

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8142
Section: 8000 Operations

8142 - CRIMINAL HISTORY RECORD CHECK

Before the District hires any employee (full or part-time) or allows any individual under contract to continuously and regularly work in the schools, a criminal history records check shall be conducted in accordance with State law.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the District or with a third-party vendor, management company, or similar contracting entity, to provide food, custodial, transportation, counseling or administrative services on more than an intermittent or sporadic basis. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

Prior to allowing an individual, who is subject to the criminal history record check requirement, to work in the District, the District shall submit a fingerprint-based check on the individual, using Michigan State Police (MSP) Form RI-030 (7/2012), regardless of whether the individual will work directly for the District or be contracted through a third-party vendor, management company or similar contracting entity ("Private Contractors"). Except as provided below, the report from the MSP must be received, reviewed and approved by the District prior to the individual commencing work.

Such Private Contractors cannot receive or retain criminal history record information ("CHRI").¹ Where the District will contract with a Private Contractor for the services of an individual, the District shall notify the Private Contractor(s), after review of the MSP report, whether the individual has been approved to work within the District. The District may not give any details, including the fact that a criminal history check was run. Notice for approval to work in the District should use the Affidavit of Assignment or similar "red light/green light" procedure.

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the Superintendent may contract on a provisional basis until the report is received. Any such provisional hire requires that:

- A. the record check has been requested;
- B. the applicant has signed a disclosure of all convictions and acknowledges that employment may be terminated if there are discrepancies; and
- C. the hiring occurs during the school year or not more than thirty (30) days before the beginning of the school year.

For substitute teachers or substitute bus drivers currently working in another district, public school academy or non-public school in the State, the Superintendent may use a report received from the State Police by such school to confirm the individual has no criminal history. Absent such confirmation, a criminal history record check shall be performed.

Individuals working in multiple districts may authorize the release of a prior criminal history records check with another district in lieu of an additional check for either direct employment or working regularly and consistently under contract in the schools.

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the District in lieu of submitting to a new criminal background check. If this method is used, the Superintendent must confirm that the record belongs to that individual and whether there have been any additional convictions by processing the individual's name, sex and date of birth through the Internet Criminal History Access Tool (ICHAT).

"No separation," for purposes of the preceding paragraph, means a layoff or leave of absence of less than twelve (12) months with the same employer; or the employee transfers without a break in service to another school district, intermediate school district, public school academy or non-public school within the State.

All criminal history record check reports received from the State Police or produced by the State Police and received by the District from another proper source will be maintained in the individual's confidential file, which must be maintained in compliance with Policy 8321 and AG 8321..

When the District receives a report that shows an individual has been convicted of a listed offense under state statutes or any felony, the Superintendent shall take steps to verify that information using public records, in accordance with the procedures provided by the State Department of Education.

Verified convictions may result in termination of employment or rejection of an application. The District will not hire or continue to employ any individual, either directly or as a contracted employee to work regularly and continuously in the schools, who has been convicted of a "listed" offense as defined in M.C.L. 28.722. The District will not hire or continue to employ any individual, either directly or as a contracted employee to work regularly and continuously in the schools, who has been convicted of any felony unless both the Superintendent and the Board provide written approval.

The District must report as directed by and to the State Department of Education the verified information regarding conviction for any listed offense or conviction for any felony and the action taken by the District with regard to such conviction. Such report shall be filed within sixty (60) days or receipt of the original report of the conviction.

The Superintendent shall establish the necessary procedures for obtaining from the Criminal Records Division of the State Police any criminal history on the applicant maintained by the State Police. In addition, the Superintendent shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must submit, at no expense to the District, a set of fingerprints, prepared by an entity approved by the Michigan State Police, upon receiving an offer of employment, or as required by State law for continued employment.

Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications. Records involving misdemeanor convictions for sexual or physical abuse or any felony are not subject to these restrictions. Violation of confidentiality is considered a misdemeanor punishable by a fine up to \$10,000.

Any notification received from the Michigan Department of Education or Michigan State Police regarding District employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days until the accuracy of the information can be verified. Thereafter, only information about felony convictions or misdemeanor convictions involving physical or sexual abuse may be disclosed in reference to a FOIA request.

Criminal history reports may be released with the written authorization of the individual.

Records may also be released, in accordance with statute, upon the request of a school district, intermediate school district, public school academy or non-public school when the individual is an applicant for employment at such school and there has been no separation from service, as defined in this policy and by statute.

¹ Individuals who act on behalf of the District, work on a regular or continuous basis in the District, are involved in the hiring process of District employees, and have successfully undergone a fingerprint-based criminal history record check by the District, may continue to submit and receive such criminal history record checks on behalf of the District, regardless of their status as employees, contractors, vendors or similar classification.

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Legal References: M.C.L. 380.1230 et. seq., 380.1535, 380.1535a, 380.1809, 28.722

Adoption Date: **June 11, 2014**

Last Revised: **November 08, 2017**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8142.01
Section: 8000 Operations

8142.01 - **WEAPONS**

The Board of Education prohibits any person who is under contract from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, including athletic events, or in a District vehicle.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the District or with a third-party vendor, management company, or similar contracting entity, to provide food, custodial, transportation, counseling or administrative services to the District. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

The term "weapon" means any object which, in the manner in which it used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited firearms, guns of any type including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paint balls, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapon, ammunition, and explosives or any other weapon described in 18 U.S.C. 921.

The Superintendent shall refer an individual who violates this policy to law enforcement officials. The District may also take other action against the individual and/or his/her employer, including, but not limited to, requiring that the individual not be allowed to provide services to the District in the future and/or terminating any contractual relationship with the individual and/or the employer.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel;
- B. theatrical props that do not meet the definition of "weapons" above, used in appropriate settings.

Individuals under contract shall immediately report knowledge of dangerous weapons and/or threats of violence by students, staff members, or other individuals to the Superintendent.

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Adoption Date: **April 13, 2016**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8210
Section: 8000 Operations

8210 - SCHOOL CALENDAR

The Board of Education shall ensure that its school calendar complies with the common calendar adopted by the Wayne County Intermediate School District (ISD) unless the District is statutorily exempt from this requirement or receives a waiver from the Superintendent of Public Instruction in compliance with State law. The common calendar will identify the specific dates for each school year when school will not be in session for at least a winter holiday break, and a spring break for at least the next five (5) school years, and may further describe them more generally for subsequent school years as long as the dates can be readily determined. This calendar shall be posted on the District's web site and distributed to the District's constituents. The calendar shall provide for the instructional program of the schools, for orderly educational planning, and for the efficient operation of the District.

The Board shall determine annually the total number of days when the schools will be in session for instructional purposes. To avoid withholding of State-school aid payments, the number of days and number of hours will be in accordance with statute. The Board shall ensure that a school is not in session before Labor Day unless the District is statutorily exempt from this requirement or receives a waiver from the Superintendent of Public Instruction in compliance with State law.

A school session shall not be held on the following public holidays in Michigan Public Schools: January 1st, New Year's Day; the last Monday of May, Memorial or Decoration Day; July 4th, Independence Day; the first Monday in September, Labor Day; the fourth Thursday of November, Thanksgiving Day; and December 25th, Christmas Day.

If one (1) of these days falls on Sunday, the Monday following shall be a public holiday in the public schools.

The District shall provide at least 1,098 hours during 180 days of student instruction per school year unless it obtains a waiver from this requirement.

The District's Superintendent is authorized to work with the Intermediate School District on the development of a common calendar for all of the districts in the ISD.

No more than six (6) days of student instruction lost due to conditions, not within the control of the District (e.g., severe storms, fires, epidemics, and health conditions), can be counted as a part of the required minimum hours/days of instruction. With the approval of the Superintendent of Public Instruction, not more than three (3) additional days or the equivalent number of additional hours for which instruction is not provided due to unusual and extenuating occurrences resulting from conditions not within the control of school authorities (such as those conditions described above) shall be counted. Hours lost due to strikes by District staff or to teacher conferences, unless approved as qualifying professional development in accordance with State law, shall not be counted as hours of instruction.

The Superintendent shall certify to the Department of Education by no later than August 1st of each year, the number of hours of student instruction during the previous school year.

Revised 11/12/96

Revised 2/5/01

Revised 1/8/02

Revised 12/11/02

Revised 3/14/07

Revised 6/11/08

Revised 3/13/19

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Legal References:

M.C.L. 380.1284, 380.1284a, 380.1284b

M.C.L. 380.1175, 388.1701

A.C. Rule R340.10 et seq.

Reference: Pupil Accounting Manual 2019-2020, Michigan
Department of Education

Adoption Date: **September 14, 1993**

Last Revised: **November 11, 2020**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8220
Section: 8000 Operations

8220 - **SCHOOL DAY**

The Board of Education authorizes the school day to be arranged and scheduled by the administration. It is to offer the maximum education for the time spent within the limitations of school facilities and the laws and regulations of the State.

The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. S/He shall prepare rules for the proper and timely notification of concerned persons and parents in the event of any emergency closing of the schools.

It shall be the responsibility of the Board upon recommendation of the Superintendent to set the specific hours of the school day which shall be in compliance with provisions in the master agreement with the Hamtramck Federation of Teachers.

It is expected that the professional staff will spend additional time, not necessarily in school, as may be needed by the teacher to fulfill satisfactorily the responsibility of planning lessons, conferring with parents and students, evaluating pupils, etc.

The Superintendent shall have the authority to determine which school-related activities may be conducted if the school is closed for a period of time. S/He shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and conduct of such activities.

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Legal References: M.C.L. 380.1284

Adoption Date: **September 14, 1993**
Last Revised: **February 05, 2001**

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Policy:po8230
Section: 8000 Operations

8230 - DISPLAY OF THE UNITED STATES FLAG

Each school building will display the United States Flag each day that the building is open for students. The flag will be flown outside the building according to accepted display procedures. All classrooms will display the United States Flag in a prominent place. The display of the Michigan Flag is optional.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8260
Section: 8000 Operations

8260 - BULLYING

Bullying Prohibited

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

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

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

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

Adoption Date: **January 08, 2002**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8270
Section: 8000 Operations

8270 - HAZING

Hazing Prohibited

Soliciting, encouraging, aiding, or engaging in "hazing" on or in any school property at any time, or in connection with any activity supported or sponsored by the District, whether on or off school property, is strictly prohibited.

"Hazing" means any intentional, knowing, or reckless act meant to induce physical pain, embarrassment, humiliation, deprivation of rights or that creates physical or mental discomfort, and is directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club, or athletic team sponsored or supported by the District and whose membership is totally or predominantly other students from the District.

Students engaging in any hazing or hazing-type behavior that is, in any way, connected to any activity sponsored or supported by the District, will be subject to one (1) or more of the following disciplinary actions:

- A. removal from participation in extra-curricular activities
- B. conference with parent(s)/guardian(s)
- C. suspension for up to ten (10) days
- D. long term suspension for the remainder of the school year
- E. long term suspension for the remainder of the school year i.e.: longer than one (1) term or semester, but less than a full school year
- F. referral to an appropriate law enforcement agency
- G. permanent expulsion from the School District

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

Adoption Date: **January 08, 2002**

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Policy:po8310
Section: 8000 Operations

8310 - PUBLIC RECORDS

The Board of Education recognizes its responsibility to maintain the public records of this District and to make such records available to residents of Michigan for inspection and reproduction.

The public records of this District include any writing or other means of recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the District, its Board, officers, or employees, subject to certain exemptions according to the Michigan Freedom of Information Act (FOIA). The District shall not disclose the confidential address of a student or of an employee who has provided proper notice of a participation card issued by the department of the attorney general under the address confidentiality program act.

Any person may make a written request for any public records of the District. The person may inspect, copy, or receive copies of the public record requested. The District shall respond to such requests within five (5) working days after receipt unless otherwise agreed to in accordance with the Freedom of Information Act.

An individual may purchase copies of the District's public records upon payment of a fee. No original public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties. Neither the Board nor its employees shall permit the release of the social security number of an employee, student, or other individuals except as authorized by law (see Policy 8350 and AG 8350).

The Board chooses not to provide for enhanced access to any of its public records.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of this District, except student records and certain portions of personnel records.

The Superintendent is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or E-mail, providing the message does not alter existing District records.

The Superintendent is responsible for the transmission of data contained in the single record student database established by the Michigan Department of Education. Such transmission shall be in accordance with procedures established by the Wayne County Regional Educational Service Agency and the Center for Educational Performance and Information (CEPI).

The Superintendent shall establish administrative guidelines to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

Revised 2/5/01
Revised 12/11/02
Revised 1/21/09
Revised 6/10/09

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Legal References:

M.C.L. 15.231 et seq.

M.C.L. 445.81 et seq.

Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

Adoption Date: **September 14, 1993**
Last Revised: **June 22, 2022**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8315
Section: 8000 Operations

8315 - INFORMATION MANAGEMENT

The Board of Education recognizes its responsibility, in certain circumstances, to maintain information created, maintained or otherwise stored by the District outside the "Records Retention Schedule". In such situations, a "Litigation Hold" procedure will be utilized to identify and preserve information relevant to a specific matter. "Information" includes both paper documents and electronically stored information ("ESI"). When implementing the "Litigation Hold," the District will identify individuals in possession or custody of paper documents, ESI and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the "Records Retention Schedule". The District will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a "Litigation Hold," which is under the control of the District, must be preserved in a readily accessible form and cannot be disposed of under the "Records Retention and Disposal" requirements. Failure to comply with a Litigation Hold notice shall result in disciplinary action, up to and including possible termination.

Instances where the Board must maintain information outside the "Records Retention Schedule" include:

- A. when the Board has specific information and/or written notice from an individual, parent or student of an intent to file an appeal of student discipline to State court;
- B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;
- C. when the Board is served with litigation, including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;
- D. when the Board receives specific information and/or written notification from an employee, labor union, or other person of an intent to file a claim against the Board, its members, employees or agents at an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;
- E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;

- F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation against that third party;
- G. when the Superintendent recommends the termination of an employee to the Board pursuant to a labor contract;
- H. when the Board explores, contemplates or initiates litigation.

Definitions

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic media" includes, but is not limited to, hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" – including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the District for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.

Initiation and Removal of a "Litigation Hold"

The Board or the Superintendent may initiate a "Litigation Hold" under this policy. If the Superintendent initiates a "Litigation Hold," s/he or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Superintendent may utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure" outlined in AG 8315.

A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" once the "Litigation Hold" is removed.

The Superintendent shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

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Legal References: Federal Rules of Civil Procedure 34, 37(f)

Adoption Date: **January 01, 2010**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8320
Section: 8000 Operations

8320 - PERSONNEL FILES

It is necessary for the orderly operation of the School District to prepare a personal information system for the retention of appropriate files bearing upon an employee's duties and responsibilities to the District and the District's responsibilities to the employee.

The Board of Education requires that sufficient records exist to ensure an employee's qualifications for the job held; compliance with Federal, State, and local benefit programs; conformance with District rules; and evidence of completed evaluations. Such records will be kept in compliance with the laws of the State of Michigan.

The District shall not disclose an employee's home address or contact information to a third party without the employee's written authorization.

The Board delegates the maintenance of an employee personal information system to the Superintendent.

A single central file shall be maintained, and subsidiary records shall be maintained for ease in data gathering only.

Only that information which pertains to the professional role of the employee and submitted by duly authorized school administrative personnel and the Board may be entered in the official record file. Employees shall provide necessary information for their personnel files. If providing the requested information is optional, employees shall be informed of their right to decline to supply the information.

Employee medical records, including, but not limited to, insurance forms, medical certifications by a physician, and requests for leave or accommodation, shall not be maintained in the employee's personnel file and shall instead be maintained in a confidential medical file.

After making an appointment, the employee may periodically review their file at reasonable intervals, generally not more than two (2) times in a calendar year or as otherwise provided by law or by a collective bargaining agreement. This review will be made after an appointment with the Superintendent's Office.

Personnel wishing to review their own records shall:

- A. request access in writing;
- B. review the record in the presence of the administrator designated to maintain said records or designee;
- C. make no alterations or additions to the record nor remove any material therefrom;
- D. sign a log attached to the file indicating the date and person reviewing.

Personnel records shall be available to Board members and school administrators as may be required in the performance of their jobs.

Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures. If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information in accordance with applicable procedures or refer the requestor to the employee's immediate supervisor.

Personnel wishing to appeal material in their record as to its accuracy, completeness, relevance, or timeliness shall make a request in writing to the administrator delegated to maintain the records and specify therein:

- A. name and date;
- B. material to be appealed;
- C. reason for appeal.

The responsible administrator shall hear the appeal and make a determination within ninety (90) days of the appeal in accordance with the law.

If the appeal does not resolve the disagreement, the employee may submit a written statement, not exceeding five (5) sheets of 8 1/2 inch by 11-inch paper, explaining the employee's position. This written statement shall be kept in the employee's file.

Records Retention

Generally, personnel files shall be maintained for the duration of the individual's employment with the District, plus six (6) years. Files maintained on employees who were cited for unprofessional conduct shall be maintained for the duration of employment plus fifty (50) years.

Medical files shall be maintained for the period during which the individual is employed by the District or receiving benefits, whichever is longer, plus seven (7) years.

Per the State of Michigan Records Retention and Disposal Schedule for Public Schools, 404A.

State of Michigan Records Retention and Disposal Schedule for Public Schools at 400A and 400B.

Revised 2/5/01
Revised 12/11/02

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Legal References: M.C.L. 423.501 et seq

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Last Revised: **June 22, 2022**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8321
Section: 8000 Operations

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. 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 and any guidelines issued to implement this policy will be subject to discipline for such violations. Discipline will range from counseling and retraining to discharge, based on the nature and severity of the violation. 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 Personnel Secretary shall be designated as the District's Security Officer ("LASO") and shall be responsible for overall implementation of this policy and for data and system security. This shall include:

1. ensuring that personnel security screening procedures are being followed as set forth in this policy;
2. ensuring that approved and appropriate security measures are in place and working as expected;
3. supporting policy compliance and instituting the incident response reporting procedures;
4. 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;
5. to the extent applicable, identifying and documenting how District equipment is connected to the Michigan State Police system;
6. 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.

C. **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. The LASO shall be responsible for the District's compliance with the terms of any such User Agreement.

D. **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 Personnel Secretary; 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 Michigan State Police upon request.
4. **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.
5. **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, s/he 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.

E. 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. Digital media shall be stored on a District or School server. 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.
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.
 - 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. 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.) 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 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 Resource Office, 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 within six (6) months of initial assignment/authorization and every two (2) years thereafter. 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 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

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. 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.

	Physical - Hard Copy CHRI	Digital - Digitally Saved CHRI
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.
- 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.

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:

- 1. for a lost device, report if the owner:
 - a. believed the device was locked;
 - b. believed the device was unlocked;
 - c. could not validate the device's locked state.

2. for a total loss of a device, report if:
 - a. CHRI was stored on the device;
 - b. the device was locked or unlocked;
 - c. capable of remote tracking or wiping of device.
3. report any compromise of a device when the intrusion occurs while still in the owner's possession
4. 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).

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.

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Revised 4/18/18
Revised 9/24/19

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Legal References:	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
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Adoption Date: **January 15, 2013**
Last Revised: **December 08, 2021**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8325
Section: 8000 Operations

8325 - RECEIPT OF LEGAL DOCUMENTS

Service of Process on the Board of Education

In suits against the Board, only the Board President or Superintendent accepts service on behalf of the Board.

Service of Legal Documents on Board Employees

Board employees may be served with legal documents (1) requesting not only public records (such as employees' personnel files), but also student education records and other documents and electronically stored information maintained by the District, or (2) directing them to testify at a deposition or hearing concerning issues that fall within the employees' employment responsibilities.

An employee served with legal documents in his/her official capacity as a Board employee shall immediately provide copies of those legal documents to his/her Principal or site administrator.

The Principal or site administrator shall immediately furnish copies to the Superintendent and shall follow his/her directives.

Generally, confidential personnel records, student records, or personal observations or opinions about student behavior/academic performance do not have to be disclosed. The law makes an exception for a subpoena or court order.

Board policy requires the Principal or a site administrator to release only the documents specifically identified in the subpoena or order. In circumstances where, in responding to a subpoena or order, information is developed or summarized from the student's education records, a copy of that information and a statement of the purpose for which it was prepared shall be filed in the student's cumulative folder.

If doing so is in the Board's best interest, the Principal or site administrator or Board attorney shall accompany the employee to the deposition or hearing.

Actions Against the Board

In actions against the Board, it is not unusual for Board employees to be served with subpoenas and/or called as witnesses. Board legal counsel and the Superintendent will assist Board employees in these matters.

Independent Legal Counsel

This policy does not prohibit Board employees from consulting with their own independent legal counsel, but they are prohibited from discussing or releasing student personally identifiable information to a third party except as expressly authorized by Board Policy 8330.

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Adoption Date: **May 13, 2015**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8330
Section: 8000 Operations

8330 - STUDENT RECORDS

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

If the parent or legal guardian of a student provides the District with notice that s/he/they have received a participation card issued by the attorney general under the address confidentiality program act, the District shall not disclose the confidential address of the student, regardless of any other provision of this policy. The Superintendent, or his or her designee, shall develop a process to ensure that a student's participation in the address confidentiality program act is appropriately noted to avoid disclosure of this information to any person or entity.

Student 'personally identifiable information' ('PII') includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board of Education is responsible for maintaining records of all students attending schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. samples of student work
- C. information obtained from professionally-acceptable standard instruments of measurement such as:
 - 1. interest inventories and aptitude tests
 - 2. vocational preference inventories
 - 3. achievement tests
 - 4. standardized intelligence tests

- D. authenticated information provided by a parent or adult student concerning achievements and other school activities which the parent or student wants to make a part of the record
- E. verified reports of serious or recurrent behavior patterns
- F. rank in class and academic honors earned
- G. psychological tests
- H. attendance records
- I. health records
- J. custodial arrangements

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, adult students, and designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term 'parents' includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term 'eligible student' refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of adult students (individuals eighteen (18) and older), parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as 'school officials' for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative or medical consultant);
- B. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered a 'school official' for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

'Legitimate educational interest' shall be defined as a 'direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District' or if the record is necessary in order for the school official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this District seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;
- C. provide 'personally-identifiable' information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- D. report a crime committed by a student with or without a disability to appropriate authorities and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and school officials for their consideration;
- E. release de-identified records and information in accordance with Federal regulations;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies 'for, or on behalf of' the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as State and local educational authorities;

The disclosed records must be used to audit or evaluate a Federal or State supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

The District will verify that the authorized representative complies with FERPA regulations.

- H. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time, but not more than forty-five (45) days, after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure and date parental/eligible student consent was obtained (if required).

Upon written request by a student's parent or legal guardian, the District shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records.

If the District provides any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records to any person, agency, or organization, then the District shall disclose to the student's parent or legal guardian upon his or her written request:

- A. the specific information that was disclosed;
- B. the name and contact information of each person, agency or organization to which the information has been disclosed;
- C. the legitimate reason that the person, agency or organization had in obtaining the information.

This information shall be provided without charge within thirty (30) days after the District receives the written request and without charge to the parent or legal guardian.

The District is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

- A. provision of such information to the Michigan Department of Education or CEPI
- B. provision of such information to the student's parent or legal guardian

- C. provision of such information to its authorizing body or to an educational management organization with which it has a management agreement
- D. provision of such information to or from its intermediate school district or to another intermediate school district providing services to the District or its students pursuant to a written agreement
- E. provision of such information to a person, agency, or organization with written consent from the student's parent or legal guardian or, if the student is at least age eighteen (18), the student
- F. provision of such information to a person, agency or organization seeking or receiving records in accordance with an order, subpoena or ex parte order issued by a court of competent jurisdiction
- G. provision of such information as necessary for standardized testing that measures the student's academic progress and achievement
- H. provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age eighteen (18) or is an emancipated minor, the student has signed and submitted the opt-out form referenced below

Only 'directory information' regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

DIRECTORY INFORMATION

Each year the Superintendent shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as 'directory information.' The Board designates as student 'directory information':

- A. a student's name;
- B. address (except for students participating in the address confidentiality program act);
- C. date and place of birth;
- D. major field of study;
- E. participation in officially-recognized activities and sports;
- F. dates of attendance;

- G. date of graduation;
- H. awards received;
- I. honor rolls;
- J. scholarships;
- K. telephone numbers for inclusion in school or PTO directories.

The Board designates school-assigned e-mail accounts as 'directory information' for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes. School-assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider and internal users of the District's Education Technology.

The principal will also develop a list of uses for which the District commonly would disclose a student's directory information and develop an opt-out form that lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for one (1) or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first thirty (30) days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the District by a student's parent or legal guardian, the District shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age eighteen (18) or is an emancipated minor may act on his or her own behalf with respect to the opt-out form.

Parents and eligible students may also refuse to allow the District to disclose any or all of such 'directory information' upon written notification to the District within thirty (30) days after receipt of the District's public notice.

Armed Forces Recruiting

The Board shall provide United States Armed Forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses, District-assigned email addresses (if available) (except for students participating in the address confidentiality program act, and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. 'Armed forces of the United States' means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to official recruiting representatives, then the officials of the school shall not allow that access to the student's directory information. The Board shall ensure that students and parents and guardians are notified of the provisions of the opportunity to deny release of directory information.

Public notice shall be given regarding the right to refuse disclosure of any or all 'directory information' including to the armed forces of the United States and the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the high school, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to the District records officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a time for the access. Requests should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of 'directory information', either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose 'directory information' on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

- A. providing the information as necessary for standardized testing that measures the student's academic progress and achievement
- B. providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the District

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town, unless a parent is prohibited from doing so due to a student's participation in the address confidentiality program act), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible students, must submit a written request to the building principal at least five (5) work days before the scheduled date of the activity. The instrument will be provided to the parent within thirty (30) business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure or use of personal information collected from students from the exclusive purpose of developing, evaluating, or providing educational products or service for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment or military recruitment;
- B. book clubs, magazines and programs providing access to low-cost literary products;
- C. curriculum and instructional materials used by elementary and secondary schools;
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- E. the sale by students of products or services to raise funds for school-related or education-related activities; and
- F. student recognition programs.

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the District nor its employees will be held responsible for any breach of this policy by the parent or eligible student or any unauthorized party.

The Superintendent shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's non-compliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for the proper storage and retention of records including a list of the type and location of records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this District specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board of Education delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Education. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Revised 2/5/01
Revised 9/24/03
Revised 6/05
Revised 1/21/09
Revised 6/10/09
Revised 6/13/12
Revised 5/10/17
Revised 12/8/21

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Legal References: M.C.L. 380.1135, 380.1136
Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education
34 C.F.R. Part 99, 2002
Section 444 of subpart of part C of the General Education Provisions Act
Title IV of Public Law 90-247
20 U.S.C., Section 1232f through 1232i (FERPA)
20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act
20 U.S.C. 7165(b)
26 U.S.C. 152
20 U.S.C. 7908

Adoption Date: **September 14, 1993**
Last Revised: **August 24, 2022**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8350
Section: 8000 Operations

8350 - **CONFIDENTIALITY**

It is the policy of the Board of Education that when the District receives in trust from a public agency information identified to be confidential or exempt from disclosure under the Freedom of Information Act, Common Law, Privilege Case Law, or Federal Law, the Board will maintain the confidentiality of said information to the maximum extent permitted by the law.

Further, employees must not divulge confidential information contained in any records and files of this Board.

Employees must not divulge confidential information contained in the records and files of this Board, except to other employees who may need such information in connection with their duties and to authorized parties in accordance with proper departmental procedures.

Neither the Board nor its employee's shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see AG 8350). Documents containing social security numbers shall be restricted to those employees who have a need to know that information or a need to access those documents. When documents containing social security numbers are no longer needed, they shall be shredded by an employee who has authorized access to such records.

Freedom of Information Act requests shall only be responded to in accordance with the District's Policy.

If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information in accordance with applicable procedures, and should refer the requestor to the employee's immediate supervisor.

Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures.

In order to prohibit the unauthorized disclosure of information identified as confidential by a sending public agency, the Board may seek to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order;
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Board will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

Employees who intentionally violate this policy are subject to discipline, up to and including discharge.

The Superintendent shall assure that employees receive a copy of and have readily available access to this policy.

Revised 12/11/02

Revised 9/24/03

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Legal References: Freedom of Information Act 1976, paragraph 15.243 et seq.
 M.C.L. 445.83, 445.84

Adoption Date: **September 14, 1993**

Last Revised: **January 21, 2009**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8351
Section: 8000 Operations

8351 - SECURITY BREACH OF CONFIDENTIAL DATABASES

It is the policy of the Board of Education that when unauthorized access or acquisition of data occurs, which would compromise the confidentiality or security of personal information maintained by the District on a database, the District will take appropriate action to assess the risk, and notify the affected individuals in accordance with its legal obligations.

A "security breach" means the unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by the District as part of a database of personal information covering multiple individuals. Unauthorized access may be considered incidental access by an employee or other individual if the access meets all of the following:

- A. the individual acted in good faith in accessing the data
- B. the access was related to the activities of the agency or person
- C. the individual did not misuse any personal information or disclose any personal information to an unauthorized person

Personal information for purposes of this policy means the persons last name, with either the first name or initial when linked to one or more of the following:

- A. social security number
- B. driver's license or State Personal Identification
- C. demand deposit or other financial account numbers, credit or debit card numbers, when combined with access code, security code or password which would allow access to the financial accounts

Promptly upon determining that a security breach has occurred, the employee shall notify the chief business officer and the Superintendent, in writing.

The Superintendent and the chief business officer shall promptly determine and implement the steps necessary to correct the unauthorized access and any legal requirements for notifying those individuals whose personal information may have been compromised.

Employees who intentionally violate this policy are subject to discipline, up to and including discharge and may be subject to criminal penalties.

The Superintendent shall assure that employees receive a copy of and have readily available access to this policy.

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Legal References: M.C.L. 445.61 et seq.

Adoption Date: **February 25, 2009**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8400
Section: 8000 Operations

8400 - SCHOOL SAFETY INFORMATION

The Board of Education is committed to maintaining a safe school environment. The Board believes that school crime and violence are multifaceted problems which need to be addressed in a manner that utilizes the best resources and coordinated efforts of School District personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-sponsored activity or while enroute to or from school, or a school-sponsored activity. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

In furtherance of its commitment to a safe school environment, the Board has prohibited weapons on school property and at school-sponsored events, except in very limited circumstances. See Board Policy 3217, Policy 4217, and Policy 5772. This prohibition is reasonably related to legitimate educational concerns, including the ability to provide a safe and secure learning and social environment for its students and controlling and minimizing disruptions to the educational process. The presence of dangerous weapons on school property or at school-sponsored events, except under very controlled circumstances, creates a potentially dangerous situation for students, staff, and visitors, and may trigger precautionary safety responses which disrupt the educational process and learning environment for students.

Federal law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons and drugs. Individuals are prohibited from engaging in these activities at any time on District property, within the Student Safety Zone, or at any District-related event.

The District will work with local officials in arranging signage defining the 1,000-foot boundary.

The Safety Committee shall convene a meeting for the purpose of conferring regarding the *School Safety Information Policy Agreement*, and making modifications as deemed necessary and proper; discussing additional training that might be needed; and, discussing any other such related matters as may be deemed to be necessary by the participants. Participants in this meeting shall include the Superintendent, members of the Board, the County Prosecutor or his/her designee, and representatives from the local law enforcement agency. The following may also be invited to participate in the meeting:

- A. Chief Judge of Circuit and/or District Courts or his/her designee, including a representative of the family division;
- B. representative(s) from the local child protection agency;
- C. building administrators;

- D. Crisis Team teachers;
- E. parents;
- F. student leadership;
- G. Fire Marshal or his/her designee;
- H. representative(s) from emergency medical services;
- I. representative(s) from county emergency management service agency;
- J. Police Chief;
- K. School Nurse.

The Superintendent shall make a report to the Board about all such reviews and recommend the approval and adoption of any proposed revisions or additions.

District Contact Person

Furthermore, in accordance with State law, the Board hereby designates the Superintendent as the District contact person who shall receive information from law enforcement officials, prosecutors, and the court officials, including receipt of information provided from the Michigan State Police relating to the student safety act hotline ("OK2Say"). The current contact information for the Director of Human Resources shall be provided to the Michigan State Police in the manner and frequency required by law.

The District contact person shall notify the principal of the school of attendance of a student about whom information is received from law enforcement officials, prosecutors, or court officials within twenty-four (24) hours of the receipt of that information. The principal shall, in turn, notify the building staff members who s/he determines have a need to know the information that has been received within twenty-four (24) hours of receipt of that information.

The District contact person shall notify the appropriate law enforcement officials when an adult or a student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement* and shall report all information that is required to be reported to State or local law enforcement agencies and prosecutors. Reporting such information is subject to 20 U.S.C. 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

If a student is involved in an incident that is reported to law enforcement officials pursuant to the District's *School Safety Information Policy Agreement*, then, upon request by school officials, the student's parent or legal guardian shall execute any waivers or consents necessary to allow school officials access to school, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

Required Reporting

The Superintendent shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the District during the preceding school year and the reason for the expulsion.

The Superintendent shall post a report on the District website at least annually, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at school. At least annually, a copy of the most recent report of incidents of crime, disaggregated by school building, shall be made available to the parent or legal guardian of each student enrolled in the District. This report will include at least crimes involving:

- A. physical violence;
- B. gang-related acts;
- C. illegal possession of a controlled substance, controlled substance analogue, or other intoxicant;
- D. trespassing;
- E. property crimes, including but not limited to theft and vandalism, including an estimate of the cost to the District resulting from the property crime.

Each school building shall collect and keep current on a weekly basis the information required from the report of incidents of crime, and must provide that information, within seven (7) days, upon request.

Additionally, the District shall report all incidents of and attempted commissions of the crimes listed above to the Michigan State Police, in the form and manner prescribed by the Michigan State Police, within twenty-four (24) hours after the incident occurs.

Law Enforcement Information Network (LEIN)

The Board authorizes the Superintendent, principal, and assistant principal(s) to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

Threat Assessment

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. This policy is designed to be consistent with the process for identifying, assessing, and managing students who may pose a threat as set forth in the joint U.S. Secret Service and Department of Homeland Security publication, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and include a school counselor, school psychologist, instructional personnel, and, where appropriate, the School Resource Officer. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

- A. identifying team participants by position and role;
- B. requiring team participants to undergo appropriate training;
- C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;
- D. defining what types of information that may be gathered during the assessment;
- E. stating when and how parents/guardians of the student making the threat shall be notified and involved;
- F. designating the individuals (by position) who would be responsible for gathering and investigating information;
- G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 – Student Records, and State and Federal law.

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall discuss this at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agency, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law, the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

Revised 6/05
Revised 1/21/09
Revised 5/10/17
Revised 7/14/20
Revised 11/11/20

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Legal References:	Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended
	M.C.L. 380.1241, 380.1308, 380.1308a, 380.1310a, 752.913, 771.2a

Adoption Date: **March 26, 2001**
Last Revised: **December 08, 2021**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8402
Section: 8000 Operations

8402 - EMERGENCY OPERATIONS PLAN

By no later than January 1, 2020, for each school building the District shall 1) develop an emergency operations plan or 2) adapt its statewide school information policy (referred to as the "Plan" throughout the remainder of this Policy) to comply with the requirements of this Policy. This action shall be taken with input from the public. 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.

Beginning in the 2019-2020 school year, and at least biennially thereafter, the District shall conduct a review of its Plan, including a review of the vulnerability assessment, with at least one law enforcement agency that has jurisdiction over the District.

The Plan must include guidelines and procedures that address all of the following:

- A. school violence and attacks
- B. threats of school violence and attacks
- C. bomb threats
- D. fire
- E. weather-related emergencies
- F. intruders
- G. parent and pupil reunification
- H. threats to a school-sponsored activity or event whether or not it is held on school premises
- I. a plan to train teachers on mental health and pupil and teacher safety
- J. a plan to improve school building security
- K. an active violence protocol
- L. continuity of operations after an incident
- M. a vulnerability assessment

The District shall notify the Michigan Department of Education not later than thirty (30) days after it adopts its Plan and after each biennial review in the form and manner prescribed by the Department.

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Legal References: M.C.L. 380.1308b

Adoption Date: **July 14, 2020**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8405
Section: 8000 Operations

8405 - DIESEL EXHAUST AND SCHOOL BUS IDLING

In accordance with the Environment Protection Agency's initiative to reduce pollution that is caused by school buses on school property, the Board will take the recommended steps to reduce the negative effect of diesel exhaust on indoor and outdoor air quality on school campuses. This effort shall include, but not be limited to, reducing bus idling time and reinforcing smart driving practices.

The Superintendent shall develop the administrative guidelines necessary to establish these practices in the District (see AG 8615).

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Adoption Date: **June 01, 2005**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8410
Section: 8000 Operations

8410 - **CRISIS INTERVENTION**

The Board of Education believes that the employees, and students of the District, as well as visitors, are entitled to function in a safe school environment. In this regard, the Board has adopted policies related to conduct in the school setting as well as those that address various crisis situations.

The Superintendent shall promulgate administrative guidelines for responding to a crisis situation, developing a prevention plan, and providing effective intervention for students who may show warning signs that relate to violence or other troubling behaviors.

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Adoption Date: **March 26, 2001**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8420
Section: 8000 Operations

8420 - EMERGENCY SITUATIONS AT SCHOOLS

The Board of Education is committed to providing a safe learning and work environment. Unfortunately, natural and man-made disasters do occur. Such emergencies are best met by preparedness and planning.

A. Emergency Preparedness

The District shall develop emergency preparedness procedures that address the following goals and/or objectives:

1. the health and safety of students and staff are safeguarded
2. the time necessary for instructional purposes is not unduly diverted
3. minimum disruption to the educational program occurs
4. students are helped to learn self-reliance and trained to respond sensibly to emergency situations

All threats to the safety of District facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

School personnel, including teachers, shall provide for unrestricted emergency egress during school hours and when the school is open to the public.

B. Drills

1. Each school shall conduct a minimum of five (5) fire drills each school year. Three (3) of the fire drills shall be held by December 1st of the school year, and two (2) shall be held during the remaining part of the school year, with a reasonable spacing interval between each drill.
2. Each school shall conduct a minimum of two (2) tornado safety drills each school year. At least one (1) of the tornado safety drills shall be conducted during March of the school year. These drills shall be conducted for the purpose of preventing injuries caused by severe weather.

3. Each school shall conduct a minimum of three (3) drills in which the occupants are restricted to the interior of the building and the building secured each school year. At least one (1) of these drills shall be conducted by December 1st of the school year, and at least one (1) shall be conducted after January 1st of the school year, with a reasonable spacing interval between each drill. Such drills shall include security measures that are appropriate to an emergency such as the release of a hazardous material or the presence of a potentially dangerous individual on or near the premises. The Superintendent shall seek input from local public safety officials on the nature of the drills to be conducted under this subsection.
4. Each school shall conduct at least one (1) of the drills required under Sections 2(A)-(C) during a lunch or recess period, or at another time when a significant number of the students are gathered but not in the classroom.
5. Schools shall not conduct a drill required under Sections 2(A)-(C) at a time that would interfere with the conduct of a state-mandated assessment.
6. Not later than September 15th of each school year, the Principal shall provide a list of the scheduled drill days to the county emergency management coordinator.
7. If a drill is not conducted on a scheduled drill day due to conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, the school shall reschedule the drill to occur within ten (10) school days after the scheduled date of the cancelled drill. The school's Principal shall notify the county emergency management coordinator of the rescheduled date for the drill.

C. Drill Result Publication

1. The Principal shall provide that documentation of a completed school safety drill is posted on the school's [or the District's] website within thirty (30) school days after the drill is completed and is maintained on the website for at least three (3) years.
2. The documentation posted on the website shall include at least all of the following:
 - a. name of the school
 - b. school year of the drill
 - c. date and time of the drill
 - d. type of drill completed
 - e. number of completed drills for that school year for each type of drill required under Sections 2(A)-(C)
 - f. signature of the school principal or his/her designee acknowledging the completion of the drill
 - g. name of the individual in charge of conducting the drill, if other than the school Principal

D. Cardiac Emergency Response Plan

1. Use and regular maintenance of automated external defibrillators, if available.
2. Activation of a cardiac emergency response team during an identified cardiac emergency.
3. A plan for effective and efficient communication throughout the school campus.
4. If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.
5. Incorporation and integration of the local emergency response system and emergency response agencies with the school's plan.
6. An annual review and evaluation of the cardiac emergency response plan.

Revised 3/14/07

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Legal References:

M.C.L. 29.19

A.C. 1301:7-7-01, 3301-35-03 (D), 3301-83-15

HB No. 4713 (2013)

Adoption Date: **September 14, 1993**

Last Revised: **June 11, 2014**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8425
Section: 8000 Operations

8425 - **TORNADOES**

In order to provide the safest protection possible if students are in the building during a Tornado Watch or Warning, each building will develop procedures to be followed in case of such emergencies.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8428
Section: 8000 Operations

8428 - EMERGENCY SCHOOL CLOSINGS

In case schools are closed for emergencies all administrative and all classified employees except cafeteria personnel shall report for duty at their regular assigned time unless special instructions otherwise are given by the Superintendent shall so indicate in his/her school closing announcement.

If it is found necessary to dismiss school early employees shall remain until their regular dismissal time unless authorized otherwise by the Superintendent.

Except in extreme emergencies where there is no doubt about the ability to hold school, announcements of closing will be made in the morning of the day of closing.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8430
Section: 8000 Operations

8430 - BOMB THREAT

Upon receipt of information regarding a bomb threat, the Board of Education believes the following steps shall be taken to ensure the safety of students and staff:

- A. Students and staff will be evacuated from the building upon the decision of the principal. The principal shall notify the office of the Superintendent.
- B. Police will be contacted and requested to investigate and may enlist the assistance of outside help.

Administrators, building engineers, and maintenance personnel may assist and cooperate with police authorities.

The Superintendent will contact the Board President.

Police and school authorities will make every effort to determine who made the bomb threat call. If an individual is apprehended, s/he shall be prosecuted to the fullest extent permitted by law. If a student is involved, the Student Code of Conduct will be enforced to its fullest and the matter referred to the appropriate court.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8431
Section: 8000 Operations

8431 - PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

The Board of Education is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos material used in previous construction.

TOXIC HAZARDS

These hazards exist in chemicals, pesticides, and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The Toxic Hazard Preparedness Officer will be responsible for the following:

A. Hazard Determination

Identification of potential sources of toxic hazards in cooperation with material suppliers, who shall supply the Toxic Hazard Preparedness Officer with Material Safety Data Sheets (MSDSs). The Board will rely on MSDSs from material suppliers to meet hazard determination requirements.

B. Labeling

Ensuring that all incoming materials are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party, and that any containers to which the materials are transferred are also properly labeled.

C. Material Safety Data Sheets

Maintaining a current file of MSDSs for all hazardous materials present on District property. The MSDS files will be kept at all buildings, additional copies for employees' use will be located at the office of the Director of Buildings and Grounds.

MSDSs will be available for review to all employees. Copies will be available upon request to the Toxic Hazard Preparedness Officer. Posters identifying the person responsible for monitoring MSDSs and where MSDSs are located at the office of the Directors of Buildings and Grounds. Posters notifying employees when new MSDSs are received will be located in the same location. The Toxic Hazard Preparedness Officer shall contact the supplier, in writing, if a required MSDS is not received, and promptly procure the MSDS before releasing the material for use.

If s/he is unable to obtain an MSDS from a supplier, s/he should contact MIOSHA's Occupational Health Division (OHD) or General Industry Safety Division (GISD) for assistance in obtaining the MSDS.

D. Multi-Employer Work Sites - Informing Contractors

Informing contractors and their employees of any hazardous substances to which they may be exposed; measures to be employed to control or eliminate exposure; container and pipe labeling system used on-site; and where applicable MSDSs can be reviewed or obtained. Whenever District employees may potentially be exposed to hazards brought on site by contractors, the THP Officer will obtain information from the contractor pertaining to chemicals brought on-site, and measures that should be taken to control or eliminate exposure to chemicals.

E. Employee Information and Training

Providing information to and conducting a training program for all District employees on such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the District's plan for communication, labeling. Records of each employee's hazardous communication training should be maintained and all new employees should receive training regarding any hazardous chemicals they may potentially come in contact with as part of their job.

The information should include:

1. regulations of MIOSHA's hazardous communication standard;
2. all operations in employee's work area where hazardous chemicals are present;
3. location and availability of written hazardous communication program (i.e. the policy), the list of hazardous chemicals and the MSDSs.

Training should include:

1. techniques used to detect presence or release of hazardous chemicals in work area;
2. physical and health hazard of hazardous chemicals;
3. the measures the employees should take to protect themselves from these hazards;
4. details of the hazardous communication program including an explanation of labeling system and MSDSs and how employees can obtain and use hazard information.

Employees shall also be informed of:

1. the employer's anti-discrimination/discharge policy for employees accessing hazard information;
2. how the employee can contact OHD or GISD for assistance in obtaining an MSDS if s/he is unable to obtain the MSDS from the employer.

- F. Hazardous nonroutine tasks (optional) - before an employee is required to start a nonroutine task (e.g. enter confined space) the employee will be given information about the hazards of the area or procedure including specific chemical hazards, protection or safety measures the employee can take to lessen hazard, and measures the company has taken to eliminate or control hazard.

Any staff member or contractor who applies pesticides on District property shall meet the requirements of AG 8431A in addition to requirements established by the State. S/He shall provide written notification each year, prior to any application, to all parents and staff members:

- A. that a pesticide is to be applied;
- B. the type of pesticide and its potential side effects;
- C. the location of the application;
- D. the date of the application.

In fulfilling these responsibilities, the Toxic Hazard Preparedness Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the Toxic Hazard Preparedness Officer.

ASBESTOS

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA) and the Michigan Occupational Safety and Health Act (MIOSHA), the Board recognizes its responsibility to:

- A. inspect all District buildings for the existence of asbestos or asbestos- containing materials;
- B. take appropriate actions, in accordance with State law and EPA regulations, based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Superintendent shall appoint a person to develop and implement the District's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Superintendent shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Michigan Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure, any negligent act, or a deliberate act beyond the control of the Board or its officers and employees.

The District may provide, however, legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the employee was performing the duties while in the course of his/her employment or while acting within the scope of his/her authority. The District reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct.

Revised 9/24/03

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Legal References:	M.C.L. 324.8316, 380.1256
	15 U.S.C. 2601
	20 U.S.C. 4022
	20 U.S.C. 4014
	20 U.S.C. 4011
	20 U.S.C. 4011 et seq.
	Asbestos Hazard Emergency Response Act of 1986 (AHERA)
	Asbestos School Hazard Abatement Act of 1984
	Asbestos School Hazard Abatement Reauthorization Act of 1990

Adoption Date: **September 14, 1993**

Last Revised: **June 01, 2005**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8442
Section: 8000 Operations

8442 - REPORTING ACCIDENTS

The Board of Education directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and employees of this District. To that end and so that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, an employee of the Board, or a visitor to the schools must be reported promptly by the supervisor to the District Business Office. The District Business office shall then make the necessary arrangements for the student or employee to receive medical attention.

A completed district accident report form shall be forwarded to the district business office within one (1) working day of the injury.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the principal or job supervisor, as appropriate, as soon as possible following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action in accordance with standards set forth in a negotiated, collective-bargaining agreement.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8450
Section: 8000 Operations

8450 - CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

The Board of Education recognizes that control of the spread of communicable disease spread through casual-contact is essential to the well-being of the school community and to the efficient District operation.

For purposes of this policy, "casual-contact communicable disease" shall include:

- A. diphtheria;
- B. scarlet fever and other strep infections;
- C. whooping cough;
- D. mumps;
- E. measles;
- F. rubella;
- G. others designated by the Michigan Department of Community/Public Health.

In order to protect the health and safety of the students, District personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling casual-contact communicable disease spread through normal interaction in the school setting.

If a student exhibits symptoms of a communicable disease, the principal will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

The Superintendent shall develop administrative guidelines for the control of communicable disease which shall include:

- A. instruction of professional staff members in the detection of these common diseases and measures for their prevention and control;
- B. removal of students from District property to the care of a responsible adult;
- C. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. filing of reports as required by statute and the State Department of Health.

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Legal References: M.C.L. 380.1169

Adoption Date: **September 14, 1993**

Last Revised: **November 11, 2020**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8450.01
Section: 8000 Operations

8450.01 - **PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS**

During times of elevated communicable disease community spread (pandemic or epidemic), the Superintendent will issue periodic guidance through Board of Education plans/resolution(s) in alignment with public health officials and/or in accordance with government edicts and including any Pandemic Plan developed by the District's Pandemic Response Team.

School settings can be a source of community spread. Wearing face masks/coverings is especially important during these times and can help mitigate the risk of exposure from person to person.

As such, during times of elevated communicable disease community spread, the Superintendent may activate this policy by notifying the school community, requiring all school staff, volunteers, and visitors (including vendors) to wear appropriate face masks/coverings on school grounds unless it is unsafe to do so or where doing so would significantly interfere with the District's educational or operational processes.

Face masks/shields will be provided by the District to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements of this policy as well as any requirements issued by State or local health departments.

In addition, the Board may require that students shall wear a face mask unless they are unable to do so for a health or developmental reason. Efforts will be made to reduce any social stigma for a student who, for medical or developmental reasons, cannot and should not wear a mask.

If face masks/coverings are required, and no exception is applicable, students shall be subject to disciplinary action in accordance with the Student Handbook and in accordance with policies of the Board.

During times of elevated communicable disease community spread, as determined by the Board in consultation with health professionals, all students are required to wear masks while being transported on District school buses or other modes of school transportation or while waiting for a school bus outdoors and unable to maintain a distance of six (6) feet or more from individuals who are not members of their household.

Use of Mask/Face Covering

Cloth face coverings/masks should:

- A. fully cover the mouth, nose, and chin;
- B. fit snugly against the side of the face so there are no gaps;
- C. not create difficulty breathing while worn; and
- D. be held securely through either a tie, elastic, etc. to prevent slipping.

Facial masks/coverings generally should not include surgical masks or respirators unless medically indicated (as those should be reserved for healthcare workers) or masks designed to be worn for costume purposes.

All employee facial masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies (Policy 3216/4216). All student facial masks/coverings shall meet the requirements of the appropriate Student Code of Conduct/Student Discipline Code.

Any person may be required to temporarily remove a face mask or covering when instructed to do so for identification or security purposes. Failure to comply with such a request violates this policy and may lead to disciplinary or other action.

Exceptions to the use of masks/face coverings include when:

- A. facial masks/coverings in the school setting are prohibited by law or regulation;
- B. facial masks/coverings are in violation of documented industry standards;
- C. facial masks/coverings are not advisable for health reasons;
- D. facial masks/coverings are in violation of the school's documented safety policies;
- E. facial masks/coverings are not required when the individual works alone in an assigned work area;
- F. there is a functional (practical) reason for a staff member or volunteer not to wear a facial mask/covering in the workplace;
- G. settings where masks might present a safety hazard (i.e. science labs);
- H. individuals have difficulty wearing a cloth face covering; or
- I. the individual is communicating with students who are hearing impaired or otherwise disabled, where an accommodation is appropriate or necessary;
- J. the individual is actively participating in outdoor recess and/or physical activity where students are able to maintain a distance of six (6) feet or more or athletic practice, scrimmage, or competition that is permitted under a separate Department of Health order;

- K. the individual is seated and actively consuming food or beverage;
- L. students and staff can maintain distancing of at least six (6) feet and removal of the facial covering is necessary for instructional purposes, including instruction in foreign language, English language for non-native speakers, and other subjects where wearing a facial covering would prohibit participation in normal classroom activities, such as playing an instrument;
- M. students are able to maintain a distance of six (6) feet or more and a mask break is deemed necessary by the educator supervising the educational setting;
- N. an established sincerely held religious requirement exists that does not permit a facial covering.

The Board may be required to provide written justification to the local health officials upon request explaining why a staff member is not required to wear a facial covering in the school. Therefore, if any exceptions are made to the requirement for facial coverings, the request for such exception must be submitted in writing to the individual's supervisor with appropriate documentation provided. A decision on the request will be provided in writing.

Use of Face Shields

Face shields that wrap around the face and extend below the chin may be permitted as an alternative to face masks/coverings with permission of the Superintendent as the Board recognizes that face shields may be useful in some situations, including:

- A. when interacting with students, such as those with disabilities, where communication could be impacted;
- B. when interacting with English-language learners or when teaching a foreign language;
- C. settings where masks might present a safety hazard (i.e. science labs); or
- D. for individuals who have difficulty wearing a face covering.

If employees receive approval from the District administration after discussing their request not to wear a face mask/covering/shield due to a physical, mental, or developmental health condition, and/or if wearing a mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, the District administration may also discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under the ADA.

School nurses or staff who care for individuals with symptoms consistent with those of a communicable disease must use appropriate personal protective equipment (PPE), provided by the school, in accordance with OSHA standards.

When facial masks/coverings are required by the Board, and no exception has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with the policies of the Board.

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Adoption Date: **November 11, 2020**
Last Revised: **December 08, 2021**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8450.05
Section: 8000 Operations

8450.05 - **EMERGENCY TEMPORARY TELECOMMUTING POLICY (ETTP)**

In order to protect the health and safety of the District's employees, to contain the spread of COVID-19, and in compliance with the Michigan Occupational Safety and Health Administration (MIOSHA) Emergency Rules, the Board of Education enacts this temporary emergency telecommuting policy for employees determined capable of performing their work assignment from home. For the duration of this policy, the District prohibits in-person work for employees to the extent that their work activities can feasibly be performed remotely. Such remote assignment for work activities shall be determined by the Superintendent.

Due to the nature of public education and the District's COVID 19 extended learning plan, not all employees are able to work remotely. Moreover, the nature of the District's business and operations requires daily interaction at the school buildings and at other designated facilities. Accordingly, this policy is temporary in nature and shall not be construed to create an entitlement to telecommute in the future, and it in no way changes the terms and conditions of employment with the District. This policy will cease to be in effect consistent with the end of the current COVID-19 health emergency, consistent with State law and applicable Executive Order/Rule, and as determined by the Superintendent and approved by the Board. Employees who are directed to work from home under this Policy will be notified by the Superintendent when to return to their regular work stations and locations. Requests for continued telecommuting will be considered for qualified individuals with a disability who can perform the essential functions of the position with or without an accommodation.

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Legal References: Michigan Occupational Safety and Health Administration (MIOSHA)
Emergency Rule - CORONAVIRUS DISEASE 2019 (COVID - 19)

Adoption Date: **November 19, 2020**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8452
Section: 8000 Operations

8452 - AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

The Board of Education has determined that it may enhance school safety to have an automated external defibrillator (AED) placed in building(s) within the School District.

An AED is a medical device that contains a heart monitor and defibrillator that is used to administer an electric shock through a person's chest wall to the heart. The built-in computer system of the AED assesses the patient's heart rhythm, determines whether defibrillation is needed, and then administers a shock, if necessary. Audible and/or visual prompts guide the user through the process of using the AED.

The Board directs the Superintendent to develop guidelines that govern AEDs, including the use of the AED, placement of the AED, training and oversight by a medical doctor or by the local EMS Medical Director. The Board also directs the Superintendent, in conjunction with the Medical Director, to review the guidelines, as appropriate. The AED devices will be located at school buildings for use by employees with proper AED training.

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Legal References: 21 C.F.R. 801.109

Adoption Date: **September 24, 2003**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8453
Section: 8000 Operations

8453 - DIRECT CONTACT COMMUNICABLE DISEASES

The Board of Education seeks to provide a safe educational environment for students and staff. This can best be accomplished by assuring that all persons with the school community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease.

For purposes of this policy, these diseases shall include:

- A. HIV (human immunodeficiency virus);
- B. AIDS (acquired immune deficiency syndrome);
- C. AIDS related complex (condition);
- D. HAV, HBV, HCV (Hepatitis A, B, C);
- E. other disease that may be specified by the State Department of Health as contact communicable diseases.

The Board recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

The Board further directs the Superintendent to assure that students or staff who reveal the fact they have contracted one of these diseases will have their status safeguarded in accordance with Federal and State statutes dealing with confidentiality and that their civil rights will be respected. Staff members will have access to District leave policies in accordance with Board policy and negotiated agreement and opportunities for reasonable accommodation as described by the Americans with Disabilities Act. Should a student be unable to attend school as a result of illness, an alternative education program shall be provided in accordance with the Board's policy and administrative guidelines dealing with Homebound Instruction.

Additionally, the Board directs the Superintendent to develop an educational program in accordance with Michigan law that will ensure proper instruction of guidance counselors, nurses (need not be included if a "licensed health care professional"), teachers, and other school personnel who teach students about HIV and AIDS. Such a program shall include information about:

- A. the nature of the disease;
- B. its causes and effects;
- C. the means of detecting it and preventing its transmission;
- D. the availability of appropriate sources of counseling and referral; and
- E. any other information that is appropriate considering the age and grade levels of students.

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Legal References: M.C.L. 380.1169

Adoption Date: **September 14, 1993**

Last Revised: **September 24, 2003**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8453.01
Section: 8000 Operations

8453.01 - **CONTROL OF BLOOD-BORNE PATHOGENS**

The Board of Education seeks to protect those staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The Superintendent shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally- mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

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Legal References: 20 CFR 1910.1030

Adoption Date: **September 14, 1993**

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Policy: po8460
Section: 8000 Operations

8460 - USE OF TELEPHONES

Telephones shall be provided in all offices for business use only. All long distance calls shall be logged on forms provided, and those making personal long distance calls from any school phone shall immediately reimburse the School District for said calls.

Office telephones may be used by staff members for making calls regarding students and other school business. They are not to be used for personal business calls except in cases of emergency.

Students are not to use the school office telephone, or any of its extensions, except in cases of emergency. The use of the pay telephone by students during school hours is subject to the approval of the teacher or other authorized school personnel.

Long distance calls for school business shall be made from office phones only and be properly recorded on the form provided for that purpose, except in cases of emergency personal telephone calls are not to be made during the school day.

T.C. 7/8/09

Adoption Date: **September 14, 1993**

Last Revised: **July 8, 2009**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8462
Section: 8000 Operations

8462 - STUDENT ABUSE AND NEGLECT

The Board of Education is concerned with the physical and mental well-being of the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Each professional staff member employed by this District and all other persons employed by this District who are mandatory reporters under the law who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The professional staff member or other mandatory reporter or appropriate administrator in the presence of the staff member shall immediately notify the local office of the Central Registry of the Michigan Department of Health and Human Services (MDHHS) Family Independence Agency, by telephone, or, if available, through the online reporting system, of the suspected child abuse or child neglect. If an oral report is made by telephone, the reporting person shall file a written report within seventy-two (72) hours of making the oral report as required by the Child Protection Law and shall secure prompt medical attention for any such injuries reported.

S/He shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect.

Any support staff member who has reasonable cause to suspect child abuse or neglect shall immediately report any such case to the principal and/or his/her supervisor who shall, in turn, immediately notify the Central Registry of the Michigan Department of Health and Human Services (MDHHS) by telephone, or, if available, through the online reporting system, of the suspected child abuse or child neglect. If an oral report is made by telephone, the reporting person shall file a written report within seventy-two (72) hours of making the oral report as required by the Child Protection Law.

S/He shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting staff member shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the District is a violation of the law and subjects the disseminator to civil liability for resulting damages.

Each principal should be mindful of the possibility of physical or mental abuse being inflicted on a student by a staff member. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent.

Revised 3/26/01

Revised 2/12/20

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Legal References: M.C.L. 380.1505, 722.621 et seq.

Adoption Date: **September 14, 1993**

Last Revised: **November 11, 2020**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8480
Section: 8000 Operations

8480 - MAIL AND DELIVERY SERVICES

A mail service system shall be maintained within the School District in order that in-district communications, and communications from outside sources, may be delivered to the intended recipient in the most practical way.

The use of district mail facilities and personnel for distribution of materials and communications shall be restricted mainly to those materials and communications that further the educational purpose of the district and/or are necessary for the effective operation of the school.

In general, the mail service system is not to be used in any manner by employees for the delivery of personal letters, notes and materials to other employees, nor to promote activities for personal gain or for nonschool related organizations or private concerns.

Political or campaign materials shall not be distributed through the district mailboxes or mail service system unless received through the U.S. Mail. Communication which tends to attack personalities within or outside the school shall not be distributed through the school mail system.

Recognized collective bargaining units will be permitted to use the school mail service in accordance with the terms of their contract and Board policy on the use of school facilities.

The Superintendent may authorize certain exceptions to the above policy without voiding the policy or defeating the intent of the policy.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8500
Section: 8000 Operations

8500 - FOOD SERVICES

The Board of Education shall provide cafeteria facilities in all school facilities where space and facilities permit, and will provide food service for the purchase and consumption of lunch for all students.

The Board shall also provide a breakfast program in accordance with procedures established by the Department of Education.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities. Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. See Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA's school meal pattern requirements for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

Substitutions

If determined appropriate by a student's Section 504 team, substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a healthcare provider who has prescriptive authority in the State of Michigan has provided medical certification that the student has a disability which restricts his/her diet, in accordance with the criteria set forth in 7 CFR 15(b). To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the student's diet; and
- C. the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

If determined appropriate by a team of qualified individuals including, but not limited to, the Principal, school nurse, parent, and/or Director of Food Services, substitutions to the standard meal requirements may be made, at no additional charge, for a student who is not a "disabled person" but has a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet; and
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

For non-disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent or guardian is required.

Lunches sold by the school may be purchased by students and staff members and community residents in accordance with the administrative guidelines established by the Superintendent.

The operation and supervision of the food-service program shall be the responsibility of the Superintendent and the Finance Director. Food services shall be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program.

A periodic review of the food-service accounts shall be made by the Finance Director. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal costs, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

The Superintendent is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service and shall also address feeding students with unpaid meal balances without stigmatizing them. .

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the school or School District during the school year.

With regard to the operation of the school food service program, the Superintendent shall require:

- A. the maintenance of sanitary, neat premises free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the planning and execution of menus in compliance with USDA requirements;
- D. the purchase of foods and supplies in accordance with State and Federal law, USDA regulations, and Board policy (See Policy 1130, Policy 3110, and Policy 4110);

- E. complying with food holds and recalls in accordance with USDA regulations;
- F. the accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- H. the regular maintenance and replacement of equipment;
- I. all District employees whose salaries are paid for with USDA funds or non-federal funds used to meet a match or cost-share requirement must comply with the District's time and effort record-keeping policy (See Policy 6116).

The District shall serve only nutritious food as determined by the Food Service Department in compliance with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food-service program must comply with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines and may be vended in accordance with Board Policy 8540.

The Superintendent will require that the food service program serve foods in District schools that are wholesome and nutritious and reinforce the concepts taught in the classroom.

Revised 3/14/07
Revised 5/13/15
Revised 5/11/16
Revised 5/10/17
Revised 2/12/20

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Legal References: Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

M.C.L. 380.1272, 1272a, 1272d et seq.

7 C.F.R. Parts 15b, 127, 210, 215, 220, 225, 226, 240, 245, 3015

42 U.S.C. 1758, 1760

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

Adoption Date: **September 14, 1993**
Last Revised: **December 08, 2021**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8510
Section: 8000 Operations

8510 - **WELLNESS**

As required by law, the Board of Education establishes the following wellness policy for the Hamtramck School District.

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the District's students. Furthermore, research concludes that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

A. With regard to nutrition education, the District shall:

1. Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.
2. Nutrition education standards and benchmarks shall be age- appropriate and culturally relevant.
3. The standards and benchmarks for nutrition education shall be behavior focused.
4. Nutrition education shall include enjoyable, developmentally appropriate and culturally relevant participatory activities, such as contests, promotions, taste testing, and others.
5. Nutrition education shall include opportunities for appropriate student projects related to nutrition, involving, when possible, community agencies and organizations.
6. Nutrition education shall extend beyond the classroom by engaging and involving the school's food service staff.
7. Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.

8. Nutrition education shall extend beyond the school by engaging and involving families and the community.
9. Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
10. Nutrition education benchmarks and standards include a focus on media literacy as it relates to food marketing strategies.
11. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.
12. Staff responsible for providing instruction in nutrition education shall regularly participate in professional development activities designed to better enable them to teach the benchmarks and standards.
13. Instruction related to the standards and benchmarks for nutrition education shall be provided by highly qualified teachers.
14. The District shall provide information to parents that is designed to encourage them to reinforce at home the standards and benchmarks being taught in the classroom.

B. With regard to physical activity, the District shall:

1. Physical Education

- a. A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the standards and benchmarks established by the State.
- b. All students in grades K - 12, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for thirty (30) minutes one (1) day per week for the entire school year.
- c. The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.
- d. Physical education classes shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes and skills necessary to engage in lifelong, health-enhancing physical activity.
- e. The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- f. The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.

- g. Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks established by the State.
- h. The K-12 program shall include instruction in physical education as well as opportunities to participate in competitive and non-competitive team sports to encourage lifelong physical activity.
- i. Planned instruction in physical education shall require students to be engaged in moderate to vigorous physical activity for at least fifty percent (50%) of scheduled class time.
- j. Properly certificated, highly qualified teachers shall provide all instruction in physical education.
- k. All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.
- l. Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
- m. Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- n. Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, or harassment of any kind.
- o. Planned instruction in physical education shall include cooperative as well as competitive games.
- p. Planned instruction in physical education shall take into account gender and cultural differences.
- q. Planned instruction in physical education shall promote participation in physical activity outside the regular school day.

2. Physical Activity

- a. Physical activity shall not be employed as a form of discipline or punishment.
- b. Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.
- c. Schools shall encourage families to provide physical activity outside the regular school day, such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities like bowling, swimming, or tennis.
- d. All students in grades K- 5 shall be provided with a daily recess period at least daily fifteen (15) minutes in duration. Recess shall not be used as a reward or punishment.

- e. The school shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.
- f. The school shall encourage families and community organizations to institute programs that support physical activity of all sorts.
- g. The school shall provide students in grades 7 - 12 with the opportunity to use physical activity in which they participate outside the regular school day (other than organized interscholastic athletics) to satisfy curricular requirements.
- h. All students in grades 7 - 12 shall have the opportunity to participate in extracurricular activities and intramural programs that emphasize physical activity.
- i. All students in grades 7 -12 shall have the opportunity to participate in interscholastic sports programs.
- j. Schools shall offer a wide range of physical activities outside the regular school day that meet the needs, interests, and abilities of all students, including males, females, students with disabilities, and students with special healthcare needs.
- k. All after-school programs shall provide developmentally appropriate physical activity for the students who participate.
- l. Schools shall discourage extended periods of student inactivity, defined as two (2) hours or more without some physical activity.

C. With regard to other school-based activities :

Free drinking water shall be available to students during designated meal times and may be available throughout the school day.

- 1. The schools shall provide at least seventeen (17) minutes daily for students to eat.
- 2. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
- 3. The school shall provide attractive, clean environments in which the students eat.
- 4. Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
- 5. Students, parents, and other community members shall have access to, and be encouraged to use, the school's outdoor physical activity facilities outside the normal school day.
- 6. The schools may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
- 7. The schools may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas.

8. The schools may demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.
 9. Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.
 10. Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.
- D. With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards.

Additionally, the District shall:

1. encourage students to increase their consumption of healthful foods during the school day;
 2. create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods that comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards:
 - a. a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium
 - b. a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy
 - c. whole grain products - half of all grains need to be whole grain-rich upon initial implementation and all grains must be whole grain-rich within two (2) years of implementation
 - d. fluid milk that is fat-free (unflavored and flavored) and low- fat (unflavored)
 - e. meals designed to meet specific calorie ranges for age/grade groups
 3. eliminate trans-fat from school meals
 4. require students to select a fruit or vegetable as part of a complete reimbursable meal
 5. designate wellness champions at each school that will promote resources through the District's website for wellness for students, families, and the community
 6. provide opportunities for students to develop the knowledge and skills for consuming healthful foods
- E. The District nutrition department will promote and encourage Farm to School efforts in order to provide the healthy foods identified above.

- F. All foods and beverages sold to students as fund raisers outside of the school meals program during the regular and extended school day for consumption on the school campus shall meet the USDA Competitive Food regulations, the Alliance for A Healthier Generation's Competitive Foods and Beverages Guidelines, and the USDA Smart Snacks in School nutrition standards.
- G. Rewarding children in the classroom should not involve candy and other foods that can undermine children's diets and health and reinforce unhealthy eating habits. A wide variety of alternative rewards can be used to provide positive reinforcement for children's behavior and academic performance.

Furthermore, with the objectives of enhancing student health and well being, and reducing childhood obesity, the following guidelines are established:

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).

The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.

- C. The sale of foods and beverages to students that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus during the school day is prohibited.
- D. All food items and beverages available for sale to students for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) between midnight and thirty (30) minutes after the close of the regular school day shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entree items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered on the NSLP or SBP menu), as well as food items and beverages from vending machines, from school stores, or as fund-raisers, including those operated by student clubs and organizations, parent groups, or boosters clubs.
- E. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines.
- F. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include classroom snacks, for classroom parties, and at holiday celebrations) shall comply with the current USDA Dietary Guidelines for Americans and Halal Meats.

- G. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- H. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well regardless of unpaid meal balances and without stigma..
- I. All foods available on campus at any time shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as well as foods that are served as classroom snacks, from vending machines, for fund raisers, for classroom parties, at holiday celebrations, at concession stands, or at any school-related event.
- J. The school food service program may involve students, parents, staff, and/or school officials in the selection of competitive food items to be sold in the schools.
- K. Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.
- L. All foods available to students in District programs, other than the food service program, shall be served with consideration for promoting student health and well-being.
- M. The school shall prepare and distribute to staff, parents, and after-school program personnel a list of snack items that comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.
- N. The food service program shall be administered by a qualified nutrition professional.
- O. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.
- P. All food service personnel shall receive pre-service training in food service operations.
- Q. Continuing professional development shall be provided for all staff of the food service program.

The Board designates the Superintendent and/or Food Service Director as the individual(s) charged with operational responsibility for verifying that the District meets the goals established in this policy.

The Superintendent shall appoint a District wellness committee that includes parents, students, representatives of the school food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public and school administrators to oversee development, implementation, evaluation and periodic update of the wellness policy. The Wellness Committee shall be an ad hoc committee with members recruited and chosen annually. School-level health advisory teams may assist in the planning and implementation of these Wellness initiatives.

The Wellness Committee shall be responsible for:

- A. assessment of the current school environment;
- B. review of the District's wellness policy;
- C. presentation of the wellness policy to the school board for approval;
- D. measurement of the implementation of the policy;
- E. recommendation for the revision of the policy, as necessary.

Before the end of each school year the Wellness Committee shall recommend to the Superintendent any revisions to the policy it deems necessary and/or appropriate. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.

The Superintendent shall report annually to the Board on the progress of the Wellness Committee and on its evaluation of policy implementation and areas for improvement, including status of compliance by individual schools and progress made in attaining goals of policy.

The Superintendent is also responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Superintendent shall post the policy on the District's website, including the Wellness Committee's assessment of the implementation of the policy.

The District shall assess the Wellness Policy at least once every three (3) years on the extent to which schools in the District are in compliance with the District policy, the extent to which the District policy compares to model wellness policies, and the progress made in attaining the goals of the District Wellness Policy. The assessment shall be made available to the public on the School District's web site.

Revised 9/9/15
Revised 10/14/15
Revised 5/10/17

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Legal References: 42 U.S.C. 1751, Sec. 204
42 U.S.C. 1771
7 C.F.R. Parts 210 and 220

Adoption Date: **April 12, 2006**
Last Revised: **December 08, 2021**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8531
Section: 8000 Operations

8531 - FREE AND REDUCED-PRICE MEALS

The Board of Education recognizes the importance of good nutrition to each student's educational performance.

The Board shall provide needy children with breakfast, lunch at a reduced rate or no charge to the student.

Children, eligible for free or reduced-price meals, shall be determined by the criteria established by the Child Nutrition Program. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the Assistant Superintendent to determine in accordance with Board standards, the eligibility of students for free and/or reduced-price meals.

The schools shall annually notify all families of the availability, eligibility requirements, and/or application procedure for free and reduced-price meals by distributing an application to the family of each student enrolled in the school and shall seek out and apply for such Federal, State, and local funds as may be applied to the District's program of free and reduced-price meals.

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Legal References: M.C.L. 380.1272 et seq.

7 CFR 210.1 et seq.

Adoption Date: **September 14, 1993**

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Policy:po8540
Section: 8000 Operations

8540 - **VENDING MACHINES**

The Board of Education recognizes that vending machines can produce revenues which are useful to augment programs and services to students and staff. It will, therefore, authorize their use in District facilities providing that the following conditions are satisfied.

- A. The installation, servicing, stocking, and maintenance of each machine is contracted for with a reputable supplier of vending machines and their products.
- B. The District's share of the revenues is managed by the District in accordance with relevant Board policies and administrative guidelines.
- C. No products are vended which would conflict with or contradict information or procedures contained in the District's educational programs on health and nutrition.
- D. No food or beverages are to be sold or distributed which will compete with the District's food-service program.
- E. Food items and beverages available for sale to students in vending machines for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day) shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.

The Superintendent shall develop and implement administrative guidelines which will require that these conditions are adhered to on a continuing basis.

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Legal References: 42 U.S.C. 1779
 7 C.F.R. Parts 210 and 220

Adoption Date: **September 14, 1993**
Last Revised: **September 09, 2015**

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Policy:po8600
Section: 8000 Operations

8600 - **TRANSPORTATION**

It is the policy of the Board of Education to provide transportation for those students whose distance from their school makes this service necessary and in all other cases required by Federal or State law or regulations. The District shall provide transportation for resident regular education students attending nonpublic schools within or outside the District as necessary to comply with State law and the regulations of the State Board of Education.

School buses and student-transportation vehicles, whether purchased, leased, or contracted for, shall be maintained by the District for the transportation of resident students in accordance with State law. No vehicle shall be purchased or used to transport students for which there is no applicable, passenger-protection, Federal motor vehicle safety standards.

All school buses and student-transportation vehicles, whether purchased, leased, or contracted for, shall comply with specifications defined in State law. Each operator of a school vehicle used by the District shall be licensed for the purpose for which the vehicle is being used and shall operate the vehicles in accordance with Federal and State laws. The license, a medical examiner's certificate, and record of continuing education must be in the driver's possession when driving.

Transportation of eligible vocational or special education children between their home areas and schools outside the District shall be arranged through the use of District-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner.

The Board reserves the right to terminate transportation based on financial, legal, or other considerations. Additionally, it is a privilege for students to ride a District vehicle and this privilege may be revoked if the student's conduct is in violation of the Superintendent's administrative guidelines or the Code of Conduct pertaining to student transportation.

The Board authorizes the Superintendent to install and operate video cameras on District buses to enhance student safety and well-being. S/He shall establish appropriate administrative guidelines for the proper use of the cameras.

Students meeting the Federal definition of "homeless" will be transported from their temporary place of residence to their school of assignment, at the request of the parent, guardian, or unaccompanied minor, to the same extent as all other students of the District and consistent with this policy. If the homeless student's temporary residence is located outside the boundaries of the District, the Liaison for Homeless Children will coordinate with the Director of Transportation to contact the District in which the student temporarily resides to arrange for joint transportation of the student and to seek inter-district agreement on a method for apportioning the cost of such joint transportation. In no event will a homeless student be denied enrollment based on issues related to student transportation.

Similarly, the District shall provide transportation for children in foster care consistent with the procedures developed by the District in collaboration with the State or local child welfare agency. These requirements apply whether or not the LEA already provides transportation for children who are not in foster care. (Policy 5111.03)

In order for a student in foster care to remain in his/her school of origin, when in his/her best interest, transportation services shall be provided, arranged, and funded for the duration of the child's placement in foster care.

Since foster care placements may occur across District, county, or State boundary lines, coordination among multiple agencies may be necessary. The District will work with appropriate State and local agencies to address such placement and transportation issues that arise. The District shall provide or arrange for adequate and appropriate transportation to and from the school of origin while any disputes are being resolved.

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

Revised 1/8/02

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Legal References: M.C.L. 380.1321, 1322, 1323, 1324, 1756
 A.C. Rule 340.281, 282

Adoption Date: **September 14, 1993**
Last Revised: **November 11, 2020**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8640
Section: 8000 Operations

8640 - TRANSPORTATION FOR FIELD AND OTHER DISTRICT-SPONSORED TRIPS

It shall be the policy of the Board of Education to use regular or special-purpose school vehicles for transportation on field and other District-sponsored trips.

The transportation for all field and other District-sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers. Exceptions must have the approval of the Superintendent.

The District shall assume transportation costs for all field trips.

For all other trips including co-curricular, athletic, and other extra-curricular trips, the District will assume the transportation costs.

Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes.

All field trips shall be supervised by members of the staff. All other District-sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Any time students are on the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle as well as to supervise students upon return to the District and while they are waiting for rides home.

All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception.

District students not affiliated with the trip activity, nondistrict students, and/or children of preschool age shall not be permitted to ride on the trip vehicle.

The Superintendent shall prepare administrative guidelines to ensure that all transportation is in compliance with Board policy on use of District vehicles and/or use of private vehicles.

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Adoption Date: **September 14, 1993**

Last Revised: **July 14, 2020**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8651
Section: 8000 Operations

8651 - SENIOR CITIZEN TRANSPORTATION

The Board of Education will permit school vehicles, owned or leased by this District, to be used to transport groups of senior citizens and retired persons, in accordance with law, when the Board determines that suitable, economically feasible public or private transportation is not available.

The transportation of senior citizens shall be limited to those hours and days when vehicles are not required for the transportation of students. The Superintendent/Board reserves the right to refuse or cancel any senior citizen transportation in the interests of the educational program or the efficient operation of the District.

The cost of senior citizen transportation shall be provided for by the Recreation Department in accordance with a formula established by the District.

A field trip request form for senior citizen transportation must be filed no less than thirty (30) days prior to the planned trip and must be approved by the Superintendent. Anything less than a thirty (30) day notice will limit the District's ability to arrange transportation.

- A. The District requests a list of senior citizens with their addresses who will be riding on the bus.
- B. ninety (90%) percent of the senior citizens must be Hamtramck residents.
- C. The trip must be within a twenty (20) mile radius and does not include a destination outside of the State of Michigan. Failure to follow these requests may result in cancellation of the field trip.

Legal References:

M.C.L. 380.1333

A.C. Rule 340.231, 340.233, 340.235, 340.236, 340.237

A.C. Rule 340.238

Adoption Date: **February 13, 2001**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8660
Section: 8000 Operations

8660 - TRANSPORTATION BY PRIVATE VEHICLE

The Board of Education authorizes the transportation by private vehicle of students of the District.

Any such transportation must be approved in advance and in writing by the principal or recreation director, when applicable. The writing must set forth:

- A. the date, time, and reason for the transportation;
- B. the places from and to which students will be transported;
- C. the name and address of the driver;
- D. the names of the students to be transported;
- E. the signature of the driver;
- F. the name of the insurance carrier for the vehicle and the amount of liability insurance carried by the vehicle's owner.

The parent of the participating student will be given, on request, the name of the driver.

No person shall be approved for the transportation of students in a private vehicle who is not

- A. a student of this District,
- B. the parent of a student enrolled in this District,
- C. an approved volunteer, all of whom shall hold a currently-valid license to operate a motor vehicle in the State of Michigan.

No person shall be permitted to transport students who is not the holder of automobile liability and personal injury insurance in the amount required by District administrative guidelines. The principal or recreation director - when applicable may withdraw the authorization of any private vehicle driver whose insurance is not adequate.

Any private vehicle used for the transportation of students must be owned by the approved driver or the spouse of the approved driver and must conform to registration requirements of the State.

The responsibility of professional staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not professional staff members are requested to report student misconduct to the principal.

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Legal References: A.C. Rule 340.279, 340.282

Adoption Date: **September 14, 1993**

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Policy: po8670
Section: 8000 Operations

8670 - **PERSONAL AND BUSINESS TRANSPORTATION SERVICES**

The Board recognizes the necessity for the district to own or rent vehicles to carry out instructional programs and the business operations of the schools. The Superintendent is authorized to determine the extent to which district owned vehicles may be used for official school business. Such vehicles shall not be used for personal use unless expressly approved by the Board. Drivers of school owned vehicles shall be properly licensed.

The use of privately owned vehicles for school business must be approved in writing by the Superintendent of Schools or his/her designee. The permission may be a standing permit for those who use their own cars regularly for school purposes. Employees who use their privately owned vehicles for school business shall provide their own insurance, which shall be the primary coverage. The school nonownership insurance shall provide the secondary coverage. School nonownership coverage shall not apply unless the employee has been given the authorization described above.

A student shall not be sent on school errands with his/her own automobile, an employee's automobile, or a district owned automobile.

When district owned vehicles which are equipped with seatbelts are used to transport students, it is required that the number of passengers be limited to the number of seatbelts available and that seatbelts be used when the vehicle is in operation.

Adoption Date: **September 14, 1993**

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Policy: po8710
Section: 8000 Operations

8710 - **INSURANCE**

The Board of Education shall purchase with District funds the type and amount of insurance necessary to protect the District from major financial losses.

Insurance purchased shall include, but need not be limited to, the following:

- A. negligent acts or omissions which cause personal injury or wrongful death;
- B. fire and extended coverage on buildings and contents;
- C. comprehensive bodily injury, property damage on automobiles, buses, and trucks;
- D. boiler and machinery;
- E. special coverage for equipment not ordinarily covered under a standard policy;
- F. employee insurance coverage as specified in the Master Agreement(s) or by Board action;
- G. worker's compensation coverage;
- H. legal liability for Board members and employees.

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The Assistant Superintendent shall administer the insurance program.

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Legal References: M.C.L. 129.51, 380.124, 380.1269, 380.1332

Adoption Date: **September 14, 1993**

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Policy:po8740
Section: 8000 Operations

8740 - **BONDING**

The Board of Education recognizes that prudent trusteeship of the resources of this District dictate that employees responsible for the safekeeping of District monies and property be bonded.

The District shall be indemnified against loss of money and property by bonding of employees holding the positions and in the amounts determined by the Board and in accordance with State law.

All other employees handling money shall be covered under a blanket bond to an amount determined by the Board.

The Board shall bear the cost of bonding each employee required to be bonded by this policy.

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Legal References: M.C.L. 380.85, 380.124, 380.243, 380.317

Adoption Date: **September 14, 1993**

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Policy:po8760
Section: 8000 Operations

8760 - STUDENT ACCIDENT INSURANCE

The Board of Education shall make available to students an accident insurance policy which shall be designed to pay claims not covered by the individual policy carried by the parent or the student.

The Superintendent shall be responsible to develop specifications for said policy to select the carrier and report to the Board. It is expected that good business practices shall be used in making the selection.

In order to eliminate misunderstanding, effort shall be made through handbooks, newsletters and other means of communication to inform parents as to the policy limitations, particularly the fact that the policy is a secondary coverage to that carried by the parent.

The Superintendent shall recommend suitable and qualified insurance carriers and notify all parents of their availability.

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Legal References:

M.C.L. 380.1522

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po8770
Section: 8000 Operations

8770 - JOINT SELF-INSURANCE POOL

The Board of Education recognizes the benefits to the District of joining with other boards of education and political subdivisions in providing coverage for the insurance needs of this District and in participating in programs of risk management to prevent loss, reduce expenses, and to control liability.

The Board may provide insurance for:

- A. loss or damage to District property, real or personal;
- B. loss or damage from liability resulting from the use of District property;
- C. loss or damage from liability for the acts and omissions of District officers, employees, or volunteers;
- D. loss or damage from liability established by the workers' compensation statutes;
- E. the expenses of defending any claim against the Board members, officers, or employees of this District arising out of and in the course of the performance of their duties;
- F. hospital and medical insurance coverage.

The Board may, upon formal resolution duly adopted, become a member of a self-insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the State Superintendent of Insurance in accordance with law.

Trustees of the school board self-insurance pool shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board shall be elected by a plurality vote of those Board members present and voting.

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Adoption Date: **March 26, 2001**

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Policy:po8800
Section: 8000 Operations

8800 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

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.

District staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. 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.

The Board acknowledges that it is prohibited from adopting any policy or 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.

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.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

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 4 feet 2 inches by 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.

Revised 3/26/01

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Legal References:

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)

Adoption Date: **September 14, 1993**

Last Revised: **June 12, 2013**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po8900
Section: 8000 Operations

8900 - **ANTI-FRAUD**

This policy is implemented to advise employees about activities which may be fraudulent, illegal or otherwise unethical. The District will not tolerate such activities and disciplinary measures will be implemented as appropriate.

Scope

This policy applies to any fraud, or suspected fraud, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies and any other parties with a business relationship with the District.

Policy

Fraud and fraudulent activity is strictly prohibited.

Each employee or agent of the District shall be responsible for reporting any observed or suspected fraud or fraudulent activity to the Business Office, the Superintendent or the Board President.

All administrators shall be vigilant for any conduct that may appear to constitute fraud within the areas of their responsibility.

All reporting and investigation shall be done in accordance with the District's Whistleblower's Guideline. (AG 1411)

Fraud – Definitions

Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon his/her injury.

The following are examples of prohibited acts:

- A. falsification of any District record with the intent to conceal information to the District's detriment or the individual's advantage, particularly financial records
- B. forgery of a check, bank draft, wire transfer or any other District financial document
- C. unauthorized alteration of a financial document or account belonging to the District
- D. misappropriation of funds, supplies or other assets of the District
- E. impropriety in the handling or reporting of money or financial transactions

- F. disclosing confidential and proprietary information to outside parties for personal gain (either directly or indirectly)
- G. asking for, or accepting anything of material value from, contractors, vendors or persons providing services or materials to the District, except as provided in gift policies
- H. unauthorized destruction, removal or use of records, furniture, fixtures and/or equipment for personal gain (either directly or indirectly)
- I. misuse of state or federal funds for other than their designated purposes

This list is meant to illustrate the types of activities that are prohibited. It is not comprehensive. Other misconduct of a similar nature is similarly prohibited.

Confidentiality

The District will maintain confidentiality with regard to the reports of suspected misconduct and the investigation, to the extent consistent with the conduct of an appropriate investigation and its obligations under the Freedom of Information Act. However, absolute confidentiality for reporting witnesses and investigation results cannot be guaranteed.

Except as authorized by the Superintendent or his/her designee, the reporting witness and others interviewed are not to discuss the allegations or investigation with other District employees or officials, vendors or contractors. Such discussions may interfere with the investigation. Further, because of the nature of the alleged misconduct, unsubstantiated allegations which are not privileged could harm an innocent individual's reputation and result in potential civil liability.

Non-Retaliation

Those who, in good faith, report suspected fraudulent activity will not be subject to any retaliation as a result of bringing the suspected misconduct forward. They will be subject to protection of the District's Whistleblower's Policy 1411.

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Adoption Date: **June 11, 2008**