. delivery terms;
- E. past performance of vendor.

In addition to the factors above, the Board may consider and provide a preference to bidders which use a Michigan-based ~~businesses~~ business as the primary contractor and one (1) or more Michigan-based business as subcontractors.

For purposes of this ~~preference~~, preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L. 18.1268, which requires that the ~~business certifies that, businesses~~ certify that since inception or during the last twelve (12) ~~months, months~~ it has done ~~one (1) one~~ of the following:

- A. ~~have~~ filed a Michigan business tax return showing an allocation of income tax base to Michigan
- B. ~~have~~ filed a Michigan income tax return showing income generated in or attributed to Michigan
- C. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

The Board reserves the right to reject any and all bids.

The Board shall be informed of the terms and conditions of all competitive bids and shall award contracts as a consequence of such bids.

Bid Protest

A bidder who wishes to file a bid protest must file such notice and follow procedures prescribed by the Request For Proposals (RFP) or the individual bid specifications ~~package~~ package, for resolution. Bid protests must be filed in writing with the Office of the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

General Provisions

The Superintendent is authorized to purchase all items within budget allocations.

The Superintendent is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the school in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

In order to promote efficiency and economy in the operation of the school, the Board requires that the Superintendent periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be ~~shipped, shipped~~ but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the Superintendent shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the school. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

- A. a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;
- B. upon the placement of a purchase order, the Superintendent shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

The Superintendent shall determine the amount of purchase which shall be allowed without a properly signed purchase order. Employees may be held personally responsible for anything purchased without a properly signed purchase order or authorization.

The Board may acquire office equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

[NOTE: The intent of the purchasing policy is to establish several levels at which purchasing can occur and to determine at what level Board involvement is required, when it is necessary to get a simple "quote" and when the "competitive bid" procedure is requiredrequired.]

Revised 11/9/15

[Cross References:

po6350]

© Neola ~~2024~~2015



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of NEW SCHOOL CONSTRUCTION, RENOVATION
Code	po6321 - CH/SL 20240605
Status	
Legal	M.C.L. 380.1267 M.C.L. 380.1264
Adopted	November 12, 2012
Last Revised	July 8, 2019

Technical Correction Policy - Vol. 38, No. 2

6321 - NEW SCHOOL CONSTRUCTION, RENOVATION

Before commencing construction of any new school building or the major renovation of an existing school building, the Board of Education shall consult on the plans for construction or major renovation regarding school safety issues with the law enforcement agency that is the first responder for the school building at issue. For purposes of this paragraph, school building means any building intended to be used to provide instruction to students and any recreational or athletic structure or field intended to be used by students.

Before beginning construction of a new school building, or an addition, ~~repair, repair~~ or renovation of an existing school building, except emergency repairs, the Board of Education, shall obtain competitive bids on all the material and labor required for the complete construction of a proposed new building or addition to or repair or renovation of an existing school building which exceeds the State statutory limit (\$20,959 for 2009).

This policy does not apply to buildings, renovations, or repairs costing less than the statutory limit or to repair work normally performed by District employees.

The Board shall advertise for the bids required under subsection:

- A. By placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the Department of Management and Budget website on a page on the ~~website, website~~ maintained for this purpose or on a website maintained by a school organization and designated by the Department of Management and Budget for this purpose.
- B. By submitting the request for bids for placement on the Michigan Department of Management and Budget's website for school organizations, including a link to the District's website.
- C. The advertisement for bids shall do all of the following:
 1. specify the date and time by which all bids must be received by the Board at a designated location;
 2. state that the Board will not consider or accept a bid received after the date and time specified for bid submission;

3. identify the time, date, and place of a public meeting at which the Board or its designee will open and read aloud each bid received by the Board by the date and time specified in ~~the~~ advertisement;
 4. state that the bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Board or the Superintendent of the District. A Board shall not accept a bid that does not include this sworn and notarized disclosure statement.
- D. The Board shall require each bidder for a contract under this ~~policy~~~~policy~~, to file with the Board security in an amount not less than ~~one-twentieth (1/20)~~~~1/20~~ of the amount of the bid conditioned to secure the District from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance, if the bid is accepted by the Board.
- E. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids as described in subsection C of this policy.
- F. At a public meeting identified in the advertisement for bids described in subsection C of this policy, the Board or its designee shall open and read aloud each bid that the Board received at or before the time and date for bid submission specified in the advertisement for bids. The Board may reject any or all bids, and if all bids are rejected, shall readvertise in the manner required by this policy.

The Board may consider and provide a preference to bidders which use a Michigan-based business as the primary contractor or which use one (1) or more Michigan-based business(es) as subcontractors.

For purposes of this ~~preference~~~~preference~~ a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L. 18.1268, which requires that the ~~business certifies that businesses certify that~~ since inception or during the last twelve (12) ~~months, months~~ ~~the business~~ it has done ~~one (1)~~~~one~~ of the following:

1. ~~have~~ filed a Michigan business tax return showing an allocation of income tax base to Michigan
2. ~~have~~ filed a Michigan income tax return showing income generated in or attributed to Michigan
3. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

- G. The competitive bid threshold amount specified in this policy (\$20,959 for 2009) is adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the twelve (12) months ending August 31st of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31st of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar. The current exempt amount must be confirmed with the Michigan Department of Education prior to issuing contracts for construction, renovation, or repair which exceed the amount listed in this policy.

[Cross References:

po6350]

© Neola ~~2024~~~~2019~~



Book Policy Manual

Section Vol. 38, No. 2 - February 2024 Update Board Revisions

Title Vol. 38, No. 2 - February 2024 New PREVAILING WAGE

Code po6350 - CH/SL 20240605 - NEW POLICY

Status

Legal M.C.L. 480.1101, et seq.

New Policy - Vol. 38, No. 2

6350 - PREVAILING WAGE

☒] The Superintendent shall designate a Prevailing Wage Coordinator for the District who shall be tasked with ensuring compliance with State and Federal regulations concerning prevailing wage rate. **[END OF OPTION]**

[DRAFTING NOTE: If a District selects the above option, the District should also select "Prevailing Wage Coordinator" in the two (2) options below. If the District did not select the above option, select "Superintendent" in the two (2) options below. As a reminder, Superintendent includes the Superintendent's designee by definition. See po0100.]

The ~~() Superintendent~~ ☒ Prevailing Wage Coordinator **[END OF OPTION]** shall oversee the District's obligations under M.C.L. 480.1101, et seq. including, but not limited to, ensuring the following:

- A. A contract for a State Project, entered into pursuant to advertisement and invitation to bid, which requires or involves the employment of Construction Mechanics shall not be approved unless the wage and fringe benefits rate in the contract are not less than the prevailing rates in the Locality in which the work is to be performed.
- B. Before advertising for bids on a State Project, the ~~() Superintendent~~ ☒ Prevailing Wage Coordinator **[END OF OPTION]** shall ask the Commissioner to determine the prevailing rates of wages and fringe benefits for all classes of Construction Mechanics called for in the contract.
- C. A schedule of these rates shall be made part of the specifications for the work to be performed and shall be printed on the bidding forms.
- D. If a contract is not awarded or construction is not undertaken within ninety (90) days of the date of the Commissioner's determination of prevailing rates, the Commissioner must make a redetermination before the contract is awarded.
- E. Every contractor and subcontractor must fulfill its obligations under the statute relating to prevailing wages on State Projects.
- F. Every contract for a State Project must contain the statutory language providing that Construction Mechanics are intended beneficiaries of the contractual prevailing wage, fringe benefit, and non-discrimination, non-retaliation requirements, and provide that any Construction Mechanic aggrieved by the failure of a contractor or subcontractor to pay prevailing wages or benefits as specified in the contract or retaliation associated therewith, may bring an action in a court of competent jurisdiction against the contractor or subcontractor for damages or injunctive relief along with other remedies prescribed by statute.

G. The District shall maintain certified payroll records and other records required by law for a minimum of three (3) years.

Contracts on State Projects which contain provisions regarding payment of prevailing wages as determined by the United States Secretary of Labor or which contain minimum wage schedules which are the same as prevailing wages in the Locality as determined by collective bargaining agreements or understandings between bona fide organizations of Construction Mechanics and their employers are exempt from the above requirements.

Additionally, the above requirements do not apply to a State Project if it was paid for, in whole or in part, from revenues from a millage that was authorized under the revised school code, if the millage was authorized before February 13, 2024.

Definitions

Commissioner means the Department of Labor and Economic Opportunity.

Construction Mechanic means a skilled or unskilled mechanic, laborer, worker, helper, assistant, or apprentice working on a State Project but shall not include executive, administrative, professional, office, or custodial employees.

Locality means the county, city, village, township, or school district in which the physical work on a State Project is to be performed.

State Project means new construction, alteration, repair, installation, painting, decorating, completion, demolition, conditioning, reconditioning, or improvement of public buildings, schools, works, bridges, highways, or roads authorized by a contracting agent.

M.C.L. 480.1101, et seq.

© Neola 2024



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of PAYROLL DEDUCTIONS
Code	po6520 - CH/SL 20240605
Status	
Legal	M.C.L. 380.1224, 408.477; 423.210 (2012 P.A. 53) M.E.A. v. Secretary of State, (on rehearing) 489 Mich. 104 (2011) Mich. OAG 7187 (2006)
Adopted	November 12, 2012
Last Revised	November 11, 2013

Revised Policy - Vol. 38, No. 2

6520 - PAYROLL DEDUCTIONS

The Board of Education authorizes in accordance with the provisions of law or upon proper authorization on the appropriate form that deductions be made from an employee's paycheck form for the following purposes:

- A. Federal and State income tax
- B. Social Security
- C. Municipal income tax
- D. Public School Employees Retirement System
- E. Michigan Public School Employment Retirement System (MPSERS) Tax Deferred Payment (TDP) plan
- F. other legally permissible deductions established through an applicable collective bargaining agreement
- G. Section 125 deductions (cafeteria plans)
- H. U.S. Savings Bonds
- I. direct deposit in a chartered credit union and/or bank
- J. court ordered judgments

~~Deductions are not allowed for dues or service fees for a labor organization or for contributions to political action committees. [Note: The prohibition on deduction of union dues or services fees is effective as of March 16, 2012, unless a collective bargaining agreement was in effect as of that date, then it becomes effective with the date of expiration, renewal or extension of that bargaining agreement.]~~

To the extent permitted by law and in accordance with the procedures set forth below, the Board of Education declares its willingness to enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the Board's agreement to use a

corresponding amount to purchase an annuity for such employee (or group of employees desiring the same annuity company) from any company authorized to transact the business as specified in law in accordance with Section 403(b) of the Internal Revenue Code, and in accordance with the District's administrative guidelines. However, it shall be clearly understood that the Board's only function shall be the deduction and remittance of employee funds.

In any case where the employee designates the agent, ~~broker, broker~~ or company through whom the Board shall arrange for the placement or purchase of the tax-sheltered annuity, the agent, ~~broker, broker~~ or company must execute a reasonable service agreement, an information sharing agreement, and/or other similar agreements as determined at the discretion of the District. The service agreement shall include a provision that protects, indemnifies, and holds the District harmless from any liability attendant to procuring the annuity in accordance with provisions of the Internal Revenue Code and other applicable Federal or State law.

The Board may limit the number of participating providers and select approved providers.

The Board, by providing employees with payroll deduction services for annuities, is not providing any financial advice to employees, and is not vouching for the suitability of any investment or any annuity provider. The District assumes no responsibility or liability for any investment decisions or losses with respect to employee annuity purchases.

Said agreement shall comply with all of the provisions of law and may be terminated as said law provides upon notice in writing by either party. Employees shall notify the Superintendent's Office in writing if they wish to participate in such a program.

M.C.L. 380.1224, 408.477; ~~423.210 (2012 P.A. 53)~~

~~M.E.A. v. Secretary of Sta~~

© Neola ~~2024~~2013



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of ANIMALS ON DISTRICT PROPERTY
Code	po8390 - CH/SL 20240605
Status	
Legal	28 C.F.R. 35.104 Section 504 of the Rehabilitation Act of 1973, as amended (Section 504) The Americans with Disabilities Act, as amended (ADA) The Individuals with Disabilities Education Improvement Act (IDEIA)
Adopted	November 11, 2013
Last Revised	December 11, 2023

Technical Correction Policy - Vol. 38, No. 2

8390 - ANIMALS ON DISTRICT PROPERTY

Introduction

The Board of Education recognizes that there are many occasions when animals are present on District property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service or therapy animal in accordance with Federal and State law and this policy.

This policy applies to all animals on District property, including service animals.

Definitions

- A. **"Animal"**: ncludes any living creature that is not a human being.
- B. **"Service animal"**: Pursuant to 28 C.F.R. Section 36.104, "means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

- A. **"Emotional Support Animal"**: Emotional support animals provide comfort to individuals but are not trained to perform a specific job or tasks. This definition does not include psychiatric service animals who are properly trained and certified as a "service animal". See 28 C.F.R 36.104.
- B. **"Therapy Dog"**: Therapy dogs are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes for the purpose of providing affection and comfort to aid in a particular purpose, such as healing or learning. A therapy dog in a school setting ~~serves~~ serves the function of assisting students in the learning process while providing comfort and affection to specific students or to a group of students. Therapy dogs are not service dogs and do not have the same special access as service dogs (source: American Kennel Club/AKC).

Vaccination, Licensing and/or Veterinary Requirements

Animals housed on or brought on to District property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on to District property on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and County regulation/ordinance, including but not limited to rabies vaccination or other inoculations required to be properly licensed.

Service Animals for Students

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare or supervision of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on District property or at District-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 4120.09.

Removing and/or Excluding a Student's Service Animal

If a service animal demonstrates that it is not under the control of the student or its handler, the Principal is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.

Similarly, in instances when the service animal demonstrates that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.

The Principal shall notify the Superintendent when a service animal is removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and their parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or the Department of Justice.

Eligibility of a Student's Service Animal for Transportation

A student with a disability shall be permitted to access School District transportation with their service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access School District transportation.

When a service animal is going to ride on a school bus or other Board-owned or leased vehicle, the student and their parents, or eligible student, and the handler, if the handler is someone other than the student, shall meet with the Principal and Transportation Supervisor to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.

At the discretion of the Principal an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet.

Situations that would cause cessation of transportation privileges for the service animal include:

- A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

The student and their parents shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the Principal.

Although transportation may be suspended for the service animal, it remains the District's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

Service Animals for Employees

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA-mandated interactive process.

Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the District's facilities where members of the public, as participants in services, programs or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the District's facilities with their service animals should notify the Principal that their service animal will accompany them during their visit.

An individual with a disability who attends a school event will be permitted to be accompanied by their service animal in accordance with Policy 9160 - Public Attendance at School Events.

Non-Service Animals in Schools and Elsewhere on District Property

Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member seeking approval to have a non-service animal in their classroom shall:
 1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
 2. take precautions deemed necessary to protect the health and safety of students and other staff;

3. provide that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
4. keep the surrounding areas in a clean and sanitary condition at all times;

B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

Therapy Dogs

Therapy dogs are the personal property of the handler and are specially trained to help students in the assigned classroom, program, or school. Authorization for a therapy dog to be on District grounds may be granted by the Superintendent/Designee, provided the following conditions are met each year:

- A. Documentation of certification as a therapy dog from the AKC, Intermountain Therapy Animals (R.E.A.D.), Alliance of Therapy Dogs, Bright and Beautiful Therapy Dogs, Love on a Leash, Pet Partners, Therapy Dogs International, or another certification program recognized by the AKC.
- B. Documentation of an educational purpose for the therapy dog and a regular appraisal period for continuation.
- C. Documentation that the therapy dog is not younger than one (1) year old and is properly licensed according to local requirements.
- D. Documentation from a licensed veterinarian that the therapy dog is current on its vaccinations and immunizations, is free of fleas and ticks, is in good health, is housebroken, and does not pose a danger to the well-being of students or staff.
- E. Documentation of an insurance policy that provides liability insurance for the therapy dog while on District grounds.
- F. Documentation that the handler has completed a background check consistent with Board policy and is prepared to be solely responsible for the therapy dog and the therapy dog's care, cleaning, feeding, and cleanup while on District grounds.
- G. Agreement that the therapy dog and handler will abide by school rules and any specific rules for the therapy dog's presence on District grounds.

Authorization for a therapy dog to be on District grounds will be suspended if the therapy dog is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the therapy dog to be on District grounds requires approval by the Superintendent/Designee. Authorization for a therapy dog to be on District grounds may be withdrawn at any time by the Superintendent.

Revised 5/11/15

© Neola ~~2024~~2023



Book	Policy Manual
Section	Vol. 38, No. 2 - February 2024 Update Board Revisions
Title	Copy of RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES
Code	po8800 - CH/SL 20240605
Status	
Legal	M.C.L. 380.1347, 380.1347a, 380.1565 20 U.S.C. 4071 et seq. Gregoire vs. Centennial School District 907 F2d 1366, (3rd Circuit, 1990) Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)
Adopted	November 12, 2012
Last Revised	June 10, 2013

Revised Policy - Vol. 38, No. 2

8800 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

RELIGIOUS CEREMONIES AND OBSERVANCES

The Board of Education acknowledges that the U.S. Constitution prohibits it from adopting any policy or rule promoting or establishing a religion or any policy that unlawfully restricts any person's free exercise of the individual right to free exercise of religion enjoyed by all persons. Within the confines of this legal framework, the Board adopts the following policy to address the scope of these rights and the District's authority within its own facilities or during events. Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.

As public employees, while on duty and acting within the scope of employment or pursuant to official duties, District staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. Staff are expected to avoid circumstances where the staff member's expression of religious views could be reasonably construed as an endorsement or approval of the message by the school or District. Nothing in this policy or its application shall serve to prohibit or interfere with any staff member's free exercise of their religious views in circumstances not covered by this policy. The District shall not function as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on District property by any party shall be in accordance with Policy 7510 - Use of School Facilities and AG 7510A - Use of District Facilities and Policy 9700 - Relations with Special Interest Groups.

Nothing in this policy prohibits teaching about various religions and religious practices in a manner consistent with any adopted District course curriculum. This instruction may include discussion of religious holidays and customs in a manner related to the curriculum that does not give the appearance of an endorsement of one religion over other religions or favoring either a system or religious beliefs or of other beliefs, such as atheism or agnosticism. Observance of religious holidays through devotional exercises or acts of worship is also prohibited.

Distribution of any outside organization's materials, including a request by any person wishing to facilitate dissemination of materials on District property, may make a request in accordance with Policy 7510 and AG 7510A - Use of District Facilities and Policy 9700 - Relations with Non-School Affiliated Groups and AG 9700A - Distribution of Materials to Students.

Students are not prohibited by this policy. The Board acknowledges that it is prohibited from adopting any policy or any guideline promulgated pursuant to this policy, from engaging in rule respecting or promoting an establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's/person's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate, or on an individual basis in a manner that does not disrupt the educational process.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

PATRIOTIC ACTIVITIES AND OBSERVANCES

The United States Flag and Pledge of Allegiance
The flag of the United States shall be raised above each public school building operated by the District at all times during school hours, weather permitting. This flag shall measure at least four (4) feet two (2) inches by eight (8) feet. A United States flag shall also be displayed in every classroom or other instructional site in which students recite the Pledge of Allegiance.

All students in attendance at school will be provided an opportunity to recite the Pledge each day that school is in session. However, no student shall be compelled to recite the Pledge of Allegiance. No student shall be penalized for failure to participate in the Pledge and the professional staff shall protect any such students from bullying as a result of their not participating in the Pledge.

The building principal or administrator shall be responsible for determining the appropriate time and manner for reciting the Pledge, with due regard to the need to protect the rights and the privacy of a nonparticipating student.

[x] The District may offer students and staff a Moment of Silence to commemorate a significant event that has a significant impact on the community. The decision to offer a moment of silence shall be the building principal's and/or the Superintendent's decision. No moment of silence shall be described by school officials with reference to religious symbolism or activity. **[END OF OPTION]**

M.C.L. 2.91, 380.1347, 380.1347a, 380.1565
20 U.S.C. 4071 et seq.

29 C.F.R. 1910.1030

Gregoire vs. Centennial School District 907 F2d 1366, (3rd Circuit, 1990)
Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)

[Cross Reference

po8805]

© Neola 20242013



Book	Policy Manual
Section	Vol. 39, No. 1 - September 2024 MI Update Board Revisions
Title	Copy of EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES
Code	po3120.08 - CH/SL/JW 20241030
Status	
Adopted	November 12, 2012

Revised Policy - Vol. 39, No. 1

3120.08 - EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES

The Board of Education may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees:

- A. may may be members of the District's support staff, or
- B. may be individuals from the community or nearby areas.

The Board authorizes the Superintendent to recommend candidates for employment by the Board.

The Superintendent shall establish administrative guidelines to ensure that each person employed as a coach or activity sponsor has the appropriate qualifications, has been properly interviewed, and signs an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures.

Appropriate qualifications shall, at a minimum, include any requirements established by the State, and may also include any program specific training or certification as determined by the Superintendent. Starting with the 2025-2026 school year, an individual hired to serve at the high school as an athletic coach shall have a valid certification in cardiopulmonary resuscitation and use of an automated external defibrillator issued by the American Red Cross, American Heart Association, or a comparable organization or institution approved by the Michigan Department of Education, such as cardio-pulmonary resuscitation and/or first aid.

© Neola ~~2024~~2008



Book	Policy Manual
Section	Vol. 39, No. 1 - September 2024 MI Update Board Revisions
Title	Copy of OPIOID ANTAGONISTS
Code	po5330.02 - CH/SL/JW 20241030
Status	
Legal	Administration of Opioid Antagonists Act
Adopted	June 12, 2017
Last Revised	January 13, 2020

Revised Policy - Vol. 39, No. 1

5330.02 - OPIOID ANTAGONISTS

The Board has determined that it is in the best interests of its students and employees to have opioid antagonists available to be administered, if necessary, by appropriately trained personnel. Therefore, the Board adopts this policy to govern the handling and administration of opioid antagonists consistent with the following processes, procedures and limitations.

The District shall purchase opioid antagonists and distribute the opioid antagonists to an employee or agent of the District who has been trained in the administration of that opioid antagonist. An opioid antagonist is naloxone hydrochloride, Narcan, or any other similarly acting and equally safe drug approved by the U.S. Food and Drug Administration for the treatment of drug overdose.

A District employee or agent may possess an opioid antagonist distributed to that employee or agent and may administer that opioid antagonist to an individual only if both of the following apply:

- A. The employee or agent has been trained in the proper administration of that opioid antagonist.
- B. The employee or agent has reason to believe that the individual is experiencing an opioid-related overdose.

Each school in the District shall have at least two (2) employees who have been trained in the appropriate use and administration of an opioid antagonist. The training shall be done in a manner that has been approved by a licensed registered professional nurse. Only an appropriately trained school employee or agent may possess and administer an opioid antagonist.

Each school in the District shall possess at least one (1) package of an opioid antagonist on site. The opioid antagonist may be administered by a trained school employee or agent to a student or other individual on school grounds who is believed to be having an opioid-related overdose.

An opioid-related overdose is a condition, including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death, that results from the consumption or use of an opioid or another substance with which an opioid was combined or that a reasonable person would believe to be an opioid-related overdose that requires medical assistance.

Any school personnel who have reason to believe that a student is having an opioid-related overdose must call 911.

Any person who administers an opioid antagonist to a student shall promptly notify the Building Administration, who shall be responsible for promptly notifying the student's parent/guardian that an injection has been administered.

It shall be the responsibility of the District Nurse to be sure that the supply of opioid antagonists is maintained at the appropriate level and **that** they have not expired. The District Nurse shall also be responsible for coordinating the training of District employees to administer the opioid antagonists and to maintain the list of employees authorized to administer the antagonists.

© Neola **20242019**



Book	Policy Manual
Section	Vol. 39, No. 1 - September 2024 MI Update Board Revisions
Title	Copy of STUDENT ACCIDENTS
Code	po5340 - CH/SL/JW 20241030
Status	
Adopted	November 12, 2012

Revised Policy - Vol. 39, No. 1

5340 - STUDENT ACCIDENTS

The Board of Education believes that school personnel have certain responsibilities in case of accidents which occur in school. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration personnel, notification of parents, and the filing of accident reports.

Employees should administer first aid within the limits of their knowledge of recommended practices. All employees should make an effort to increase their understanding of the proper steps to be taken in the event of an accident.

Beginning with the 2025-2026 school year, the Board shall develop a cardiac response plan. This plan will include utilizing employees to respond to sudden cardiac arrests or other life-threatening emergencies that may occur on school campuses during school hours or at school-sponsored events including, but not limited to, school-sponsored athletic events.

~~The Superintendent may provide for an in-service program on first aid and CPR procedures.~~

The administrator in charge must submit an accident report to the Superintendent on all accidents.

© Neola **20242012**



Book	Policy Manual
Section	Vol. 39, No. 1 - September 2024 MI Update Board Revisions
Title	Copy of STUDENT CONDUCT
Code	po5500 - CH 20241029
Status	
Legal	M.C.L.A. 380.1311, 380.1312
Adopted	November 12, 2012

Revised Policy - Vol. 39, No. 1

5500 - STUDENT CONDUCT

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the schools of this District.

Academic Honesty

The Board values honesty and expects integrity in the District's students. Violating academic honesty expectations erodes the trust between teachers and students as well as compromises the academic standing of other students. So that each student learns the skills being taught and is judged solely on their own merits, the Board prohibits any student from presenting someone else's work as their own, using artificial intelligence platforms in place of one's own work, providing unauthorized assistance to another student, and cheating in any manner.

All school work submitted for the purpose of meeting course requirements must be the individual student's original work or the original work of a group of students for group projects. It is prohibited for any student to unfairly advance their own academic performance or that of any other student. Likewise, no student may intentionally limit or impede the academic performance or intellectual pursuits of other students.

Academic dishonesty includes, but is not limited to:

- A. plagiarism (of ideas, work, research, speech, art, music, etc.);
- B. forgery of another's work;
- C. presenting the results that are the product of an artificial intelligence (AI) platform as one's own where the use of AI was not specifically allowed by the teacher as part of the assignment;
- D. downloading or copying information from other sources and presenting it as one's own;
- E. using language translation work of someone else or using technology when the expectation is doing one's own translation;

- F. copying another person's work;
- G. allowing another person to copy one's own work;
- H. stealing another person's work;
- I. doing another person's work for them;
- J. distributing copies of one's work for use by others;
- K. distributing copies of someone else's work for use by others for academic gain or advantage;
- L. intentionally accessing another's work for the purpose of presenting it as one's own for academic gain or advantage;
- M. distributing or receiving answers to assignments, quizzes, tests, assessments, etc.;
- N. distributing or receiving questions from quizzes, tests, assessments, etc.;
- O. () _____;
- P. () _____.

[OPTIONAL LANGUAGE - ARTIFICIAL INTELLIGENCE/NATURAL LANGUAGE PROCESSING TOOLS]

[] Use of Artificial Intelligence/Natural Language Processing Tools For School Work

In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence (AI) and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") is strictly prohibited for the completion of school work. The use of AI/NLP tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct. () (See Policy 7540.09 - Artificial Intelligence (AI)) **[END OF OPTION]**

Notwithstanding the preceding, students can use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

- A. Research assistance: AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.
- B. Data Analysis: AI/NLP tools can be used to help students to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.
- C. Language translation: AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.
- D. Writing assistance: AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. Accessibility: AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments understand spoken language.

[END OF OPTIONAL LANGUAGE - AI/NLP]

Staff and Administration have the responsibility for monitoring students' work for compliance with this policy.

[] All teachers, beginning in the elementary grades, will educate students as to what constitutes academic dishonesty and what is acceptable and unacceptable behavior in District schools regarding academic integrity. () Such education shall reference this Board policy. [END OF OPTION]

Students who violate this policy are subject to disciplinary consequences.

[] Teachers are authorized, in consultation with their Principal, to apply appropriate consequences for violations of this policy. Disciplinary consequences for significant violations may include removal from the class with a failing grade, removal from student leadership positions, elimination of honors recognition, loss of membership in honor organizations, as well as other disciplinary consequences appropriate to the nature of the violation. **[END OF OPTION]**

Parents shall be contacted as soon as practicable to report any alleged acts of academic dishonesty by their child.

Repeated violations of this policy will result in additional disciplinary consequences in accordance with the Student Code of Conduct.

Student and/or parent appeals of disciplinary consequences resulting from violation of this policy may be made based on the appeals process documented in the student handbook.

The Superintendent shall establish procedures to carry out Board policy and philosophy, and shall hold all school personnel, students, and parents responsible for the conduct of students in schools, on school vehicles, and at school-related events.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct. This Code of Conduct shall be reviewed annually.

[] A summary of this policy shall be included in the Student Handbook and the Employee Handbook.

Cross References

po7540.03

po7540.04

po7540.09

© Neola **20242012**



Book	Policy Manual
Section	Vol. 39, No. 1 - September 2024 MI Update Board Revisions
Title	Copy of SMALL UNMANNED AIRCRAFT SYSTEMS
Code	po7440.03 - CH/SL/JW 20241030
Status	
Legal	86 FR 4314 14 C.F.R. Part 107
Adopted	January 13, 2020
Last Revised	December 12, 2022

Technical Correction - Vol. 39, No. 1

7440.03 - SMALL UNMANNED AIRCRAFT SYSTEMS

The Board prohibits the operation of small Unmanned Aircraft Systems ("sUAS") at any time by any individual who is not employed by the District, as well as by any District staff member or administrator who is not expressly authorized to do so by the Superintendent, on property owned or leased or contracted for by the Board.

The Board also prohibits the operation of an sUAS ("drone") on property owned or leased or contracted for by the Board during District-sponsored contests (including scrimmages and previews), practices, tournaments, and activities under the auspices of the Michigan High School Athletic Association ("MHSAA"). District officials may deny admission or entry to anyone attempting to use an sUAS until the event has been completed. Any exceptions to this prohibition must be approved in advance by the Superintendent.

To be authorized to operate a drone on property owned or leased or contracted for by the Board, a staff member or administrator must have a Remote Pilot Certificate issued by the Federal Aviation Administration ("FAA"). Further, the drone must be registered with the FAA and properly marked in accordance with 14 C.F.R. Part 107.

A staff member or administrator authorized to operate a drone on property owned or leased or contracted for by the Board, must also comply with all rules set forth in 14 C.F.R. Part 107. (See AG 7440.03)

Failure to adhere by all rules set forth in 14 C.F.R. Part 107 and AG 7440.03 may result in loss of authorization to operate a drone to operate on property owned or leased or contracted for by the Board, referral to local law enforcement, and/or further disciplinary action, up to and including termination.

© Neola 20242022



Book	Policy Manual
Section	Vol. 39, No. 1 - September 2024 MI Update Board Revisions
Title	Vol. 39, No. 1 - September 2024 New ARTIFICIAL INTELLIGENCE ("AI")
Code	po7540.09 - CH/SL/JW 20241030 - NEW POLICY
Status	
Cross References	po5500 - STUDENT CONDUCT po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY po7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

New Policy - Vol. 39, No. 1

7540.09 - ARTIFICIAL INTELLIGENCE ("AI")

The Board of Education recognizes the positive impact that artificial intelligence ("AI") technology may have in the District's educational program and operations. The Superintendent is authorized to support the use of artificial intelligence technology when its use is consistent with the District's mission, goals, and operational integrity.

Any use of artificial intelligence technology in the District's educational program or operations must be in accordance with State and Federal law as well as Board policies (☒) including, but not limited to, the following: Policy 2264 - Nondiscrimination on the Basis of Sex in Education Programs or Activities; Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs and Activities; Policy 5136 - Personal Communication Devices; Policy 5500 - Student Conduct; Policy 7540.03 - Student Technology Acceptable Use and Safety; Policy 7540.04 - Staff Technology Acceptable Use and Safety; Policy 8330 - Student Records; Policy 8350 - Confidentiality; and Policy 8351 - Security Breach of Confidential Databases. **[DRAFTING NOTE: Confirm and Select as Needed] [END OF OPTION]**

Violation of this policy may result in disciplinary consequences. Students may be disciplined for violations, up to and including suspension or expulsion. Staff may be disciplined for violations, up to and including suspension or termination of employment. The Administration will refer any illegal acts to law enforcement.

[Cross Reference

po5500

po7540.03

po7540.04]

© Neola 2024



Book	Policy Manual
Section	Vol. 39, No. 1 - September 2024 MI Update Board Revisions
Title	Copy of CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)
Code	po8321 - CH/SL/JW 20241030
Status	
Legal	Ref: Criminal Justice Information Services - Security Policy (Version 5.6, 2017), U.S. Dept. of Justice and Federal Bureau of Investigation Noncriminal Justice Agency Compliance Audit Review, Michigan State Police, Criminal Justice Information Center, Audit and Training Section Conducting Criminal Background Checks, Michigan State Police, Criminal Justice Information Center
Adopted	November 12, 2012
Last Revised	May 10, 2021

Revised Policy - Vol. 39, No. 1

8321 - CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)

The District is required by State law to have the Michigan State Police (MSP) obtain both a State and a Federal Bureau of Investigation (FBI) criminal history record information (CHRI) background check report for all employees of the District and contractors, vendors and their employees who work on a regular and continuous basis in the District. This policy provides the appropriate access, maintenance, security, confidentiality, dissemination, integrity, and audit requirements of CHRI in all its forms, whether at rest or in transit. This policy/procedure shall be reviewed and updated at least annually and following any security incidents involving CHRI. To assure the security, confidentiality, and integrity of the CHRI background check information received from the MSP/FBI, the following standards are established:

A. Sanctions for Non-Compliance

Employees who fail to comply with this policy, State and Federal law, current CJISSECPOL, rules or regulations, and any guidelines issued to implement this policy will be subject to discipline for such violations. Discipline can range from counseling and retraining to discharge and prosecution, based on the nature and severity of the violation, at the District's discretion. All violations will be recorded in writing, with the corrective action taken. The Superintendent shall review, approve, sign, and date all such corrective actions.

B. Local Agency Security Officer (LASO)

The Administrative Assistant to the Superintendent shall be designated as the District's Security Officer ("LASO"). and The LASO is an authorized user/personnel, has completed a fingerprint-based background check where required, and has been found appropriate to access CHRI, and an employee directly involved in evaluating an individual's qualifications for employment or assignment. The LASO shall be responsible for overall implementation of this policy and for data and system security. This shall include:

1. identifying who is using or accessing CHRI and/or systems with access to CHRI;

2. identifying and documenting any equipment connected to the State system;
3. ensuring that personnel security screening procedures are being followed as set forth in this policy;
4. ensuring that approved and appropriate security measures are in place and working as expected;
5. supporting policy compliance and instituting the incident response reporting procedures;
6. ensuring annual awareness and training is being completed by all personnel with authorized access to the CHRI;
7. ensuring that the Michigan State Police are promptly informed of any security incidents involving the abuse or breach of the system and/or access to criminal justice information;
8. reviewing and updating information security policy/procedures annually or after security incidents involving CHRI;
9. ~~to the extent applicable, identifying and documenting how District equipment is connected to the Michigan State Police system;~~
10. employing one (1) or more of the following techniques to increase the security and privacy awareness of system users: displaying posters, offering supplies inscribed with security and privacy reminders; displaying logon screen messages; generating email advisories or notices from organizational officials; conducting awareness events; and
11. to the extent applicable, identifying who is using the Michigan State Police approved hardware, software, and firmware, and ensuring that no unauthorized individuals have access to these items.

The District's LASO shall be the point of contact for the Michigan State Police and should be the person most knowledgeable about this policy. The District's LASO shall be designated on the appropriate form as prescribed and maintained by the Michigan State Police. A new form shall be submitted every time a new LASO is designated and kept on file by the District indefinitely.

C. Privacy Act Statement Disclosure

The District shall ensure that the applicant receives the Federal Privacy Act Statement Disclosure by providing the applicant with the most current version of the MSP RI-030 Live Scan consent form. The applicant will receive this information by hard or electronic copy.

D. Agency User Agreements

The District shall enter into any required User Agreement for Release of CHRI ("User Agreement"), and future amendments, by the Michigan State Police necessary to access the required CHRI on applicants, volunteers, and all other statutorily required individuals, such as contractors and vendors and their employees assigned to the District. Agreements are in place to provide data ownership, individual roles, responsibilities, etc. The District shall request a new user agreement in the event they have a legal name change, they move to a new physical address, or they wish to add or remove fingerprint reason codes. The most current copy of the Agreement shall be maintained on file at the agency indefinitely. The LASO shall be responsible for the District's compliance with the terms of any such User Agreement.

E. Personnel Security

Authorized users/personnel shall be individuals who have been appropriately vetted through a national fingerprint-based background check, as required by school safety legislation, and have been granted access to CHRI data, wherein access is only for the purpose of evaluating an individual's qualifications for employment or assignment.

1. **Subsequent Arrest/Conviction** - If an individual granted access to criminal justice information is subsequently arrested and/or convicted, access shall be suspended immediately until the matter is reviewed by the LASO to determine if continued access is appropriate. Such determination shall be recorded in writing, signed, dated, and maintained with the individual's file. In the event that the LASO has the arrest/conviction, the Superintendent (if not the designated LASO) shall make the determination. If the Superintendent is also the designated LASO, the determination shall be made by the Chief Financial Officer; except that, as noted in D(1)(a), individuals with a felony conviction of any kind will have their access indefinitely suspended.

2. **Public Interest Denial** - If the LASO determines that access to criminal justice information by any individual would not be in the public interest, access shall be denied whether that person is seeking access or has previously been granted access. Such decision and reasons shall be in writing, signed, dated, and maintained in the individual's file.
3. **Approval for Access** - All requests for access to criminal justice information shall be as specified and approved by the LASO. Any such designee must be a direct employee of the District. The District must maintain a readily accessible list that includes the names of all LASO approved personnel with access to criminal justice information, as well as the reason for providing each individual access. This list shall be made available to the Michigan State Police upon request.
4. **Notification of Termination of Employment/Access or Transfer/Re-assignment** - When an employee's access or employment is terminated, or if the duties for accessing criminal justice information have been transferred or re-assigned to another individual, the _____ designated individual _____ [designated individual] shall be notified promptly in writing. The individual responsible for the termination or transfer/re-assignment shall directly notify the _____ designated individual _____ [designated individual].
5. **Termination of Employment/Access** - Within twenty-four (24) hours of the termination of employment, all access to criminal justice information shall be terminated immediately for that individual, such as requiring the individual to return any keys or access cards to buildings, offices, and/or files, or closing the individual's account and/or blocking access to any systems containing such information at the District.
6. **Transfer/Re-assignment** - When an individual who has been granted access to criminal justice information has been transferred or re-assigned to other duties, the LASO shall determine whether continued access is necessary and appropriate. If not, the LASO shall take such steps as necessary to block further access to such information within the twenty-four (24) hour period immediately following the transfer or reassignment. If such access is not necessary and appropriate, steps to eliminate the individual's access will be taken immediately, such as requiring the individual to return any keys or access cards to buildings, offices, and/or files, or closing the individual's account and/or blocking access to any systems containing such information at the District.

F. Media Protection

Access to digital and physical media in all forms, which contains criminal history background information provided by the Michigan State Police through the statutory record check process, is restricted to authorized individuals only. Only individuals involved in the hiring determination of both District employees and volunteers shall be authorized to access digital and physical media containing CHRI.

1. **Media Storage and Access** - All digital and physical media shall be stored in a physically secure location or controlled area, such as locked office, locked cabinet, or other similarly secure area(s) which can only be accessed by authorized individuals. If such security cannot be reasonably provided, then all digital CHRI background data shall be encrypted. Access to such media will be secured at all times when not in use or under the supervision of an authorized individual. Digital media shall be stored on a District or School server and unless encrypted, shall be maintained in a lockable filing cabinet, drawer, closet, office, safe, vault, etc. Storage on a third party server, such as cloud service, is not permitted. Storage of digital media must conform to the requirements in AG 8321 and must be encrypted. Physical media will be stored within individual records when feasible, or by itself when necessary, and will be maintained in a lockable filing cabinet, drawer, closet, office, safe, vault, etc.
2. **Media Transport** - Digital and physical media shall only be transported upon sufficient justification approved by the LASO. Digital and physical media shall be protected when being transported outside of a controlled area. Only authorized individuals shall transport the media. Physical media (e.g. printed documents, printed imagery, etc.) shall be transported using a locked container, sealed envelope, or other similarly secure measure. To the extent possible, digital media (e.g., hard drives and removable storage devices such as disks, tapes, flash drives, and memory cards) shall be either encrypted and/or be password protected during the transport process. The media shall be directly delivered to the intended person or destination and shall remain in the physical control and custody of the authorized individual at all times during transport. Access shall only be allowed to an authorized individual.
3. **Media Disposal/Sanitization** - When the CHRI background check is no longer needed, the media upon which it is stored shall either be destroyed or sanitized. The LASO and the Superintendent shall approve in writing the media to be affected. This record shall be maintained by the LASO during the individual's active employment plus an additional six (6) years. [Note: the regulations do not specify a specific period for

maintaining this information. This time period is suggested based on the State of Michigan's background information retention schedule and will likely cover most statutes of ~~limitation~~ limitation and can be retained in digital format.]

- a. **Digital Media** - Sanitization of the media and deletion of the data shall be accomplished by either overwriting at least three (3) times or by degaussing, prior to disposal or reuse of the media, **but optical media (such as CDs and DVDs) will be physically destroyed**. If the media is inoperable or will not be reused, it shall be destroyed by shredding, cutting, or other suitable method to assure that any data will not be retrievable.
- b. **Physical Media** - Disposal of documents, images, or other type of physical record of the criminal history information shall be cross-cut shredded or incinerated. Physical security of the documents and their information shall be maintained during the process by authorized individuals. Documents may not be placed in a waste basket or burn bag for unauthorized individuals to later collect and dispose of.

All disposal/sanitization shall be either conducted or witnessed by authorized personnel to assure that there is no misappropriation of, or unauthorized access to, the data to be deleted. Written documentation of the steps taken to sanitize or destroy the media shall be maintained for ten (10) years, and must include the date as well as the signatures of the person(s) performing and/or witnessing the process. (See also, AG 8321.)

- 4. **Personal Mobile Devices** - A personally owned mobile device (mobile phone, tablet, laptop, etc.) **or no identifiable owner digital media device** shall not be authorized to access, process, store or transmit criminal justice information unless the District has established and documented the specific terms and conditions for personally owned mobile devices through a Mobile Device Management (MDM) system. An MDM is not required when receiving CHRI from an indirect access information system (i.e., the system provides no capability to conduct transactional activities on State and national repositories, applications, or services).

5. CHRI Background Check Consent and Documentation

All individuals requested to complete a fingerprint-based CHRI background check must execute Michigan State Police Form RI-088A at the time of application and be notified fingerprints will be used to check the criminal history records of the FBI, prior to completing a fingerprint-based CHRI background check. The most current and unaltered Livescan form (RI-030) will satisfy this requirement and must be retained. Individuals subject to a fingerprint-based CHRI background check shall be provided the opportunity to complete or challenge the accuracy of the individual's criminal history record.

Some type of documentation identifying the position for which a fingerprint-based CHRI background check has been obtained must be retained for every CHRI background check conducted, such as the "Agency User Agreement" (RI-087), an offer letter, employment agreement, new hire checklist, employment contract, volunteer background check form, etc.

6. Controlled Area/Physical Protections

All CHRI obtained from the Michigan State Police pursuant to the statutorily required background checks shall be maintained in the Human Resources, which is a physically secure and controlled area. The following security precautions will apply to the controlled area:

- a. Limited unauthorized personnel access to the area during times that criminal justice information is being processed or viewed.
- b. The controlled area shall be locked at all times when not in use or attended by an authorized individual.
- c. Information systems devices (e.g., computer screens) and physical documents, when in use, shall be positioned to prevent unauthorized individuals from being able to access or view them.
- d. Encryption shall be used for digital storage of criminal justice information. (See AG 8321)

7. Passwords (Standard Authentication)¹

All authorized individuals with access to computer or systems where processing is conducted or containing criminal justice information must have a unique password to gain access. This password shall not be used for

any other account to which the individual has access and shall comply with the following attributes and standards:

- a. at least eight (8) characters long on all systems
- b. not be a proper name or a word found in the dictionary
- c. not be the same as the user identification
- d. not be displayed when entered into the system (must use feature to hide password as typed)
- e. not be transmitted in the clear outside of the secure location used for criminal justice information storage and retrieval
- f. must expire and be changed every ninety (90) days
- g. renewed password cannot be the same as any prior ten (10) passwords used (See also, AG 8321)

8. Security Awareness Training

All individuals who are authorized by the District to have access to criminal justice information or to systems which store criminal justice information shall have basic security awareness training as part of initial training for new users prior to accessing CJI and annually thereafter, and when required by system changes or within thirty (30) days of any security event for individuals involved in the event. ~~within six (6) months of initial assignment/authorization and every two (2) years thereafter.~~ LASOs require enhanced training on the specific duties and responsibilities of those positions and the impact those positions have on the overall security of information systems.

Training is a role-based security and privacy training for personnel with the following roles:

- a. **Basic Role:** All individuals with unescorted access to a physically secure location. (Not typical for NCJAs)
- b. **General Role:** All personnel with access to CJI. This level is designed for people who have physical and logical access to CJI.
- c. **Privileged Role:** This level is designed for all information technology personnel including system administrators, security administrators, network administrator, etc. More access is needed than a general user, but not an assigned LASO. (i.e., CHRISS Administrator)
- d. **Security Role:** This level is designed for personnel with the responsibility to ensure the confidentiality, integrity, and availability of CJI and the implementation of technology in a manner compliant with the CJISSECPOL. (i.e., LASO)

The training shall, to the extent possible, be received through a program approved by the Michigan State Police. A template of the training is provided on the Michigan State Police's website. At a minimum, the training shall comply with the standards established by the U.S. Department of Justice and Federal Bureau of Investigation for Criminal Justice Information Services. (See AG 8321.) A record shall be kept current of all individuals who have completed the security awareness training.

9. Secondary Dissemination of Information

If criminal history background information received from the Michigan State Police is released to another authorized agency under the sharing provision designated by the revised school code, a log of such releases shall be maintained and kept current for all dissemination outside of the CHRISS system indicating:

- a. the date of release;
- b. record disseminated;
- c. method of sharing;
- d. agency personnel that shared the CHRI;

- e. the agency to which the information was released;
- f. the name of the individual recipient at the agency; and
- g. whether authorization was obtained.

A log entry need not be kept if the receiving agency/entity is part of the primary information exchange agreements between the District and the Michigan State Police. A release form consenting to the sharing of CHRI shall be maintained at all relevant times.

If CHRI is received from another District or outside agency, an Internet Criminal History Access Tool (ICHAT) background check shall be performed to ensure the CHRI is based on personal identifying information, including the individual's name, sex, and date of birth, at a minimum.

Incident Handling and Responses

The District shall establish operational incident handling procedures for instances of an information security breach. Information security incidents are major incidents that significantly endanger the security or integrity of CHRI. The District will identify responsibilities for information security incidents and include how and who to report such incidents to. The District will ensure appropriate security incident capabilities exist and should incorporate the lessons learned from ongoing incident handling activities. The District will ensure procedures exist and are implemented for a follow-up action of a security breach and for the collection of evidence in cases of legal action. All individuals with direct or indirect access to CHRI shall be trained on how to handle an information security incident, and such training will be included within the provided awareness and training. Information system security incidents shall be tracked using Form CJIS-016 and documented on an ongoing basis. Incident-related information may be obtained from audit monitoring, network monitoring, physical access monitoring, and user/administrator reports. The LASO shall maintain completed security incident reporting forms for three (3) years or until legal action (if warranted) is complete, whichever timeframe is greater. The District shall implement steps for incident handling capabilities, for both digital and physical CHRI media. Incident response testing will be conducted annually using the following tests: tabletop or walk-through exercises, simulations, or other agency appropriate tests. At a minimum, the following will be implemented:

	Physical - Hard Copy CHRI	Digital - Digitally Saved CHRI
1. Preparation	The CHRI container will be locked at all times in the business office where it is stored. The office must be locked when the office staff is not present.	Firewalls, virus protection, and/or malware/spyware protection shall be implemented and maintained to prevent unauthorized access or intrusion of the information systems.
2. Detection	Unauthorized activities or physical intrusions to the building shall be monitored by building alarm or video surveillance. Doors must be locked and checked at night.	Electronic intrusions shall be monitored and detected by the firewalls, virus protection, and/or malware/spyware protection software.
3. Analysis	The LASO will work with police authorities to determine how the incident occurred and what data was affected.	The LASO shall work with the IT department to determine what systems or data were compromised and affected.
4. Containment	The LASO shall lock uncompromised CHRI information in a secure container, or transport CHRI to a secure area.	The IT department shall stop the spread of any intrusion of the information systems and prevent further damage.
5. Eradication	The LASO shall work with law enforcement to remove any threats and compromised CHRI data.	The IT department shall remove the intrusion of the information systems before restoring the system. All steps necessary to prevent recurrence shall be taken before restoring the system.

6. Recovery	The Police shall handle and/or oversee the recovery of stolen CHRI media. The LASO may contact MSP for assistance in re-fingerprinting if necessary.	The IT department shall restore the agency information system and media to a safe environment.
-------------	--	--

When an incident involving the security of CHRI or systems with access to CHRI is discovered, the following procedures shall be followed:

A. ~~The LASO shall be notified immediately.~~ All personnel are required to report suspected incidents to the LASO immediately, but not to exceed one (1) hour after discovery. Personnel who become aware of an incident or believe an incident has occurred should report to the following individuals, in order:

1. LASO
2. _____ Superintendent _____ [Designated Title]
3. _____ Technology Director _____ [Designated Title]
4. _____ Maintenance Director _____ [Designated Title]

B. The breach shall be assessed and steps taken to correct the situation:

1. access shall be stopped for any unauthorized user;
2. media shall be secured;
3. systems shall be shut down as necessary to avoid further exposure to unauthorized access or dissemination of CHRI;
4. such other steps are deemed necessary by the LASO or authorized personnel involved in assessing the incident.

C. All necessary information regarding the security breach and District responses shall be recorded, analyzed, and preserved, including who was involved in taking incident response measures.

D. The LASO shall be responsible for filing the incident report with the MSP using the CJIS-016. Completed CJIS-016 forms shall be retained on an ongoing basis to meet policy requirements for tracking.

The LASO shall monitor MSP information/guidance on incident reports and train authorized users with access to CHRI on detection and response to security incidents.

E. Mobile Device - Incident Handling and Response

1. The LASO shall be notified immediately.
2. The breach shall be assessed and steps taken to correct the situations:
 - a. access shall be stopped immediately, and remotely if necessary, for any authorized user;
 - b. media shall be secured and steps taken to identify how the incident occurred and what systems or data were compromised or affected;
 - c. systems shall be shut down as necessary to avoid further exposure to unauthorized access or dissemination of CJI;
 - d. such other steps as are deemed necessary by the LASO or authorized personnel involved in assessing the incident.
3. All necessary information regarding the security breach and District responses shall be recorded, analyzed, and preserved, including who was involved in taking incident response measures.
4. Steps shall be taken to restore the device and media to a safe environment.

5. The LASO shall be responsible for filing the incident report with the MSP using form CJIS-016. A copy of the completed form shall be retained and produced to MSP upon request.

When a device is lost the District shall document and indicate how long the device has been lost. Special reporting procedures for mobile devices shall apply in any of the following situations:

- a. for a lost device, report if the owner:
 - 1. believed the device was locked;
 - 2. believed the device was unlocked;
 - 3. could not validate the device's locked state;
- b. for a total loss of a device, report if:
 - 1. CHRI was stored on the device;
 - 2. the device was locked or unlocked;
 - 3. capable of remote tracking or wiping of device;
- c. report any compromise of a device when the intrusion occurs while still in the owner's possession;
- d. report any compromise outside of the United States.

F. Collection of Evidence

Where an information security incident involves legal action against the District or an individual (either civil or criminal), evidence shall be collected, retained, and presented in accordance with the rules of evidence of the relevant jurisdiction(s). For criminal matters, _____ local law enforcement agency _____ **[law enforcement agency]** shall be contacted for evidence collection. For civil matters, _____ District legal counsel _____ **[designated legal counsel]** will be contacted for evidence collection.

¹Applicable to districts that maintain CHRI within a digital system of records, such as a digital database, filing system, record keeping software, spreadsheets, etc. Not applicable if CHRI kept solely via e-mail and/or paper copies.

Revised 5/12/14

Revised 11/9/15

Revised 12/12/16

Revised 1/8/18

Revised 8/13/18

© Neola **20242021**



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of CONFLICT OF INTEREST
Code	po1130 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.112, 200.113, 200.318 M.C.L. 380.634, 380.1805(1)
Adopted	November 12, 2012
Last Revised	April 11, 2016

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

1130 - CONFLICT OF INTEREST

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

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

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

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

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

- a. In writing, to the Board President at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165)

- b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member, officer, ~~or agent,~~ or Board member must use this method of disclosure if ~~the his/her~~ financial interest amounts to \$5,000 or more.
4. Employees, officers, ~~and agents,~~ and Board members shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship ~~the employee, officer, agent, or Board member~~ they may have with any student, client, or parents of such students or clients in the course of ~~the employee's, officer's, agent's, or Board member's~~ their employment or professional relationship with the ~~School~~-District.
- Included, by way of illustration rather than limitation, are the following:
- the provision of any private lessons or services for a fee
 - the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, officer's, ~~or agent's,~~ or Board member's employment or professional relationship with the District through ~~his/her~~ access to ~~School~~-District records
 - the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - the requirement of students or clients to purchase any private goods or services provided by an employee, officer, ~~or agent,~~ or Board member, or any business or professional practitioner with whom any employee, officer, ~~or agent,~~ or Board member has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
5. Employees, officers, ~~and agents,~~ and Board members shall not make use of materials, equipment, or facilities of the ~~School~~-District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Should exceptions to this policy be necessary in order to provide services to students or clients of the ~~School~~-District, all such exceptions will be made known to the employee's supervisor and will be disclosed to the Superintendent before entering into any private relationship.
- C. No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract. ~~Employees, officers, and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~

Pursuant to Federal rules, the District has set standards for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of ~~Employees, officers, and agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds. Employees, officers, and agents may, however, accept a gift of unsolicited items of "nominal value" from a contractor or party to subcontracts that do not involve Federal grant funds. For purposes of this section, "nominal value" means that the gift has a monetary value of \$56.00 of the State set amount for Intermediate School Districts or less.~~

[In accordance with M.C.L. 380.634, the Michigan Department of Education (MDE) adjusts the limits on the value of gifts that may be accepted from vendors or potential vendors for Intermediate School District employees. The fiscal year ~~2023-2024~~2021-22 cap for gifts was \$7364.]

- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~-District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~-District is unable, or appears to be unable, to be impartial in conducting a procurement action involving a related organization.

- E. Employees, officers, ~~and~~ agents, and Board members must promptly disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~-District. Upon discovery of any potential conflict of interest, the ~~School~~-District will disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~-agency or, if applicable, the pass-through entity.

The District will also promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200 ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery, or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.~~

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

[DRAFTING NOTE: The ~~School~~-District has discretion over the appropriate disciplinary actions. For example, the ~~School~~-District may suspend or terminate the individual's employment, transfer the individual, end the District's professional relationship with that individual, or temporarily re-assign the individual. All disciplinary actions must be in accordance with applicable Federal, State, and local law, as well as any collectively bargained agreements.]

Revised 11/9/15

© Neola ~~20242016~~



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of CONFLICT OF INTEREST
Code	po3110 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.112, 200.113, 200.318 M.C.L. 380.634, 380.1805(1)
Adopted	November 12, 2012
Last Revised	April 11, 2016

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

3110 - CONFLICT OF INTEREST

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

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

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

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

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

- a. In writing, to the Board President at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165)

- b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member, officer, ~~or agent,~~ or Board member must use this method of disclosure if ~~the his/her~~ financial interest amounts to \$5,000 or more.
4. Employees, officers, ~~and agents,~~ and Board members shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship ~~the employee, officer, agent, or Board member~~ they may have with any student, client, or parents of such students or clients in the course of ~~the employee's, officer's, agent's, or Board member's~~ their employment or professional relationship with the ~~School~~-District.
- Included, by way of illustration rather than limitation, are the following:
- the provision of any private lessons or services for a fee
 - the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, officer's, ~~or agent's,~~ or Board member's employment or professional relationship with the District through ~~his/her~~ access to ~~School~~-District records
 - the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - the requirement of students or clients to purchase any private goods or services provided by an employee, officer, ~~or agent,~~ or Board member, or any business or professional practitioner with whom any employee, officer, ~~or agent,~~ or Board member has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
5. Employees, officers, ~~and agents,~~ and Board members shall not make use of materials, equipment, or facilities of the ~~School~~-District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Should exceptions to this policy be necessary in order to provide services to students or clients of the ~~School~~-District, all such exceptions will be made known to the employee's, officer's, or agent's supervisor and will be disclosed to the Superintendent before entering into any private relationship.
- C. ~~No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract. Employees, officers, and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~

~~Pursuant to Federal rules, the District has set standards for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of Employees, officers, and agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds. Employees, officers, and agents may, however, accept a gift of unsolicited items of "nominal value" from a contractor or party to subcontracts that do not involve Federal grant funds. For purposes of this section, "nominal value" means that the gift has a monetary value of \$56.00 of the State set amount for Intermediate School Districts or less.~~

[In accordance with M.C.L. 380.634, the Michigan Department of Education (MDE) adjusts the limits on the value of gifts that may be accepted from vendors or potential vendors for Intermediate School District employees. The fiscal year ~~2023-2024~~2021-22 cap for gifts was \$7364.]

- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~-District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~-District is unable, or appears to be unable, to be impartial in conducting a procurement action involving a related organization.

- E. Employees, officers, ~~and agents,~~ and Board members must promptly disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~-District. Upon discovery of any potential conflict of interest, the ~~School~~-District will disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~-agency or, if applicable, the pass-through entity.

The District will also promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729–3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200 ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery, or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.~~

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

[DRAFTING NOTE: The ~~School~~-District has discretion over the appropriate disciplinary actions. For example, the ~~School~~-District may suspend or terminate the individual's employment, transfer the individual, end the District's professional relationship with that individual, or temporarily re-assign the individual. All disciplinary actions must be in accordance with applicable Federal, State, and local law, as well as any collectively bargained agreements.]

Revised 11/9/15

© Neola ~~2024~~2016



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of CONFLICT OF INTEREST
Code	po4110 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.112, 200.113, 200.318 M.C.L. 380.634, 380.1805(1)
Adopted	November 12, 2012
Last Revised	April 11, 2016

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

4110 - CONFLICT OF INTEREST

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

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

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

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

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

- a. In writing, to the Board President at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165)

- b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member, officer, ~~or agent,~~ or Board member must use this method of disclosure if ~~the~~his/her financial interest amounts to \$5,000 or more.
4. Employees, officers, ~~and agents,~~ and Board members shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship ~~the employee, officer, agent, or Board member~~they may have with any student, client, or parents of such students or clients in the course of ~~the employee's, officer's, agent's, or Board member's~~their employment or professional relationship with the ~~School~~District.
- Included, by way of illustration rather than limitation, are the following:
- the provision of any private lessons or services for a fee
 - the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, officer's, ~~or agent's,~~ or Board member's employment or professional relationship with the District through ~~his/her~~access to ~~School~~District records
 - the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - the requirement of students or clients to purchase any private goods or services provided by an employee, officer, ~~or agent,~~ or Board member, or any business or professional practitioner with whom any employee, officer, ~~or agent,~~ or Board member has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
5. Employees, officers, ~~and agents,~~ and Board members shall not make use of materials, equipment, or facilities of the ~~School~~District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Should exceptions to this policy be necessary in order to provide services to students or clients of the ~~School~~District, all such exceptions will be made known to the employee's, officer's, or agent's supervisor and will be disclosed to the Superintendent before entering into any private relationship.
- C. No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract. ~~Employees, officers, and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~

Pursuant to Federal rules, the District has set standards for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of ~~Employees, officers, and agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds. Employees, officers, and agents may, however, accept a gift of unsolicited items of "nominal value" from a contractor or party to subcontracts that do not involve Federal grant funds. For purposes of this section, "nominal value" means that the gift has a monetary value of \$56.00 of the State set amount for Intermediate School Districts or less.~~

[In accordance with M.C.L. 380.634, the Michigan Department of Education (MDE) adjusts the limits on the value of gifts that may be accepted from vendors or potential vendors for Intermediate School District employees. The fiscal year ~~2023-2024~~2021-22 cap for gifts was \$7364.]

- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~District is unable, or appears to be unable, to be impartial in conducting a procurement action involving a related organization.

- E. Employees, officers, ~~and~~ agents, and Board members must promptly disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~-District. Upon discovery of any potential conflict of interest, the ~~School~~-District will disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~ agency or, if applicable, the pass-through entity.

The District will also promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729–3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200 ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery, or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.~~

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

[DRAFTING NOTE: The ~~School~~-District has discretion over the appropriate disciplinary actions. For example, the ~~School~~-District may suspend or terminate the individual's employment, transfer the individual, end the District's professional relationship with that individual, or temporarily re-assign the individual. All disciplinary actions must be in accordance with applicable Federal, State, and local law, as well as any collectively bargained agreements.]

Revised 11/9/15

© Neola ~~2024~~2016



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of GRANT FUNDS
Code	po6110 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.302, 200.307 2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.343(b)&(e) 34 C.F.R. 75.707, 76.563, 76.565, 76.707 20 U.S.C. 7906 Compliance Supplement for Single Audits of State and Local Governments
Adopted	November 12, 2012
Last Revised	June 13, 2022

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

6110 - GRANT FUNDS

It is the objective of the Board of Education to provide equal educational opportunities for all students within the District. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the District that would benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance educational opportunities, the educational environment, and the physical and mental growth for each student.

The Superintendent shall review new Federal education legislation and prepare proposals for programs **the Superintendents** he deems would be of aid to the students of this District. The Superintendent shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school districts and communities as a public trust. **The Board** it forbids the use of Federal monies for partisan political activities and for any use that would not be in accordance with Federal regulations and guidelines.

No Federal funds received by the District shall be used (1) to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds; (3) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution in schools.

Grant Proposal Development

- A. All grant proposals must support at least one (1) District goal or priority.

- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Proposal Internal Review

- A. Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.
- B. The Superintendent shall present the following proposals to the Board for approval:
 1. Government-funded proposals, regardless of the amount;
 2. multi-school or District-wide proposals.

Mandatory Disclosures

The District must promptly disclose whenever they have credible evidence of a violation of Federal criminal law potentially affecting the Federal award including, but not limited to, any fraud, embezzlement, bribery, gratuity violations, identity theft, or sexual assault and exploitation, or a violation of the civil False Claims Act (2 C.F.R. 175.105) regarding the obligation to report credible information related to conduct prohibited by the Trafficking Victims Protection Act, 22 U.S.C. 7104c.

The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and the pass-through entity.

Whistleblower Protections

An employee of the District may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information to the appropriate agency or individual that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract or grant. See Policy 1411/3211/4211 - Whistleblower Protection and Policy 8900 - Anti-Fraud.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, local, and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as District policies and administrative guidelines.
- B. The Superintendent is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The Superintendent is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statutes, regulations, and objectives, and the terms and conditions of the grant award.
- D. The District, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls, including the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the District will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Superintendent shall require that each draw of Federal monies be aligned with the District's payment process (whether reimbursement, cash advance or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Maintenance of Effort (MOE) and Maintenance of Equity (MOEquity) requirements of the Federal program will be met in accordance with the requirements of the specific funded program. The District shall maintain appropriate documentation and records to substantiate compliance or to justify allowable exceptions, exemptions, or waivers.

- F. The Superintendent is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.
- G. Employee positions established through the use of grant funding may terminate if and when the related grant funding ceases.

Financial Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as District policies and administrative guidelines.

The District shall provide for the following:

- A. Identification of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the Assistance Listings title and number, Federal award identification number, year the Federal award was issued, and name of the Federal agency or pass-through entity, in District accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of Federal Domestic Assistance (CFDA) title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, as applicable.
- B. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.
- C. Effective control over and accountability for all funds, property, and assets. The District must safeguard all assets and ensure they are used solely for authorized purposes. Records that adequately identify the source and application of funds provided for Federally funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest and be supported by source documentation.
- D. Effective control over, and accountability for, all funds, property, and other assets. The District must adequately safeguard all assets and assure that they are used solely for authorized purposes.

Further, the District must:

1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the District is managing the Federal award in compliance with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal award;
 2. comply with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal award;
 3. evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of the Federal award; and
 4. take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings;
 5. take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.
- E. Take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information. This also includes information the Federal awarding agency or pass-through entity designates as sensitive or other information the District considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality. Comparison of expenditures with budget amounts for each Federal award.
 - F. Actual expenditures or outlays must be compared with budgeted amounts for each Federal award.
 - G. Recordkeeping and written procedures to the extent required by Federal, State, local, and grantor rules and regulations pertaining to the grant award and accountability, including but not limited to, the following areas:
 1. cash management in accordance with 2 C.F.R. 200.305
 2. allowability of costs in accordance with subpart E and the terms and conditions of the Federal award
 3. conflict of interest
 4. procurement
 5. equipment management

6. conducting technical evaluations of proposals and selecting recipients
7. compensation and fringe benefits
8. travel

H. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.

I. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Audit Requirements

A single or program-specific audit (2 C.F.R. 200.514, 2 C.F.R. 200.507) is required for any year if the District expends \$1,000,000 or more in Federal awards during the District's fiscal year. When Federal awards expended are less than \$1,000,000, the District may be exempt from Federal audit requirements (2 C.F.R. 200.501) for that year. However, in all instances, the District's records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the Government Accountability Office (GAO).

The District shall:

- A. arrange for the audit required in accordance with 2 C.F.R. 200.509 and make sure that the audit is properly performed and submitted in accordance with 2 C.F.R. 200.512;
- B. prepare financial statements including the schedule of expenditures of Federal awards in accordance with 2 C.F.R. 200.510;
- C. promptly follow up and take corrective action on audit findings, including preparing a summary schedule of prior audit findings and a corrective action plan (2 C.F.R. 200.511); and
- D. provide the auditor access to personnel, accounts, books, records, supporting documentation, and any other information needed for the auditor to perform the audit.

Certifications and Records Retention

Financial reports must include a certification, signed by an official who is authorized to legally bind the District. The certification should state:

"I certify to the best of my knowledge and belief that the information provided herein is true, complete, and accurate. I am aware that the provision of false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil, or administrative consequences including, but not limited to, violations of U.S. Code Title 18, Sections 2, 1001, 1343 and Title 31, Sections 3729-3730 and 3801-3812"

Each certification must be maintained pursuant to the requirements of 2 C.F.R. 200.334. The District shall retain all Federal award records for three (3) years from the date of submission of the final financial report.

Program Income

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the Federal award during the grant's period of performance.

It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations or the terms and conditions of the Federal award, program income does not include rebates, credits, discounts and interest earned on any of them. Additionally, taxes, special assessments, levies, fines and ~~similar other such~~ revenues raised by a recipient are not program income ~~unless the revenues are specifically identified in the Federal award or Federal awarding agency regulations as program income.~~ Finally, proceeds from the sale of real property, equipment, or supplies are not program income. Finally, license fees and royalties for copyrighted material, patents, patent applications, trademarks, and inventions made under the Federal award subject to 37 C.F.R. Part 401 are not program income.

Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the District uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the Federal ~~awarding~~ agency or pass-through entity.

2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.302, 200.307
2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.343(b)&(e)

2 C.F.R. 200.501-511

20 U.S.C. 7906

34 C.F.R. 75.707, 76.563, 76.565, 76.707

Compliance Supplement for Single Audits of State and Local Governments

Revised 11/9/15

Revised 4/11/16

© Neola **20242022**



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of INTERNAL CONTROLS
Code	po6111 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.61-.62 2 C.F.R. 200.79 2 C.F.R. 200.303
Adopted	November 9, 2015
Last Revised	April 11, 2016

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

6111 - INTERNAL CONTROLS

The Superintendent shall establish, document, and maintain effective internal control over financial grants and awards that provide reasonable assurance that the program and funds are managed in compliance with the U.S. Constitution, applicable statutes, regulations and the terms and conditions of the awards. The District will have a process that provides reasonable assurance regarding the achievement of the following objectives:

- A. effectiveness and efficiency of operations;
- B. reliability of reporting for internal and external use; and
- C. compliance with applicable laws and regulations.

These internal controls should comply with the guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States or the "Internal Control-Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The internal controls must provide reasonable assurance that transactions are properly recorded and accounted for in order to permit the preparation of reliable financial statements and Federal reports; maintain accountability over assets; and demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls must also provide reasonable assurance that these transactions are executed in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal award, as well as any other Federal statutes and regulations that are identified in the Compliance Supplement. Finally, the District's internal controls must provide reasonable assurance that all Federal funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

The District shall:

- A. comply with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal award;

- B. evaluate and monitor its compliance with statutes, regulations, and the terms and conditions of the award;
- C. take prompt action when instances of noncompliance are identified ~~including noncompliance identified in audit findings~~; and
- D. take reasonable ~~cybersecurity and other~~ measures to safeguard protected ~~information including protected "personally identifiable information" (PII) and other types of information. This also includes information the Federal agency or pass-through entity designates as sensitive or other information the District considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality~~ "personally identifiable information" ("PII") and other information the ~~awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable Federal, state, local, and tribal laws and District policies regarding privacy and obligations of confidentiality.~~

PII is defined at 2 C.F.R. ~~200.1200.79~~ as "information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual."

However, the definition of PII is not ~~attached~~ ~~anchored~~ to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified.

Suggested resources:

- A. "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States;
- B. "Internal Control Integrated Framework" (commonly referred to as the Green Book) issued by the Committee of Sponsoring Organizations of the Treadway Commission;
- C. "Compliance Supplement" issued by the U.S. Office of Management and Budget; and
- D. Internal control guidance issued by the U.S. Department of Education.

2 C.F.R. 200.1

2 C.F.R. 200.61-62

~~2 C.F.R. 200.79~~

2 C.F.R. 200.303

© Neola ~~2024~~ **2016**



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of CASH MANAGEMENT OF GRANTS
Code	po6112 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.305
Adopted	April 11, 2016

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

6112 - CASH MANAGEMENT OF GRANTS

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Superintendent shall implement internal controls in the area of cash management.

The District's payments methods shall minimize the time elapsing between the transfer of funds from the **Federal agency/United States Treasury** or the Michigan Department of Education (MDE) (pass-through entity) and disbursement by the District, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The District shall use forms and procedures required by the grantor agency or pass-through entity to request payment. The District shall request grant **fundfunds** payments in accordance with the provisions of the grant. Additionally, the District's financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.

The Superintendent is authorized to submit **payment requests as often as necessary when electronic fund transfers are used or at least monthly when electronic transfers are not used.** ~~See requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as deemed appropriate when electronic transfers are used, in accordance with the provisions of~~ the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the District uses a cash advance payment method, the following standards shall apply:

- A. The timing and amount of the advance payment requested ~~must~~ **will** be as close as is administratively feasible to the actual disbursement **by the District** for direct program or project costs and the proportionate share of any allowable indirect costs.
- B. The District shall make timely ~~payments~~ **payment** to contractors in accordance with contract provisions.
- C. **Whenever possible, advance payment requests by the District must be consolidated to cover anticipated cash needs for all Federal awards received by the recipient from the awarding Federal agency or MDE.**
- D. ~~If to the extent~~ **available, the District shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on Federal such funds before requesting additional cash payments. [DRAFTING NOTE: It is generally recommended that the District request that program income be added to their total award, but separating program income out and then noting how to address these applicable credits.]**

E. The District shall account for the receipt, obligation, and expenditure of funds.

F. Advance payments will be deposited and maintained in insured accounts whenever possible.

G. Advance payments will be maintained in interest-bearing accounts unless the following apply:

1. The District receives less than \$250,000~~120,000~~ in Federal ~~funding~~~~awards~~ per year.
2. The best ~~reasonably~~ available interest-bearing account would not ~~reasonably~~ be expected to earn interest in excess of \$500 per year on Federal cash balances.
3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
4. A foreign government or banking system prohibits or precludes interest-bearing accounts.
5. An interest-bearing account is not readily accessible (for example, due to public or political unrest in a foreign country).

H. Pursuant to Federal law and regulations, the District may retain interest earned in an amount up to \$500 per year for administrative costs. Any additional interest earned on Federal ~~funds must be returned~~~~advance payments deposited in interest-bearing accounts must be remitted~~ annually to the Department of Health and Human Services Payment Management System ("PMS") through an electronic medium using either the Automated Clearing House ("ACH") network or a Fedwire Funds Service payment. ~~Remittances shall include pertinent information of the payee and nature of payment in the memo area (often referred to as "addenda records" by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds. Pertinent details include the Payee Account Number ("PAN") if the payment originated from PMS, or Agency information if the payment originated from Automated Standard Application for Payment ("ASAP"), National Science Foundation ("NSF"), or another Federal agency payment system.~~

- I. All interest in excess of \$500 per year must be returned to PMS regardless of whether the District was paid through PMS. Instructions for returning interest can be found at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.
- J. All other Federal funds must be returned to the payment system of the Federal agency. Returns should follow the instructions provided by the Federal agency. All returns to PMS should follow the instructions provided at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.

© Neola ~~2024~~~~2016~~



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of COST PRINCIPLES - SPENDING FEDERAL FUNDS
Code	po6114 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.216, 200.344(b), 200.403-.407, 200.413(a)-(c), 200.430(a), 200.431(a), 200.439(b)(2), 200.458 2 C.F.R. 200.474(b) 34 C.F.R. 76.707-.708(a), 75.703
Adopted	November 12, 2012
Last Revised	June 13, 2022

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

6114 - COST PRINCIPLES - SPENDING FEDERAL FUNDS

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives, and the specific terms and conditions of the grant award.

Cost Principles

A cost is reasonable if it does not exceed an amount that a prudent person would incur under the circumstances prevailing when the decision was made to incur the cost. Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal, and other laws and regulations;
3. market prices for comparable costs, goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the District, its employees, its students or membership (if applicable), the public at large, and the Federal Government; and

5. the degree to which the cost represents a deviation from the Board of Education's established written policies and procedures for incurring costs ~~whether the cost represents any significant deviation from the established practices or Board of Education policy which may unjustifiably increase the expense.~~

While Federal regulations do not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the District can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

1. the cost is needed for the proper and efficient performance of the grant program;
2. the cost is identified in the approved budget or application;
3. there is an educational benefit associated with the cost;
4. the cost aligns with identified needs based on results and findings from a needs assessment;
5. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the ~~cost is goods or services involved are chargeable or assignable to that the~~ Federal award in accordance with the relative benefit received. This standard is met if the cost: is incurred specifically for the Federal award; benefits both the Federal award and other work of the District and can be distributed in proportions that may be approximated using reasonable methods; ~~and~~ is necessary to the overall operation of the District and is assignable ~~in part~~ to the Federal award in accordance with ~~these cost principles mentioned here.~~

- B. Conform to any limitations or exclusions set forth in the cost principles in 2 C.F.R. Part 200 or in the terms and conditions of the Federal award, ~~including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment or as a substantial or essential component of any system or as critical technology as part of any system. Such prohibition also applies to funds generated as program income, indirect cost recoveries, or to satisfy cost share requirements.~~
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District.
- D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits or offsets.

The term "applicable credits" refers to those ~~transactions that offset or reduce direct or indirect costs receipts or reductions of expenditures that operate to offset or reduce expense items~~ allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; ~~insurance refunds or rebates;~~ and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the ~~District State~~ relating to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

- G. Be not included as a match or cost-share ~~requirements of any other Federally-financed program in either the current or a prior period,~~ unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:
 1. in the case of personal services, the Superintendent shall implement a system for District personnel to account for time and efforts expended on grant-funded programs to assure that only permissible personnel expenses are allocated;
 2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

- I. Administrative closeout costs may be incurred until the due date of the final report(s). If incurred, these costs must be liquidated prior to the due date of the final report(s) and charged to the final budget period of the award unless otherwise specified by the Federal agency.

All other costs must be incurred during the approved budget period. At its discretion, the Federal agency is authorized to waive prior written approvals to carry forward unobligated balances to subsequent budget periods.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to incur financial obligations carry out authorized work and expend the funds awarded, including any funds carried forward or other revisions pursuant to 2 C.F.R. 200.308 the law. Prior written approval from the Federal awarding agency or State pass-through entity may be required to carry forward unobligated balances to subsequent budget periods unless waived.

Selected Items of Cost

The District shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, District staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, District and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures:

- A. Capital expenditures for general purpose equipment, buildings, and land are allowable ~~unallowable~~ as direct charges, but only ~~except~~ with the prior written approval of the Federal awarding agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$10,000 ~~5,000~~ or more have the prior written approval of the Federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment which ~~that~~ materially increase their value or useful life are allowable ~~unallowable~~ as a direct cost but only ~~except~~ with the prior written approval of the Federal awarding agency or pass-through entity.
- D. All Federally-funded contracts in excess of \$2,000 related to construction, alterations, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.
- E. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 C.F.R. 200.436 and 2 C.F.R. 200.465.
- F. When approved as a direct cost by the Federal awarding agency or pass-through entity under Sections A-C, capital expenditures will be charged in the period in which the expenditure is incurred or as otherwise determined appropriate and negotiated with the Federal awarding agency.
- G. The District may claim the unamortized portion of any equipment written off as a result of a change in capitalization levels by continuing to claim the otherwise allowable depreciation on the equipment, or by amortizing the amount to be written off over a period of years negotiated with the cognizant agency for indirect cost.
- H. If the District is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.
- I. Equipment and other capital expenditures are unallowable as indirect costs.

Statutory requirements may limit the allowability of costs. Any costs that exceed the maximum amount allowed by statute may not be charged to the Federal award. Only the amount allowable by statute may be charged to the Federal award.

Payments made for costs determined to be unallowable by the Federal agency, cognizant agency for indirect costs, or pass-through entity must be refunded (with interest) to the Federal Government.

Prior Written Approval

To avoid subsequent disallowance or dispute based on unreasonableness or nonallocability, the District may seek the prior written approval of the Federal agency (or, for indirect costs, the cognizant agency for indirect costs) before incurring the cost. The absence of prior written approval on any element of cost will not, in itself, affect the reasonableness or allocability of that cost unless prior approval is specifically required for allowability.

Cost Compliance

The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both.

Determining Whether a Cost is Direct or Indirect:

The association of costs with a Federal award (rather than the nature of the procurement transaction) determines whether costs are direct or indirect. Costs incurred for the same purpose in like circumstances must be treated consistently as direct or indirect.

- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long-distance telephone calls specific to the program, etc.). Direct costs may also include capital expenditures if approved by the Federal ~~awarding~~-agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than \$10,000~~5,000~~.

If a cost benefits two (2) or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit.

- B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the District, the governing body of the District, compensation of the Superintendent, compensation of the chief executive officer of any component of the District, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal ~~awarding~~-agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Michigan Department of Education (MDE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

~~Equipment and other capital expenditures are unallowable as indirect costs.~~

Timely Obligation of Funds

Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions that require payment under a Federal award that will result in expenditures by a recipient or subrecipient under a Federal award. ~~This term is used when referencing a recipient's or subrecipient's use of funds under a Federal award.~~

The following list illustrates when funds are determined to be obligated under the U.S. Department of Education ("USDOE") regulations:

If the obligation is for:

- A. Acquisition of property - on the date which the District makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the District - when the services are performed.
- C. Personal services by a contractor who is not an employee of the District - on the date which the District makes a binding written commitment to obtain the services.
- D. Performance of work other than personal services - on the date when the District makes a binding written commitment to obtain the work.
- E. Public utility services - when the District receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the District uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary (USDOE) under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

Period of Performance

All financial obligations must occur during the period of performance. Period of performance means the time interval between the start and end date of a Federal award, which may include one (1) or more budget periods. Identification of the period of performance shall be specific to the Federal award and consistent with 2 C.F.R. 200.211 and does not commit the Federal agency to fund the award beyond the currently approved budget period. ~~Period of performance means the total estimated time interval between the start of an initial Federal award when the District is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one (1) or more funded portions or budget periods.~~ The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN. Note, however, that certain Federal awards have specific requirements that restrict the use of funds beyond the initial period of performance.

In the case of a State-administered grant, financial obligations under a grant may not be made until the application is approved or is in substantially approvable form, whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations it makes during the grant period unless an agreement exists with the ~~awarding~~ agency or the pass-through entity (e.g., MDE) to reimburse for pre-approval expenses.

If a Federal ~~awarding~~ agency or pass-through entity approves an extension, or if the District extends under C.F.R. 200.308(e)(2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the District shall liquidate all financial obligations incurred under the award not later than ninety (90) calendar days after the conclusion of the period of performance of the award (or an earlier date as agreed upon by MDE and the District end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the ~~awarding~~ agency. Consequently, the District shall closely monitor grant spending throughout the grant cycle.

Revised 12/14/20

Revised 5/10/21

© Neola ~~20242021~~



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of PROCUREMENT FEDERAL GRANTS/FUNDS
Code	po6325 - CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.317 - .326. Appendix II to Part 200 2 C.F.R. 200.520
Adopted	April 11, 2016
Last Revised	December 11, 2023

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

6325 - PROCUREMENT – FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board of Education policies, and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200.317-.326), including affirmative steps for small businesses, and minority businesses and women's business enterprises, veteran-owned businesses, and labor surplus area firms for the administration and management of Federal grants and Federally-funded programs. The District shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's documented general purchasing Policy 6320 and AG 6320A.

When required by Federal program legislation, all Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3110 and Policy 4110 – Conflict of Interest.

The District will avoid acquisition of unnecessary or duplicative items. ~~Consideration~~ Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. ~~When appropriate, an analysis shall be made between leasing and purchasing property or equipment to determine the most economical approach., and where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.~~ These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

Competition

All procurement transactions ~~under the for the acquisition of property or services required under a~~ Federal award paid for from Federal funds or District matching funds shall be conducted in a manner that ~~provides encourages~~ full and open competition and that is in accordance with 2 C.F.R. Part 200, good administrative practice, and sound business judgment. ~~To ensure in order to promote~~ objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids ~~or requests for proposals~~ from competition for such procurements.

~~Examples of situations that may restrict competition include, but are not limited to~~ Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms ~~in order~~ for them to qualify to do business;
- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive pricing practices between firms or between affiliated companies;
- D. noncompetitive contracts to consultants that are on retainer contracts;
- E. organizational conflicts of interest;
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- G. any arbitrary action in the procurement process.

~~Further, the District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or 2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.~~

To the extent that the District uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list at any time.

The District shall require that all prequalified lists of persons, firms, or products which are used in ~~procurement transactions~~ are current and include enough qualified sources to provide maximum open competition. When establishing or amending prequalified lists, the District (or subrecipient) must consider objective factors that evaluate price and cost to maximize competition ~~acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition.~~ The District shall not preclude potential bidders from qualifying during the solicitation period.

To the extent consistent with established practices and legal requirements applicable to the recipient or subrecipient, this subpart does not prohibit recipients or subrecipients from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job training for employees making work products or providing services on a contract, and other worker protections. This subpart also does not prohibit recipients and subrecipients from making inquiries of bidders about these subjects and 2 C.F.R. Revisions 2024: Unofficial Comparison Version assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.

Solicitation Language (Purchasing Procedures)

The District shall have written procurement procedures ~~(in accordance with 2 C.F.R. 200.319(d))~~ that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the property, equipment, or service being procured ~~material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition.~~ The description may include a statement of the qualitative nature of the ~~property, equipment, material and/or product or service to be procured.~~ When necessary, the description must ~~and, when necessary, shall set forth those minimum essential characteristics and standards to which the property, equipment, or service shall conform it shall conform if it is to satisfy its intended use.~~ Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to ~~clearly and accurately describe~~ make a clear and accurate description of the technical requirements, a "brand name or equivalent" description of features to provide procurement requirements may be used. The specific features of the named brand must be clearly stated and the District must identify any additional requirements which the offerors must fulfill and all other factors that will be used in evaluating bids or proposals ~~may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.~~

The Board will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The District shall have and use documented procedures, consistent with the standards described above for the following methods of procurement:

A. Informal Procurement Methods

Informal procurement methods for small purchases expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when the value of the procurement transaction ~~When the value of the procurement for property or services~~ under a Federal award does not exceed the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are not required. The ~~informal procurement methods~~ District may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:

1. Micro-purchases

Procurement by micropurchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$1. To the ~~maximum~~ extent practicable, the District should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable based on research, experience, purchase history, or other relevant information, and ~~maintains documents to support its conclusion~~ documents are filed accordingly. The District shall maintain evidence of this reasonableness in the records of all purchases made by this method.

Unless otherwise defined by State or local law, Districts are responsible for determining and documenting an appropriate micro-purchase threshold ~~in accordance with 2 C.F.R. 200.320(a)(iv)~~ based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the District shall be authorized or not prohibited under State, local, or tribal laws or regulations. An eligible District may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal agency or pass-through entity and auditors in accordance with C.F.R. 200.334A ~~District which is qualified as a low-risk auditee for the most recent audit (C.F.R. 200.520)~~ may increase the micro-purchase threshold up to \$26,046. An eligible District may self-certify the micro-purchase threshold on an annual basis after completing the annual internal institutional risk assessment to identify, mitigate, and manage financial risks. The self-certification, in accordance with C.F.R. 200.334, must include a justification, clear identification of the threshold, and supporting documentation of any of the following: ~~the qualifications listed above.~~

- a. a qualification as a low-risk auditee, in accordance with the criteria in C.F.R. 200.520;
- b. an annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or
- c. For public institutions, a higher threshold is consistent with State law.

2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of amount set by the State of Michigan. Small purchase procedures require that price or rate quotations shall be obtained from three (3) qualified sources.

Districts are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations (FAR). When applicable, a lower simplified acquisition threshold used by the ~~District or Federal entity~~ must be authorized or not prohibited under State, local, or tribal laws or regulations.

B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on

competition in C.F.R. 200.319 or non-competitive procurement. The formal methods of procurement are:

1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than the amount allowed by Michigan statute and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Michigan statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders ~~have been identified as~~ are willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm, fixed-price contract and the selection of the successful bidder can be made principally ~~based on the basis of~~ price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from three (3) qualified sources an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids ~~must define the items or services with specific information, including any required specifications, for the bidder to properly respond~~ will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm, fixed-price contract ~~is awarded~~ award will be made in writing to the lowest ~~responsive bid and~~ responsible bidder. ~~When specified in the invitation for bids~~ Where specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts ~~must~~ may only be used to determine the low bid when ~~the District determines they are a valid factor based on prior experience indicates that such discounts are usually taken.~~
- e. The Board reserves the right to reject any or all bids, ~~but must document and provide a justification for all bids it rejects~~ for sound documented reason.

2. Proposals

Procurement by proposals is a method in which either a fixed price or cost-reimbursement ~~type~~ contract is awarded. ~~This method is~~ Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

- a. Requests for proposals ~~require public notice, and must~~ shall be publicized and identify all evaluation factors and their relative importance. ~~To the maximum extent practicable, any proposals submitted in response to the public notice must be considered~~ Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from three (3) sources.
- c. The District ~~must have written procedures~~ shall use its written method for conducting technical evaluations ~~and for making selections of the proposals received and for selecting recipients.~~
- d. Contracts ~~must~~ shall be awarded to the responsible offeror/firm whose proposal is most advantageous to the ~~District considering price and other factors~~ program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby the competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where the price is not used as a selection factor, can only be used to procure in the procurement of A/E professional services. The method cannot be used to purchase other types of services provided by, though A/E firms are a potential source to perform the proposed effort.

3. Noncompetitive Procurement

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one (1) source and may be used only when one (1) or more of the following circumstances apply:

- a. the aggregate amount of the procurement transaction does not exceed the micro-purchase threshold; micro-purchases
- b. the procurement transaction can only be fulfilled by the item is available only from a single source;
- c. the public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of publicizing a competitive solicitation;
- d. the District requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District
- e. after soliciting several solicitation of a number of sources, competition is determined to be inadequate.

Domestic Preference for Procurement

The District should As appropriate and to the extent consistent with law, the District shall, to the extent practicable and consistent with law under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards, including all contracts, and purchase orders for work or products under the Federal award.

Procurement of Recovered Materials

The District must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6962. These requirements include:

- A. procuring only items designated in the guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000;
- B. procuring solid waste management services in a manner that maximizes energy and resource recovery; and
- C. establishing an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

The District should, to the greatest extent practicable and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable.

This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products.

Contract/Price Analysis

The District shall perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the Simplified Acquisition Threshold (currently \$250,000). The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the District should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the District must make independent estimates before receiving bids or proposals in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements. The District must not use the "cost plus a percentage of cost" and "percentage of construction costs" methods of contracting.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that the costs incurred or cost estimates included in negotiated prices would be allowable for the District according to cost principle requirements. The method and degree of analysis are dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

~~When performing a cost analysis, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.~~

Time and Materials Contracts

The District uses a time-and-materials type contract only 1) after a determination that no other contract is suitable; and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time-and-materials type contract means a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

~~Because~~ Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight ~~in order to~~ obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The District will award contracts only to responsible contractors ~~that possess~~ possessing the ability to perform successfully under the terms and conditions of the proposed ~~contract~~ procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as 1) contractor integrity; 2) ~~compliance with public policy~~; 3) ~~compliance~~; 4) ~~proper classification of employees~~; 5) record of past performance; and 6) ~~4~~ financial and technical resources.

~~The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The District is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.~~

~~Suspension is an action taken by the District that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart G)~~

~~Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)~~

The District shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

Bid Protest

The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the ~~awarding~~ agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Superintendent within seventy- two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The District shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Records Retention

The District must retain all Federal award records for three (3) years from the date of submission of the final financial report. For awards that are renewed quarterly or annually, the District must retain records for three (3) years from the date of submission of the quarterly or annual financial report, respectively. Records to be retained include, but are not limited to, financial records, supporting documentation, and statistical records. Other records retention requirements shall be in accordance with 2 C.F.R. 200.334.

The District must collect, transmit, and store Federal award information in an open file, non-licensed, and machine-readable formats. The District may substitute electronic versions of original paper records through duplication or other forms of electronic conversion, provided that the procedures are subject to periodic quality control reviews. Quality control reviews must ensure that electronic conversion procedures provide safeguards against the alteration of records and assurance that records remain in a format that is readable by a computer system.

2 C.F.R. 200.317-.326; Appendix II to Part 200

2 C.F.R. 200.334 - 200.336

2 C.F.R. 200.520

Revised 2/11/19

Revised 7/8/19

Revised 12/14/20

Revised 5/10/21

Revised 6/13/22

© Neola ~~2024~~2023



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of TRAVEL PAYMENT & REIMBURSEMENT
Code	po6550 - CH/SL 20241030 - VIA PHONE CALL
Status	
Legal	2 C.F.R. 200.474
Adopted	June 10, 2013
Last Revised	April 11, 2016

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

[DRAFTING NOTE: Travel charges must be consistent with the District's established written policies. The District must allow costs for "above and beyond regular dependent care" if consistent with established written policy for all travel.]

6550 - TRAVEL PAYMENT & REIMBURSEMENT

Travel expenses incurred for official business travel on behalf of the Board of Education shall be limited to those expenses reasonably and necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with administrative guidelines. **Travel costs may include the transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the District.**

Payment and reimbursement rates for per diem meals, lodging, and mileage shall be approved by the Board annually. The Board shall establish mileage rates not exceeding the Federal IRS prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

Commercial airfare costs in excess of the basic least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would (1) require circuitous routing; (2) require travel during unreasonable hours; (3) excessively prolong travel; (4) result in additional costs that would offset the transportation savings; or (5) offer accommodations not reasonably adequate for the traveler's medical needs. Instances of commercial airfare cost in excess of the basic least expensive unrestricted accommodations class must be justified and documented on a case-by-case basis.

~~**[] The costs of identifying and providing locally available dependent care resources for conference participants are allowable as needed.**~~

[x] Conference costs must be appropriate, necessary, and managed to minimize costs to the Federal award.

[DRAFTING NOTE: This draft policy includes the Federal rules for commercial airfare and temporary dependent care costs. Based on State or local laws and policies, Districts may decide that all temporary dependent care costs or commercial airfare costs in excess of the basic least expensive unrestricted accommodations class are

unallowable under any circumstance.]

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the District's travel policy.

All travel shall comply with the travel procedures and rates established in the administrative guidelines. All costs incurred with Federal funds must meet the cost allowability standards within Board Policy 6114.

To the extent that the District's policy does not establish the allowability of a particular type of travel cost, the rates, and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or ~~his/her~~ designee), must apply to travel under Federal awards.

Revised 11/9/15

© Neola ~~2016~~ **2024**



Book	Policy Manual
Section	Vol. 39, No. 1 - EDGAR UGG - September 2024 MI Update Board Revisions
Title	Copy of PROPERTY INVENTORY
Code	po7450 -CH/SL/JW 20241030
Status	
Legal	2 C.F.R. 200.313
Adopted	November 12, 2012
Last Revised	November 8, 2021

Revised Policy - Vol. 39, No. 1 - EDGAR/UGG Revisions

7450 - PROPERTY INVENTORY

As steward of this District's property, the Board of Education recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall maintain a continuous inventory of all District-owned equipment and supplies every two (2) years.

For purposes of this policy, "equipment" shall mean **tangible personal property (including information technology systems)**, a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is nonexpendable, **having a useful life of more than one (1) year, and a per-unit cost that equals or exceeds**~~costs at least \$10,0005,000~~ to replace and does not lose its identity when incorporated into a more complex unit. When defining supplies for inventory purposes, no items will be counted whose total value is less than ~~\$10,0005,000~~.

It shall be the duty of the Chief Financial Officer to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Property records of consumable supplies shall be maintained on a continuous inventory basis.

The Chief Financial Officer shall maintain a system of property records which shall show, as appropriate to the item recorded, the:

- A. description and identification **(serial number or other identification number)**;
- B. manufacturer;
- C. year of purchase;
- D. ~~initial cost;~~
- E. ~~location;~~
- F. ~~condition and depreciation;~~

G. evaluation in conformity with insurance requirements.

The District is responsible for maintaining and updating property records when there is a change in the status of the property.

Equipment acquired in whole or in part under a Federal award will vest upon acquisition to the District, subject to the following conditions:

- A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.
- B. While the equipment is being used for the originally-authorized purpose, the District (or subrecipient) must not dispose of or encumber its title or other interests without the approval of the Federal agency or pass-through entity. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.
- C. The equipment may only be used and disposed of in accordance with the provisions of the Federal awarding agency or the pass-through entity and Policy 7300 - Disposition of Real/Personal Property and Policy 7310 - Disposition of Surplus Property, and AG 7310 - Disposal of District Property.
- D. The District must use equipment for the project or program for which it was acquired and for as long as needed, whether or not the project or program continues to be supported by the Federal award. The District must not encumber the equipment without prior approval of the Federal agency or pass-through entity.
- E. When no longer needed for the original project or program, the equipment may be used in other activities in the following order of priority:
 1. Activities under other Federal awards from the Federal agency that funded the original program or project; then
 2. Activities under Federal awards from other Federal agencies. These activities include consolidated equipment for information technology systems.
- F. During the time that equipment is used on the project or program for which it was acquired, the District must also make the equipment available for use on other programs or projects supported by the Federal Government, provided that such use will not interfere with the purpose for which it was originally acquired. First preference for other use of the equipment must be given to other programs or projects supported by the Federal agency that financed the equipment. Second preference must be given to programs or projects under Federal awards from other Federal agencies. Use for non-Federally funded projects is also permissible, provided such use will not interfere with the purpose for which it was originally acquired. The District should consider charging user fees as appropriate. If the District does use equipment to earn program income, it must not charge a fee that is less than a private company would charge for similar services unless specifically authorized by Federal statute.
- G. When acquiring replacement equipment, the District may either trade-in or sell the equipment and use the proceeds to offset the cost of the replacement equipment.
- H. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the Federal Award Identification Number (FAIN), title holder, acquisition date, cost of the property, acquisition date, cost of the equipment, percentage of Federal agency contribution toward the original purchase, participation in the project costs for the award under which the equipment was acquired, the location, use, and condition of the property, equipment, and ultimate disposition data, including date of disposal and sale price of the property, equipment.
- I. A physical inventory of the property must be conducted and results reconciled with property records at least once every two (2) years.
- J. A control system shall be in place developed to provide safeguards for preventing adequate safeguards to prevent loss, damage, or theft of the property. Any such loss, damage, or theft of the property must be investigated. The District must notify the Federal agency or pass-through entity of any loss, damage, or theft of equipment that will have an impact on the program.
- K. Regular Adequate maintenance procedures shall be implemented to keep the property in proper working condition.
- L. Proper sales procedures shall be established to ensure the highest possible return, in the event the District is authorized or required to sell the equipment/property.

M. When ~~original or replacement~~ equipment acquired under a Federal award is no longer needed for the original project/program or for activities currently or previously supported by a Federal ~~awarding agency, and except as otherwise provided by Federal statutes, regulations, or Federal awarding agency disposition instructions,~~ the District shall request disposition instructions from the Federal ~~awarding agency~~ ~~or pass-through entity~~ if required by the terms and conditions of the Federal award. Disposition of the equipment shall be made in accordance with the provisions of C.F.R. 200.313.

[CROSS REFERENCE: po7310]

Revised 4/11/16

Revised 5/10/21

© Neola ~~2024~~2021



**School Resource Officer Agreement
2024 – 2025 School Year**

THIS AGREEMENT by and between Dundee Community Schools, 420 Ypsilanti Street, Dundee, MI 48131, hereinafter referred to as “Schools,” and the Village of Dundee, 350 Monroe Street, Dundee, MI 48131, hereinafter referred to as “Village,” is made this 26th day of August 2024.

WHEREAS, District desires the services of law enforcement officers employed by the Village to serve as liaison between the School District and the Dundee Police Department for various school functions; and

WHEREAS, Village is willing to provide two law enforcement officers of the Dundee Police Department to Schools for such purpose.

NOW, THEREFORE, the Schools and Village agree to enter into this School Resource Officer Agreement pursuant to the following terms and conditions:

1. The Village shall assign two school resource officers to Schools to serve as liaisons between the Schools and the Police Department as provided by the terms of this Agreement.
2. The duties of the officers shall include the following:
 - a. As necessary, act in the formal capacity as a police officer to effect arrests, file charges, and remove offenders from school premises.
 - b. Assist in the enforcement of school rules, regulations, and policies by prompt reporting of violations through established school referral procedures.
 - c. Meet as required with building administrators for planning, coordination, and reports of liaison activities.
 - d. Perform such other duties as may be determined from time to time by the mutual consent of the Manager, or his/her designee, and the Superintendent, or his/her designee.
3. Except as provided herein, this Agreement shall be in effect for the 2024-2025 school year and follow Schools’ employee calendar for pre-and post- school year meetings. Either party may terminate this agreement by giving 14 days written notice of such termination to the other party. Such notice shall be delivered personally or by certified mail addressed to the Board President of the School District or to the Village Manager at his/her respective office.

4. Each Officer will be assigned during the term of the Agreement for a total of 1,450 hours, plus time spent on pre- and post- school year meetings. Schools shall decide the beginning and ending times of workdays, which will average not more than eight (8) hours per day on days when classes are scheduled except as otherwise agreed upon in advance by the Manager and Superintendent.
5. Schools will pay Village per hour for all hours worked by officers assigned pursuant to this agreement at the rates shown in the following table. Village will Invoice Schools regularly and Schools shall pay invoices it receives within thirty (30) days of the date on the invoice.

	Rate through 02/28/2025	Rate effective 03/01/2025
Regular Hourly Rate	\$34.62	\$35.99
Overtime Hourly Rate	\$51.92	\$53.99

6. In addition to the payments provided for in paragraph 5 of this agreement, Schools will pay Village \$1680.00 to reimburse Village for expenses Village incurs in the administration of this agreement. Village will Invoice Schools for this administrative reimbursement upon execution of the agreement and Schools shall pay said Invoice within thirty (30) days of the date on the Invoice.
7. "Overtime Hours" means the hours worked over 40 hours per week by any officer as required by Michigan labor law. Overtime hours may accrue when the officer is required to be in court at times other than during the officer's regularly scheduled hours, and when an officer has been assigned at the request of the Superintendent to be present at school-related activities that occur at times other than during the officer's regularly scheduled hours. In lieu of paying overtime, an officer may elect to be credited with compensatory time off at the rate of one and one-half hours for each hour worked more than forty (40) hours in a week. Accrued compensatory time off may be utilized, with the prior authorization of the Superintendent, to make up for reductions in scheduled hours worked due to half-day school days, staff training days, or days abbreviated or cancelled due to weather conditions.
8. The Manager shall submit monthly written reports to the Superintendent on the activities and the functions of any assigned Officer and at such other times as may be requested by the Superintendent.
9. Schools to indemnify, defend, and hold harmless Village and its officers and employees from any losses in excess of any existing insurance coverage that may arise in any way or manner out of the Agreement.

10. As used herein, "Manager" shall mean the Village Manager of the Village of Dundee, or his/her designee and "Superintendent" shall mean the Superintendent of Dundee Community Schools or his/her designee.

In witness whereof, the parties hereto have set their hands the date first above written.

VILLAGE OF DUNDEE

DUNDEE COMMUNITY SCHOOLS

Tim Bordine, Village President

Scott Leach, Superintendent

Michael Hoffmeister, Village Manager

Shirley Massingill, Village Clerk