



Book	Policy Manual
Section	Vol. 37, No. 2 - Tobacco - February 2023
Title	Vol. 37, No. 2 - Tobacco - February 2023 Revised USE OF TOBACCO BY ADMINISTRATORS
Code	po1615
Status	
Adopted	January 20, 2020

Revised Policy - Vol. 37, No. 2

1615 - **USE OF TOBACCO BY ADMINISTRATORS**

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser, **including the effects of secondhand smoke and vapor/aerosol exposure**, and is, therefore, of concern to the Board.

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

The Board prohibits the use **(x)** **consumption, display, activation, promotion, sale,** or possession **[END OF OPTION]** of a tobacco product by **employees**~~administrators~~ in District buildings, on District property (owned or leased), **in District vehicles**~~on District buses~~, and at any District-related event at all times **(x)** (twenty-four (24) hours a day, seven (7) days a week) **[END OF OPTION]** within any enclosed facility owned, ~~or leased,~~ or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to **(x)** school grounds, **(x)** athletic facilities, **(x)** any school-related event, **(x)** on or off Board premises, ~~(-) with the exception that tobacco may be used in designated outdoor areas on school property on Saturdays, Sundays, and after 6 p.m. on days during which there are regularly scheduled school hours.~~ **[END OF OPTIONS]**

~~[-] It is allowable for employees to possess or use a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation or dependence product* and is being marketed and sold solely for such an approved purpose.~~

For purposes of this policy:

- A. **"electronic smoking device"** means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device including, but not limited to, an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; ~~"tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;~~

Electronic smoking device includes any component, part, or accessory of the device and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. **Electronic smoking device** does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- B. **"off-campus, schools-sponsored event"** means any event sponsored by the school or School District that is not on school property including, but not limited to, sporting events, day camps, field trips, dances, or theatrical productions;

- C. "employees" means any person employed by Kalkaska Public Schools _____ **[district/school name]** as full-time or part-time, or any position contracted for or otherwise employed, with direct or indirect monetary wages or compensation paid by Kalkaska Public Schools _____ **[district/school name]**, or anyone working on a volunteer basis;

This term includes, but is not limited to, faculty, service personnel, volunteers, chaperones, student teachers, adult classroom or student aides, and other adults working for Kalkaska Public Schools _____ **[district/school name]**.

- D. "tobacco product" means 1) any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; 2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or 3) any component, part, or accessory of 1) or 2) whether or not any of these contains tobacco or nicotine including, but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, and pipes;

Tobacco product does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- E. "use of a tobacco product" means any of the following:

1. inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation (use of a tobacco product includes using an electronic smoking device);
2. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;
3. the ~~inhaling or~~ chewing of a tobacco product;
4. the placing of a tobacco product within a person's mouth;
5. ~~(-) the use or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, or other lighted smoking devices for burning tobacco or any other substance.~~

~~**[]** The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including, but not limited to, "JUUL's"), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.~~

The Superintendent shall require the posting of signs as required.

☒ Advertising/Promotion

In accordance with Policy 9700.01, tobacco **product** advertising is prohibited on school grounds, in all school **or District**-sponsored publications, and at all school **or District**-sponsored events.

~~**☒ Tobacco promotional items that promote the use**~~ The promotion of tobacco products, including clothing, bags, lighters, **gear, technology accessories, signs, structures, vehicles, fliers, other personal articles, or any other product or paraphernalia** and other personal ~~articles~~ are not permitted on school grounds, in school vehicles, or at school **or District**-sponsored events.

☒ No employee on behalf of the District may solicit or accept any contributions, gifts, or money from the tobacco industry - to include, but not be limited to, donations, monies for sponsorships/scholarships, advertising, promotions, loans or support for equipment, uniforms, and sports and/or training facilities.

~~**☐ Education and Training**~~

~~Training will be provided on this policy and associated resources. Information will be provided on tobacco cessation resources, including the Michigan Tobacco Quitlink.~~

Enforcement

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board. ~~**☐ Employees subject to such action may also be referred for smoking cessation treatment, support, and education services.**~~ **[END OF OPTION]**

[] Exceptions

~~It shall not be considered a violation of this policy:~~

- ~~A. for any person to possess or provide to any other person (but not inhale or ingest) traditional tobacco products (excluding electronic smoking devices) as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice;~~
- ~~B. for traditional tobacco products to be burned (but not inhaled or ingested) as part of an educational experience related to indigenous tobacco practices, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators; or~~
- ~~C. for tobacco products to be displayed (but not used, inhaled, or ingested) in an instructional activity related to tobacco product education for employees, administrators, and parents or guardians, but not students, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators.~~

© Neola **2023**~~2019~~

Legal M.C.L. 333.12601 et seq.
 M.C.L. 750.473



Book	Policy Manual
Section	Vol. 37, No. 2 - February 2023
Title	Vol. 37, No. 2 - February 2023 Revised STUDENT ASSESSMENT
Code	po2623
Status	
Adopted	December 14, 2009
Last Revised	August 14, 2017

Revised Policy - Vol. 37, No. 2

2623 - STUDENT ASSESSMENT

The Board of Education shall, in compliance with law and rules of the State Board of Education, assess student achievement and needs in designated subject areas in order to determine the progress of students and to assist them in attaining District goals.

Each student's proficiencies and needs will be assessed by staff members upon ~~the student's~~ **his/her** entrance into the District and annually or more frequently, as required by law, thereafter. Procedures for such assessments will include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing programs and/or diagnostic reading assessment systems, student portfolios, and physical examinations.

The Superintendent shall develop **(x)** and present to the Board annually ~~() and the Board shall approve~~ **[END OF OPTION]** a program of testing and assessment that includes:

- A. the Michigan Student Test of Educational Progress (M-STEP), the Michigan Merit Examination ("MME") (or other readiness assessment program approved by the State Superintendent), **(x)** the PSAT, **[END OF OPTION]** and MI-Access Alternate Assessments administered each year in accordance with the schedule established by statute and the State Department of Education;

M-STEP includes summative assessments designed to measure student growth effectively for today's students. English language arts and mathematics will be assessed in grades ~~three (3) through eight (8)~~ **three (3) through eight (8)**, science in grades ~~four (4)~~ **four (4)** and ~~seven (7)~~ **seven (7)**, and social studies in grades ~~five (5)~~ **five (5)** and ~~eight (8)~~ **eight (8)**. It also includes the Michigan Merit Examination in 11th grade, which consists of the SAT with essay, ACT WorkKeys, and M-STEP summative in science, and social studies.

- B. a valid and reliable screening, formative, and diagnostic third grade reading assessment system from the assessment systems approved by the Michigan Department of Education;
- C. criteria-based written and oral examinations which include use of alternative questions, demonstrations, writing exercises, individual and group projects, performances, portfolios, and samples of best work;
- D. selection of assessment instrument, data, and other District criteria that will be used to assess educational achievement of each student in grades ~~one (1) through five (5)~~ **one (1) through five (5)**;

~~**[]** Third grade students who do not meet the District's and State's established assessment criteria may be offered the opportunity to attend summer school.~~

- E. **(x)** assessment tests;

- F. ☒ aptitude tests;
- G. ☒ achievement tests;
- H. ☒ vocational inventories;
- I. ☒ test of mental ability.

The Superintendent is responsible for the District's assessment and testing program and shall implement the program in accordance with the provisions of the Office of Educational Assessment and Accountability (OEAA) and the reporting requirements of the Michigan Department of Education (MDE). The Superintendent will appoint an individual to act as each assessment's District Assessment Coordinator. All staff members who participate in a state assessment must be fully trained in proper test administration procedures pertaining to their role in the assessment.

The Superintendent shall require that all appropriate staff have knowledge of the prescribed standards of ethical assessment practice and shall monitor the assessment practices for compliance with these standards. These duties shall include:

- A. communicating standards of ethical assessment practice;
- B. communicating security procedures for assessment;
- C. establishing procedures for reviewing assessment materials and procedures and assessment preparation materials and procedures;
- D. establishing channels of communication that allow teachers, other educators, students, parents, and other members of the community to voice concerns about assessment practices;
- E. establishing written procedures for investigating complaints, allegations, and/or concerns about assessment practices, protecting the rights of an individual, the integrity of an assessment, and the results of an assessment.

The Board requires that:

- A. any assessment tests used shall not be a psychiatric examination, testing, or treatment; or a psychological examination, testing, or treatment in which the primary purpose is to reveal information concerning:
 - 1. political affiliations;
 - 2. mental and psychological problems potentially embarrassing to the student or the student's ~~his/her~~ family;
 - 3. sexual behavior and attitude;
 - 4. illegal, anti-social, self-incriminating, and demeaning behavior;
 - 5. critical appraisals of other individuals with whom respondents have close family relationships;
 - 6. legally recognized, privileged, and analogous relationships, such as those of lawyers, physicians, and ministers;
 - 7. income without the prior consent of the adult student or without the prior written consent of the parent;
- B. any personality testing complies with Department of Education guidelines.

The Board also requires that:

- A. ☒ tests be administered by persons who are qualified under State law and regulation;
- B. ☒ parents be informed of the testing program of the schools and of the special tests that are to be administered to their children;
- C. ☒ students who have not attained satisfactory scores on the fourth grade or seventh grade test should be provided special assistance that will enable them to bring reading skills up to grade level within a twelve (12) month period;
- D. ☒ data regarding individual test scores be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;

E. (x) the results of each school-wide, program-wide, and District-wide test be made part of the public record.

All eleventh grade students shall participate in the Michigan Merit Examination unless excluded under the guidelines established by the State Department of Education.

A student who wants to repeat a State-approved readiness assessment (other than the Michigan Merit Examination and any component) may repeat the assessment in the next school year or after graduation on a date when the District is administering the assessment. Only this type of repeat assessment testing will be without charge to the student.

The District shall administer the complete Michigan Merit Examination to a student only once and shall not administer the complete Michigan Merit Examination to the same student more than once if the student has valid scores in some or all MME components. If a student does not take the complete Michigan Merit Examination in grade ~~eleven (11)~~¹¹, the District shall administer the complete Michigan Merit Examination to the student in grade ~~twelve (12)~~¹². If a student chooses to retake the college entrance examination component of the Michigan Merit Examination, the student may do so through the provider of the college entrance examination component and the cost of the retake is the responsibility of the student unless all of the following are met:

- A. the student has taken the complete Michigan Merit Examination;
- B. the student did not qualify for a Michigan promise grant based on the student's performance on the complete Michigan Merit Examination;
- C. the student meets the Federal income eligibility criteria for free breakfast, lunch, or milk;
- D. the student has applied to the provider of the college entrance examination component for a scholarship or fee waiver to cover the cost of the retake and that application has been denied;
- E. after taking the complete Michigan Merit Examination, the student has not already received a free retake of the college entrance examination component paid for either by the State of Michigan, or through a scholarship or fee waiver by the provider.

~~[] In addition to the testing programs, the Superintendent shall develop administrative guidelines whereby a portfolio is developed and maintained for each student.~~

© Neola ~~2023~~²⁰¹⁷

Legal

A.C. Rule 340.1101 et seq.

M.C.L. 380.1278a, 380.1279, 380.1279g, 390.1451 et seq., 380.1280b, 380.1280f



Book	Policy Manual
Section	Vol. 37, No. 2 - Tobacco - February 2023
Title	Vol. 37, No. 2 - Tobacco - February 2023 Revised USE OF TOBACCO BY PROFESSIONAL STAFF
Code	po3215
Status	
Adopted	December 14, 2009
Last Revised	January 20, 2020

Revised Policy - Vol. 37, No. 2

3215 - USE OF TOBACCO BY PROFESSIONAL STAFF

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser, **including the effects of secondhand smoke and vapor/aerosol exposure**, and is, therefore, of concern to the Board.

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

The Board prohibits the use **(x) consumption, display, activation, promotion, sale,** or possession **[END OF OPTION]** of a tobacco product by **employees**~~professional staff members~~ in District buildings, on District property (owned or leased), **in District vehicles on District buses**, and at any District-related event at all times **(x)** (twenty-four (24) hours a day, seven (7) days a week) **[END OF OPTION]** within any enclosed facility owned, ~~or leased,~~ or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to **(x)** school grounds, **(x)** athletic facilities, **(x)** any school-related event, **(x)** on or off Board premises. ~~(-) with the exception that tobacco may be used in designated outdoor areas on school property on Saturdays, Sundays, and after 6 p.m. on days during which there are regularly scheduled school hours.~~ **[END OF OPTIONS]**

~~**[]** It is allowable for employees to possess or use a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation or dependence product* and is being marketed and sold solely for such an approved purpose.~~

For purposes of this policy:

- A. "electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device including, but not limited to, an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; ~~tobacco product means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;~~

Electronic smoking device includes any component, part, or accessory of the device and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- B. "off-campus, schools-sponsored event" means any event sponsored by the school or School District that is not on school property including, but not limited to, sporting events, day camps, field trips, dances, or theatrical productions;

- C. "employees" means any person employed by Kalkaska Public Schools_____ **[district/school name]** as full-time or part-time, or any position contracted for or otherwise employed, with direct or indirect monetary wages or compensation paid by _____Kalkaska Public Schools_____ **[district/school name]**, or anyone working on a volunteer basis;

This term includes, but is not limited to, faculty, service personnel, volunteers, chaperones, student teachers, adult classroom or student aides, and other adults working for _____Kalkaska Public Schools_____ **[district/school name]**.

- D. "tobacco product" means 1) any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; 2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or 3) any component, part, or accessory of 1) or 2) whether or not any of these contains tobacco or nicotine including, but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, and pipes;

Tobacco product does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- E. "use of a tobacco product" means any of the following:

1. inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation (use of a tobacco product includes using an electronic smoking device);
2. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;
3. the ~~inhaling or~~ chewing of a tobacco product;
4. the placing of a tobacco product within a person's mouth;
5. ~~(-) the use or smoking of electronic, vapor, or other substitute forms of cigarettes, clove cigarettes, or other lighted smoking devices for burning tobacco or any other substance.~~

~~**[]** The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to JUUL's), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.~~

The Superintendent shall require the posting of signs as required.

☒ Advertising/Promotion

In accordance with Policy 9700.01, tobacco **product** advertising is prohibited on school grounds, in all school **or District**-sponsored publications, and at all school **or District**-sponsored events.

~~**[x]** Tobacco promotional items that promote the use~~**The promotion** of tobacco products, including clothing, bags, lighters, **gear, technology accessories, signs, structures, vehicles, fliers, other personal articles, or any other product or paraphernalia** ~~and other personal articles~~ are not permitted on school grounds, in school vehicles, or at school **or District**-sponsored events.

[x] No employee on behalf of the District may solicit or accept any contributions, gifts, or money from the tobacco industry - to include, but not be limited to, donations, monies for sponsorships/scholarships, advertising, promotions, loans or support for equipment, uniforms, and sports and/or training facilities.

~~**[] Education and Training**~~

~~Training will be provided on this policy and associated resources. Information will be provided on tobacco cessation resources, including the Michigan Tobacco Quitlink.~~

Enforcement

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board. ~~**[]** Employees subject to such action may also be referred for smoking cessation treatment, support, and education services.~~ **[END OF OPTION]**

~~**[] Exceptions**~~

~~It shall not be considered a violation of this policy:~~

- ~~A. for any person to possess or provide to any other person (but not inhale or ingest) traditional tobacco products (excluding electronic smoking devices) as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice;~~
- ~~B. for traditional tobacco products to be burned (but not inhaled or ingested) as part of an educational experience related to indigenous tobacco practices, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators; or~~
- ~~C. for tobacco products to be displayed (but not used, inhaled, or ingested) in an instructional activity related to tobacco product education for employees, administrators, and parents or guardians, but not students, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators.~~

© Neola ~~2019~~ **2023**

Legal M.C.L. 333.12601 et seq.
M.C.L. 750.473



Book	Policy Manual
Section	Vol. 37, No. 2 - Tobacco - February 2023
Title	Vol. 37, No. 2 - Tobacco - February 2023 Revised USE OF TOBACCO BY SUPPORT STAFF
Code	po4215
Status	
Adopted	December 14, 2009
Last Revised	January 20, 2020

Revised Policy - Vol. 37, No. 2

4215 - USE OF TOBACCO BY SUPPORT STAFF

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser, **including the effects of secondhand smoke and vapor/aerosol exposure**, and is, therefore, of concern to the Board.

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

The Board prohibits the use **(x) consumption, display, activation, promotion, sale,** or possession **[END OF OPTION]** of a tobacco product by **employees support staff members** in District buildings, on District property (owned or leased), **in District vehicles on District buses,** and at any District-related event at all times **(x)** (twenty-four (24) hours a day, seven (7) days a week) **[END OF OPTION]** within any enclosed facility owned, **or leased,** or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to **(x) school grounds, (x) athletic facilities, (x) any school-related event, (x) on or off Board premises. (-) with the exception that tobacco may be used in designated outdoor areas on school property on Saturdays, Sundays, and after 6 p.m. on days during which there are regularly scheduled school hours. [END OF OPTIONS]**

[-] It is allowable for employees to possess or use a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation or dependence product* and is being marketed and sold solely for such an approved purpose.

For purposes of this policy:

- A. "electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device including, but not limited to, an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; **tobacco product means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;**

Electronic smoking device includes any component, part, or accessory of the device and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- B. "off-campus, schools-sponsored event" means any event sponsored by the school or School District that is not on school property including, but not limited to, sporting events, day camps, field trips, dances, or theatrical productions;

- C. "employees" means any person employed by Kalkaska Public Schools **[district/school name]** as full-time or part-time, or any position contracted for or otherwise employed, with direct or indirect monetary wages or compensation paid by Kalkaska Public Schools **[district/school name]**, or anyone working on a volunteer basis;

This term includes, but is not limited to, faculty, service personnel, volunteers, chaperones, student teachers, adult classroom or student aides, and other adults working for Kalkaska Public Schools **[district/school name]**.

- D. "tobacco product" means 1) any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; 2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or 3) any component, part, or accessory of 1) or 2) whether or not any of these contains tobacco or nicotine including, but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, and pipes;

Tobacco product does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- E. "use of a tobacco product" means any of the following:

1. **inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation (use of a tobacco product includes using an electronic smoking device);**
2. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;
3. the ~~inhaling or~~ chewing of a tobacco product;
4. the placing of a tobacco product within a person's mouth;
5. ~~(-) the use or smoking of electronic, vapor, or other substitute forms of cigarettes, clove cigarettes, or other lighted smoking devices for burning tobacco or any other substance.~~

~~**[]** The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to JUUL's), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.~~

The Superintendent shall require the posting of signs as required.

☒ Advertising/Promotion

In accordance with Policy 9700.01, tobacco **product** advertising is prohibited on school grounds, in all school **or District**-sponsored publications, and at all school **or District**-sponsored events.

~~**☒ Tobacco promotional items that promote the use**~~ **The promotion** of tobacco products, including clothing, bags, lighters, **gear, technology accessories, signs, structures, vehicles, fliers, other personal articles, or any other product or paraphernalia** ~~and other personal articles~~ are not permitted on school grounds, in school vehicles, or at school **or District**-sponsored events.

☒ No employee on behalf of the District may solicit or accept any contributions, gifts, or money from the tobacco industry - to include, but not be limited to, donations, monies for sponsorships/scholarships, advertising, promotions, loans or support for equipment, uniforms, and sports and/or training facilities.

~~**[] Education and Training**~~

~~Training will be provided on this policy and associated resources. Information will be provided on tobacco cessation resources, including the Michigan Tobacco Quitlink.~~

Enforcement

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board. ~~**[] Employees subject to such action may also be referred for smoking cessation treatment, support, and education services.**~~ **[END OF OPTION]**

~~**[] Exceptions**~~

~~It shall not be considered a violation of this policy:~~

- ~~A. for any person to possess or provide to any other person (but not inhale or ingest) traditional tobacco products (excluding electronic smoking devices) as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice;~~
- ~~B. for traditional tobacco products to be burned (but not inhaled or ingested) as part of an educational experience related to indigenous tobacco practices, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators; or~~
- ~~C. for tobacco products to be displayed (but not used, inhaled, or ingested) in an instructional activity related to tobacco product education for employees, administrators, and parents or guardians, but not students, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators.~~

© Neola ~~2019~~ **2023**

Legal

M.C.L. 333.12601 et seq.

M.C.L. 750.473



Book	Policy Manual
Section	Vol. 37, No. 2 - Tobacco - February 2023
Title	Vol. 37, No. 2 - Tobacco - February 2023 Revised USE OF TOBACCO BY STUDENTS
Code	po5512
Status	
Adopted	March 14, 2011
Last Revised	January 20, 2020

Revised Policy - Vol. 37, No. 2

5512 - USE OF TOBACCO BY STUDENTS

The Board of Education recognizes that the use of tobacco **products** presents a health hazard which can have serious consequences both for the user and the nonuser, **including the effects of secondhand smoke and vapor/aerosol exposure**, and is, therefore, of concern to the Board.

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

The Board prohibits the use, **consumption, display, activation, promotion, sale**, or possession of tobacco products by students in District buildings, on District property (owned or leased), **in District vehicles on District buses**, and at any District-related event.

For purposes of this policy:

- A. **"electronic smoking device"** means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device including, but not limited to, an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah **"tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;**

Electronic smoking device includes any component, part, or accessory of the device and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- B. **"off-campus, schools-sponsored event"** means any event sponsored by the school or School District that is not on school property including, but not limited to, sporting events, day camps, field trips, dances, or theatrical productions;

- C. **"tobacco industry"** means manufacturers, distributors, or wholesalers of tobacco products or tobacco-related devices (e.g., Juul, Altria);

This includes parent companies and subsidiaries.

- D. **"tobacco product"** means 1) any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; 2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or 3)

any component, part, or accessory of 1) or 2) whether or not any of these contains tobacco or nicotine including, but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, and pipes;

Tobacco product does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

E. "use of a tobacco product" means any of the following:

1. inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation (use of a tobacco product includes using an electronic smoking device);
2. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;
3. the ~~inhaling or~~ chewing of a tobacco product;
4. the placing of a tobacco product within a person's mouth.
5. ~~(-) the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.~~

~~[] The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL's"), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.~~

In order to protect students and staff who choose not to use tobacco products from an environment noxious to them, the Board prohibits the possession, consumption, purchase or attempt to purchase, and/or use of tobacco or tobacco substitute products by students at all times ☒ (twenty-four (24) hours a day, seven (7) days a week) **[END OF OPTION]** on Board premises, in Board-owned vehicles, within any indoor facility owned or leased or contracted for by the Board, and/or used to provide education or library services to children, and at all Board-sponsored events.

☒ This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to:

- A. ☒ school grounds,
- B. ☒ athletic facilities,
- C. ☒ any school-related event, and
- D. ☒ on or off Board premises.

~~[] It is allowable for a student to possess or use a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation or dependence product and is being marketed and sold solely for such an approved purpose, assuming such possession or usage is accompanied by medical authorization and adheres to all District medication protocols.~~

~~[] It is allowable to possess or provide to another person (but not inhale or ingest) a tobacco product (excluding electronic smoking devices) for an Indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony, or practice.~~

☒ Advertising/Promotion

In accordance with Policy 9700.01, tobacco product advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

☒ The promotion of tobacco products, including clothing, bags, lighters, gear, technology accessories, signs, structures, vehicles, fliers, other personal articles, or any other product or paraphernalia is not permitted on school grounds, in school vehicles, or at school or District-sponsored events. Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school sponsored events.

☒ No one on behalf of the District may solicit or accept any contributions, gifts, or money from the tobacco industry - to include, but not be limited to, donations, monies for sponsorships/scholarships, advertising, promotions, loans or support for equipment, uniforms, and sports and/or training facilities.

☒ Notification

Signage ~~"No Tobacco" signs~~ will be posted throughout the District. Students will be provided notice of this policy through student handbooks.

~~**[]** District vehicles will display the international "No Smoking" insignia.~~

[x] Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate.

[x] School programs will include a written reminder of the tobacco-free policy.

[x] Educational Programming

Tobacco-use prevention education shall be coordinated with the other components of the school health program **(x)** and shall be evidence-based, age-appropriate. ~~and culturally responsive.~~ **[END OF OPTION]**

[x] The curriculum for this education program shall not be paid for or developed by the tobacco industry. **[END OF OPTION]**

Staff responsible for teaching tobacco-use prevention education shall have adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities shall provide basic knowledge about the effects of tobacco use and the effects of peer pressure on tobacco use combined with effective instructional techniques and strategies and program-specific activities.

[x] Education will include instruction on the harmful effects of and legal restrictions against tobacco, including electronic smoking devices as part of the health education curriculum.

Enforcement

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board. ~~**[]** Students subject to such action may also be referred for smoking cessation treatment, support, and a graduated set of evidence-based, supportive disciplinary practices that promote recovery and reduction of tobacco product addiction and dependence, including information about My Life My Quit, the State of Michigan's teen quit program education services.~~

© Neola ~~2019~~ **2023**

Legal M.C.L. 333.12601 et seq.
M.C.L. 750.473



Book	Policy Manual
Section	Vol. 37, No. 2 - February 2023
Title	Vol. 37, No. 2 - February 2023 Revised PROCUREMENT – FEDERAL GRANTS/FUNDS
Code	po6325
Status	
Adopted	August 8, 2016
Last Revised	May 16, 2022

Revised Policy - Vol. 37, No. 2

6325 - PROCUREMENT – FEDERAL GRANTS/FUNDS

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

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

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

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

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

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

Competition

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

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

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

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

To the extent that the District uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list **periodically.** _____ **[insert frequency. see Drafting Note].**

[Drafting Note: The District shall allow vendors not on the pre-qualified list to apply for placement on the list periodically. The District may determine how frequently the pre-qualified list becomes open for new vendors or whether it is open continuously.]

The District shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The District shall not preclude potential bidders from qualifying during the solicitation period.

Solicitation Language (Purchasing Procedures)

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

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

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

Procurement Methods

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

A. Informal Procurement Methods

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

1. Micro-Purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$ 10,000 **[not to exceed \$10,000]**. To the maximum extent practicable, the District should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable based on research, experience, purchase history, or other relevant information, and documents are filed accordingly. The District shall maintain evidence of this reasonableness in the records of all purchases made by this method.

~~[] Unless otherwise defined by State or local law, Districts are responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the District shall be authorized or not prohibited under State, local, or tribal laws or regulations. A District which is qualified as a low-risk auditee for the most recent audit (C.F.R. 200.520) may increase the micro-purchase threshold up to \$ _____. An eligible District may self-certify the micro-purchase threshold on an annual basis after completing the annual internal institutional risk assessment to identify, mitigate, and manage financial risks. The self-certification, in accordance with C.F.R. 200.334, must include a justification, clear identification of the threshold, and supporting documentation of the qualifications listed above. **[DRAFTING NOTE: The Federal regulation allows for a \$50,000 threshold, however, the Revised School Code provides for a lower amount (\$26,046 for the 2021-22 year). While this authority is allowed for an entity qualified as a low-risk auditee, Neola does not suggest its use due to the complexity and subjectivity of the mechanism.]**~~

2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition, or State Statutory Bid threshold. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

~~Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$ _____. Small purchase procedures require that price or rate quotations shall be obtained from () _____ () an adequate number of **[END OF OPTION]** qualified sources. **[Drafting Note: 1. The competitive threshold for the 2021-22 year is \$26,046, effective October 7, 2021. 2. Unless the pass-through entity or State law defines the number of quotes required, the District may define in policy how many quotations are adequate. The number must be greater than one (1).]**~~

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

B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in C.F.R. 200.319 or non-competitive procurement. The formal methods of procurement are:

1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than the amount allowed by Michigan statute and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Michigan statute. **[DRAFTING NOTE: The fiscal year 2021-22 base pertaining to construction, renovation, repair, or remodeling and the base pertaining to procurement of supplies, materials, and equipment is \$26,046, effective October 7, 2021.]**

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

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

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from () _____ (x) an adequate number of [END OF OPTION] qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm, fixed-price contract award will be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.
- e. The Board reserves the right to reject any or all bids for sound documented reason.

2. Proposals

Procurement by proposals is a method in which either a fixed-price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. **[Drafting Note: Like sealed bids, Federal law does not require a competitive proposal unless the procurement is for over \$250,000. The State/District may set a lower threshold for sealed bids and competitive proposals. Michigan law stipulates a threshold for which sealed bids are required. The competitive threshold for the 2021-22 year is \$26,046, effective October 7, 2021. (See Policy 6320.)]**

If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from () _____ (x) an adequate number of [END OF OPTION] sources.
- c. The District shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

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

3. Noncompetitive Procurement

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

- a. micro-purchases
- b. the item is available only from a single source
- c. the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation
- d. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District
- e. after solicitation of a number of sources, competition is determined to be inadequate

Domestic Preference for Procurement

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

Contract/Price Analysis

The District shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis are dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

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

Time and Materials Contracts

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

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

Suspension and Debarment

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

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

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

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

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

Bid Protest

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

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

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

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

Maintenance of Procurement Records

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

© Neola ~~2022~~ 2023

Legal 2 C.F.R. 200.317-.326; Appendix II to Part 200
 2 C.F.R. 200.520



Book	Policy Manual
Section	Vol. 37, No. 2 - Tobacco - February 2023
Title	Vol. 37, No. 2 - Tobacco - February 2023 Revised USE OF TOBACCO ON SCHOOL PREMISES
Code	po7434
Status	
Adopted	December 14, 2009
Last Revised	January 20, 2020

Revised Policy - Vol. 37, No. 2

7434 - USE OF TOBACCO ON SCHOOL PREMISES

The Board of Education believes that the right of persons to use tobacco **products** must be balanced against the right of those who do not use tobacco **products** to breathe air untainted by tobacco **products, including secondhand smoke and vapor/aerosol exposure**.

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

For purposes of this policy:

- A. **"electronic smoking device"** means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device including, but not limited to, an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah ~~"tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;~~

Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act

- B. **"off-campus, schools-sponsored event"** means any event sponsored by the school or School District that is not on school property including, but not limited to, sporting events, day camps, field trips, dances, or theatrical productions;

- C. **"tobacco industry"** means manufacturers, distributors, or wholesalers of tobacco products or tobacco-related devices (e.g., Juul, Altria);

This includes parent companies and subsidiaries.

- D. **"tobacco product"** means 1) any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; 2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; 3) or any component, part, or accessory of 1) or 2) whether or not any of these contains tobacco or nicotine including, but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, and pipes (Tobacco product does not mean drugs, devices, or

combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.);

E. "use of a tobacco product" means any of the following:

1. inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation (use of a tobacco product includes using an electronic smoking device) ~~the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;~~
2. the ~~inhaling or~~ chewing of a tobacco product;
3. the placing of a tobacco product within a person's mouth.;
4. ~~(-) the use or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.~~

~~[] The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL's"), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.~~

In order to protect students and staff who choose not to use tobacco products from an environment noxious to them, and because the Board does not condone smoking and/or the use of tobacco and tobacco products, the Board prohibits the use (x), consumption, display, activation, promotion, or sale (x), or possession, [END OF OPTIONS] of tobacco products or tobacco substitute products at all times (x) (twenty-four hours a day, seven days a week) [END OF OPTION] within any enclosed facility owned, ~~or~~ leased, or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to:

- A. (x) school grounds,
- B. (x) athletic facilities,
- C. (x) any school-related event,
- D. (x) on or off Board premises,
- E. ~~(-) except at designated times (-), and in designated areas as defined in statute.~~

~~[] It is allowable for possession or use a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation or dependence product and is being marketed and sold solely for such an approved purpose.~~

~~[] Tobacco products may be used in designated outdoor areas on school property on Saturdays, Sundays, and after 6 p.m. on days during which there are regularly scheduled school hours.~~

~~[] Tobacco products may be used at nondistrict special events held during nonschool hours with no students present and with the permission of the Superintendent. The special events special-events supervisor shall submit a written request and justification to permit smoking at the event. The Superintendent may deny permission.~~

Advertising/Promotion

In accordance with Policy 9700.01, tobacco product advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

[x] The promotion of tobacco products, including clothing, bags, lighters, gear, technology accessories, signs, structures, vehicles, fliers, other personal articles, or any other product or paraphernalia is not permitted on school grounds, in school or District-owned vehicles, or at school or District-sponsored events. ~~Tobacco may not be advertised or promoted on school property or at school-controlled events. Therefore, signs, clothing, bags, accessories, and other items promoting tobacco or containing tobacco branding are prohibited on school property and at school-controlled events.~~

[x] No one on behalf of the District may solicit or accept any contributions, gifts, or money from the tobacco industry - to include, but not be limited to, donations, monies for sponsorships/scholarships, advertising, promotions, loans or support for equipment, uniforms, and sports and/or training facilities.

☒ Tobacco companies/products may not sponsor any school activity or project.

Enforcement

☒ Violations of this policy may result in removal from school property or **from** the school activity in accordance with Policy 9150 – School Visitors.

☒ The Superintendent shall designate the individuals and the methods to monitor compliance with this policy.

☐ Exceptions

~~It shall not be considered a violation of this policy:~~

- ~~A. for any person to possess or provide to any other person (but not inhale or ingest) Traditional tobacco products (excluding electronic smoking devices) as part of an Indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice;~~
- ~~B. for Traditional tobacco products to be burned (but not inhaled or ingested) as part of an educational experience related to Indigenous tobacco practices, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators; or~~
- ~~C. for tobacco products to be displayed (but not used, inhaled, or ingested) in an instructional activity related to tobacco product education for employees, administrators, and parents or guardians, but not students, provided that the activity is conducted by an employee or an approved visitor and that it has been pre-approved by administrators.~~

© Neola **2023**~~2019~~

Legal

M.C.L. 333.12601 et seq.

M.C.L. 380.1170

M.C.L. 750.473

20 U.S.C. 6081 et seq.

MDE Board Policy on 24/7 Tobacco-Free Schools

U.S.D.O.E. Memorandum, 1995



Book	Policy Manual
Section	Vol. 37, No. 2 - Technology - February 2023
Title	Vol. 37, No. 2 - Technology - February 2023 Revised WEB ACCESSIBILITY, CONTENT, APPS, AND SERVICES
Code	po7540.02
Status	
Adopted	December 14, 2009
Last Revised	February 13, 2017

Revised Policy - Vol. 37, No. 2

7540.02 - WEB ACCESSIBILITY, CONTENT, APPS, AND SERVICES

A. Creation of Content for Web Pages/~~Websites~~Sites, Apps, and Services

The Board of Education authorizes staff members ~~()~~ and students ~~[END OF OPTION]~~ to create content, apps and services (see Bylaw 0100 Definitions) that are hosted by the Board on its servers or District-affiliated servers ~~(i.e., servers the Board pays to use or otherwise sanctions the use of)~~ and/or published on the Internet.

The content, apps, and services must comply with applicable State and Federal laws (e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), Student Online Personal Protection Act (SOPPA), and Children's Online Privacy Protection Act (COPPA)), and reflect the professional image/brand of the District, its employees, and students. Content, apps, and services must be consistent with the Board's Mission Statement and staff-created web content, services, and apps are subject to prior review and approval of the Superintendent before being published on the Internet and/or used with students.

~~[NOTE: CHOOSE ONE (1), BOTH, OR NONE OF THE FOLLOWING OPTIONS.]~~

~~[] Student-created content, apps, and services are subject to Policy 5722—School Sponsored Student Publications and Productions.~~

~~[] The creation of content, apps, and services by students must be done under the supervision of a professional staff member.~~

~~[END OF OPTIONS]~~

B. Purpose of Content of District Web Pages/Sites, Apps, and Services

The purpose of content, apps, and services ~~covered by this policy~~ hosted by the Board on its servers or District-affiliated servers is to educate, inform, and communicate. The following criteria shall be used to guide the development of such content, apps, and services:

1. Educate

Content should be suitable for and usable by students and teachers to support the curriculum and the Board's Objectives as listed in the Board's Strategic Plan.

2. Inform

Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

3. Communicate

Content may communicate information about the plans, policies, and operations of the District to members of the public and other persons who may be interested in and/or affected by District matters.

The information contained on the Board's website(s) should reflect and support the Board's Mission Statement, Educational Philosophy, and the School Improvement Process.

When the content includes a photograph or personally identifiable information relating to a student, the Board will abide by the provisions of Policy 8330 - Student Records.

Under no circumstances are District-created content, apps, and services to be used for commercial purposes, advertising, political lobbying, or to provide financial gains for any individual. Included in this prohibition is the fact no web content contained on the District's website may:

1. include statements or other items that support or oppose a candidate for public office, the investigation, prosecution, or recall of a public official, or passage of a tax levy or bond issue;
2. link to a website of another organization if the other website includes such a message; or
3. communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

[X] Under no circumstances is staff member-created content, apps, and services, including personal web pages/websites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Board-specified website, app, or service (e.g., ~~Progressbook/PowerSchool/Infinite Campus~~) for the purpose of conveying information to students and/or parents.

[X] Staff members are prohibited from requiring students to go to the staff member's personal web pages/websites (including, but not limited to, their Facebook, Instagram, Pinterest pages, YouTube Channel(s), or TikTok sites) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

[X] If a staff member creates content, apps, and services, related to their/his/her class, it must be hosted on the Board's server or a District-affiliated server.

[X] Unless the content, apps, and services contain student personally-identifiable information, Board websites, apps, and web services that are created by students and/or staff members that are posted on the Internet should not be password-protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users will generally be given full access to the Board's website(s), apps, and web services.

Web content, apps and web services should reflect an understanding that both internal and external audiences will be viewing the information.

The District's website(s) and web pages, apps, and services must be hosted on Board-owned or District-affiliated servers. ~~School web pages/sites, apps and web services must be located on Board owned or District affiliated servers.~~

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to the use of the Board's website and the creation of web content, apps, and web services by staff, ~~(-) and students~~ [END OF OPTION].

The Board retains all proprietary rights related to the design of ~~and content for its website(s)~~ web content, apps, and web services that are hosted on Board owned or District affiliated servers, absent written agreement to the contrary.

In order for a student's school work (i.e., work that is created in a class, at school, or as part of a school-sponsored extracurricular activity) to be displayed on the Board's website, the student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) must provide written permission and expressly license its display without cost to the Board. ~~Students who want their class work to be displayed on the Board's website must have written parent permission and expressly license its display without cost to the Board.~~

Likewise, prior written permission from a student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) is necessary for a student to be identified by name on the Board's website. ~~Prior written parent permission is necessary for a student to be identified by name on the Board's website.~~

C. Website Accessibility

The District is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The District is further committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the District's programs, services, and activities delivered online.

~~This policy reflects the Board's commitment and The District adopts this policy to fulfill this commitment and affirm its~~ intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794, 34 C.F.R. Part 104, ~~and~~ Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. Section 12131, and 28 C.F.R. Part 35 in all respects.

1. Technical Standards

The District will adhere to the technical standards of compliance identified at kpschools.com ~~_____~~ **[insert link to District website]**. The District measures the accessibility of online content and functionality according to the World Wide Web Consortium's (W3C's) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA, and the Web Accessibility Initiative - Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content.

~~() _____ [insert another acceptable standard selected by the District - e.g., the Section 508 Information and Communication Technology Accessibility Standards published by the U.S. Access Board, which serves as the standards the Federal government uses for its own websites.]~~

[DRAFTING NOTE: While OCR currently (as of December 2022) recommends WCAG 2.0 Level AA, WCAG 2.1 is gradually becoming the standard courts cite as the ADA accessibility standard that public entities should use for websites, mobile applications, and digital content compliance. Further, W3C published a working draft of WCAG 2.2 in August 2020 and a Candidate Recommendation draft of WCAG 2.2 in September 2022; a final version of WCAG 2.2 is expected to be released in early 2023. The W3C states that WCAG 2.0 and 2.1 remain its recommendation, but version 2.2 should be used to maximize future applicability of accessibility efforts. The W3C also encourages the use of the most current version of WCAG when developing or updating Web accessibility policies. OCR recommends WCAG 2.0 Level AA.]

2. Web Accessibility Coordinator

The Board designates its () Section 504/ADA Compliance Coordinator(s) (☒) Technology Director () _____ **[END OF OPTIONS]** as the District's Web Accessibility Coordinator(s). That individual(s) ~~is/are~~ is responsible for coordinating and implementing this policy.

[SELECT OPTION #1 OR #2]

[] [OPTION #1]

See Board Policy 2260.01 for the Section 504/ADA Compliance Coordinator(s)' contact information.

[☒] [OPTION #2]

The District's Web Accessibility Coordinator(s) can be reached at:

[INSERT NAME or TITLE, ADDRESS, E-MAIL, PHONE]

Technology Director _____

Kalkaska Public Schools _____

231-258-9109 _____

[END OF OPTIONS]**3. Third Party Content**

Links included on the Board's website(s) or web services and apps that pertain to its programs, benefits, and/or services must also meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, SOPPA, and COPPA). While the District strives to provide access through its website to online content provided or developed by third parties (including vendors, video-sharing websites, and other sources of online/digital content) that is in an accessible format, that is not always feasible. The District's administrators and staff, however, are aware of this requirement with respect to the selection of online content provided to students. The District's Web Accessibility Coordinator(s) or designee ~~Coordinator or his/her designees~~ will vet online content available on its website(s), apps, and services that are that is related to the District's programs, benefits, and/or services for compliance with this criteria for all new content published on the District's website(s), apps, and services after adoption of this policy ~~placed on the District's website after adoption of this policy.~~

Nothing in the preceding paragraph, however, shall prevent the District from including links on the Board's website(s), apps, and services to:

- a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites);⁷ or
- b. websites, services, and/or apps that are developed and hosted by outside vendors or organizations that are not part of the District's program, benefits, or services.

The Board recognizes that such third party websites may contain advertisements that are not age-appropriate or not contain age appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

4. Regular Audits

The District, under the direction of the Web Accessibility Coordinator(s) or his/her/their designees, will, at regular intervals, audit the District's online content and measure this content against the technical standards adopted above.

☒ [OPTION]

This audit will occur no less than once every two (2) years.

[END OF OPTION]

If problems are identified through the audit, such problems will be documented, evaluated, and, if necessary, remediated within a reasonable period of time.

5. Reporting Concerns or Possible Violations

If a person accessing the District's website(s), apps, or services (e.g., a student, prospective student, employee, guest, or visitor) ("user") believes that the District has violated the technical standards identified above in its online content, the user may contact a/the Web Accessibility Coordinator with any accessibility concerns. The user may also file a formal complaint utilizing the procedures set out in Board Policy 2260.01 relating to Section 504 and Title II. ~~If any student, prospective student, employee, guest, or visitor believes that the District has violated the technical standards in its online content, s/he may contact the Web Accessibility Coordinator with any accessibility concerns. S/he may also file a formal complaint utilizing the procedures set out in Board Policy 2260 and Policy 2260.01 relating to Section 504 and Title II.~~

D. Instructional Use of Apps and Web Services

The Board authorizes the use of apps and web services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

[SELECT OPTION #1 or #2]**☒ [OPTION #1]**

The Board requires the () Superintendent (x) **Technology Director** _____ pre-approve each app and/or web service that a teacher intends to use to supplement and enhance student learning. To be approved, the app and/or web service must have a FERPA-compliant privacy policy, as well as comply with all requirements of the Children's Online Privacy Protection Act (COPPA), Student Online Personal Protection Act (SOPPA), and the Children's Internet Protection Act (CIPA) (x) and Section 504 and the ADA.

~~[END OF OPTION #1]~~

~~[] [OPTION #2]~~

~~A teacher who elects to supplement and enhance student learning through the use of apps and/or web services is responsible for verifying/certifying to the () Superintendent () _____ that the app and/or web service has a FERPA compliant privacy policy, and it complies with all requirements of the Children's Online Privacy Protection Act (COPPA), Student Online Personal Protection Act (SOPPA), and the Children's Internet Protection Act (CIPA) () and Section 504 and the ADA.~~

~~[END OF OPTION #2]~~

The Board further requires (x) the use of a Board-issued e-mail address in the login process. ~~() prior written parental permission for a student seventeen (17) years of age or younger to use the to use a student's personal e-mail address in the login process.~~

E. Training

The District will provide () annual (x) periodic training for its employees who are responsible for creating **web content or distributing information online** ~~or distributing information with online content~~ so that these employees are aware of this policy and understand their roles and responsibilities with respect to web **design and creation and/or uploading of design**, documents and multimedia content.

F. One-Way Communication Using District Website(s), Content, Apps, and Services

The Board approves the use of its website(s)/web pages ~~The District is authorized to use web pages/sites~~, apps, and services to promote school activities and inform stakeholders and the general public about District news and operations.

Such communications constitute public records that will be archived.

When the Board or Superintendent designates communications distributed via District web pages/**websites**, apps, and web services to be one-way communication, public comments are not solicited or desired, and the **website(s), apps, or services** ~~are website, app or web service is~~ to be considered a nonpublic forum.

If the District uses an app and/or ~~web~~ service that does not allow the District to block or deactivate public comments ~~(e.g., Facebook, which does not allow comments to be turned off, or Twitter, which does not permit users to disable private messages or mentions/replies)~~, the District's use of that **app and/or service** ~~apps and web service~~ will be subject to Policy 7544 – Use of Social Media unless the District is able to automatically withhold all public comments.

If unsolicited public comments can be automatically withheld, the District will retain the comments in accordance with its adopted record retention schedule (see AG 8310A – Public Records, and AG 8310E – Record Retention and Disposal), but it will not review or consider those comments.

[DRAFTING NOTE: Districts are advised to adopt a new category of records that covers such "hidden public comments" on social media. Unless dictated by State law, retention periods established by the district for such unsolicited communications should be limited.]



Book	Policy Manual
Section	Vol. 37, No. 2 - Technology - February 2023
Title	Vol. 37, No. 2 - Technology - February 2023 Revised STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.03
Status	
Adopted	December 14, 2009
Last Revised	January 8, 2018

Revised Policy - Vol. 37, No. 2

7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology ~~directly affects~~ **has fundamentally altered** the ways in which information is accessed, communicated, and transferred in society. **Educators are expected to continually adapt** ~~As a result, educators are continually adapting~~ their means and methods of instruction, and the way they approach student learning, to incorporate the **latest technologies**. **The Board of Education provides Information & Technology Resources (as defined in Bylaw 0100) (collectively, "District Information & Technology Resources")** ~~vast, diverse, and unique resources available through the Internet. The Board of Education provides Technology Resources (as defined in Bylaw 0100)~~ to support the educational and professional needs of its students and staff. With respect to students, District **Information & Technology Resources** afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for ~~limited~~ educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The District's computer network and Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its ~~stated~~ **limited** educational purpose.

The Board regulates the use of District **Information & Technology Resources** ~~in a manner~~ **by principles** consistent with applicable local, State, and Federal laws, the District's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy and its related administrative guidelines and the Student Code of Conduct govern students' use of District **Information & Technology Resources** and students' personal communication devices when they are connected to **District Information & Technology Resources, including online educational services/apps, regardless of whether such use takes place on or off school property** ~~the District computer network, Internet connection, and/or online educational services/apps, or when used while the student is on Board-owned property or at a Board-sponsored activity~~ (see Policy 5136).

Students are prohibited from using District Information & Technology Resources to engage in illegal conduct (e.g., libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, etc.) or conduct that violates this Policy and its related administrative guidelines and the Student Code of Conduct (e.g., making personal attacks or injurious comments, invading a person's privacy, etc.). **Nothing herein, however, shall infringe on students' First Amendment rights** ~~Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like).~~ Because its **Information & Technology Resources** are not unlimited, the Board **may institute** ~~has also instituted~~ restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

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

While the Board uses various technologies to limit students using its Information & Technology Resources to only use/access online educational services/apps and resources that have been pre-approved for the purpose of instruction, study, and research related to the curriculum, it is impossible to prevent students from accessing and/or coming in contact with online content that has not been pre-approved for use by students of certain ages. It is no longer possible for educators and community members ~~First, the Board may not be able to technologically limit access, through its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them)~~ when significant portions of students' education take place online or through the use of online educational services/apps, access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board ~~implements~~has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or the Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using District Information & Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under CIPAthe Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be disciplinedsubject to discipline.

The Superintendent or Technology Director _____ may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been mistakenly, improperly, or inadvertentlyinappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Parents are advised that a determined user may be able to gain access to online content and/or services/apps and/or resources on the Internetthat the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to contentinformation and communications that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

Principals are responsible for providing training so that students under their supervision are knowledgeable about this policy and its accompanying guidelines.

Pursuant to Federal law, students shall receive education about the following:

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

Staff members shall provide guidance and instruction to their students regarding the appropriate use of District Information & Technology Resources and online safety and security as specified above. Additionally, such training shall include, but not be limited to, education concerning appropriate online behavior including interacting with others on social media, including in chat rooms, and cyberbullying awareness and responseinstruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor the online activities of students while they are at school.

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

~~Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of District Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms, and cyberbullying awareness and response. All students who use~~users of District Information & Technology Resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines. (See Form 7540.03 F1)

In order to keep District Information & Technology Resources operating in a safe, secure, efficient, effective, and beneficial manner to all users, students are required to comply with all District-established cybersecurity procedures. ~~() including, but not limited to, the use of multi factored authentication for which they have been trained~~ **[END OF OPTION]**. Principals are responsible for providing such training on a regular basis and measuring the effectiveness of the training.

[x] Students will be assigned a District-provided school e-mail account that they are required to utilize for all school-related electronic communications, including those to staff members, peers, ~~and individuals,~~ and/or organizations outside the District with whom they are communicating for school-related projects and assignments. **(x)** Further, as directed and authorized by their teachers, they shall use their school-assigned e-mail account when signing-up/registering for access to various online educational services/apps, ~~including mobile applications/apps that will be utilized by the student for educational purposes.~~ **[END OF OPTION]**

Students are responsible for good behavior when using District Information & Technology Resources – i.e., behavior comparable to that expected of students when they are in physical classrooms and school buildings and at school-sponsored events. ~~Because communications classrooms, school hallways, and other school premises and school sponsored events. Communications~~ on the Internet are often public in nature, ~~general.~~ General school rules for behavior and communication apply. The Board does not approve any use of its Information & Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

[NOTE: If language about social media is added to Policy 7540, it is recommended that the following optionalthis language be added to this policy.]

~~**[]** Students may only use District Information & Technology Resources to access or use social media if it is done for educational purposes in accordance with their teacher's approved plan for such use. **[END OF OPTION]**~~

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

The Board designates the Superintendent and Technology Director as the administrator(s) responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to students' use of District Information & Technology Resources.

© Neola ~~2023~~2017

Legal

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

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

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6777, 9134 (2003)

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

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

47 C.F.R. 54.500 – 54.523



Book	Policy Manual
Section	Vol. 37, No. 2 - Technology - February 2023
Title	Vol. 37, No. 2 - Technology - February 2023 Revised STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.04
Status	
Adopted	December 14, 2009
Last Revised	September 10, 2018

Revised Policy - Vol. 37, No. 2

7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

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

The Board regulates the use of District ~~Information & Technology and Information Resources~~ by principles consistent with applicable local, State, and Federal laws, and the District's educational mission. This policy ~~and its related administrative guidelines (x-), Policy 7544 and AG 7544 [END OF OPTION]~~ and any applicable employment contracts and collective bargaining agreements govern the ~~staff's~~ ~~staffs'~~ use of the District's ~~Information & Technology and Information Resources~~ and staff's personal communication devices when they are connected to ~~District Information & Technology Resources, including online educational services/apps, regardless of whether such use takes place on or off school property~~ ~~the District's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Board owned property or at a Board sponsored activity (see Policy 7530.02).~~

[DRAFTING NOTE: Choose the option in the preceding paragraph if above if the Superintendent recommends and the Board adopts Policy 7544.]

Staff members are prohibited from using District Information & Technology Resources to engage in illegal conduct (e.g., libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, etc.) or conduct that violates this Policy and its related administrative guidelines (e.g., making personal attacks and injurious comments, invading a person's privacy, etc.). Nothing herein, however, shall infringe on a staff member's First Amendment rights. Because District Information & Technology Resources are not unlimited, the Board may institute restrictions aimed at preserving these resources, such as placing limits on the use of bandwidth, storage space, and printers. ~~Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.~~

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

Staff are expected to **use/utilize** District **Information & Technology and Information Resources** to promote educational excellence in our schools by providing students with the opportunity to develop the ~~resource-sharing~~ **resource sharing**, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services/**apps** will be guided by Board Policy 2521 - Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that brings incredible education and information resources to our students. ~~The Internet connects computers and users in the District with computers and users worldwide.~~ Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, District **Information & Technology Resources** provide students and staff with the opportunity to communicate with ~~other people from~~ throughout the world. Access to such an incredible quantity **and diversity** of information and resources brings with it, however, certain unique challenges and responsibilities.

While the Board uses various technologies to limit the use of District Information & Technology Resources to only use/access online services/apps and resources that have been pre-approved for the purpose of instruction, study, and research related to the curriculum, it is impossible to prevent users from accessing and/or coming in contact with online content that has not been pre-approved for use by students of certain ages. It is no longer possible for educators and community members ~~The Board may not be able to technologically limit access, through its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them) when significant portions of students' education take place online or through the use of online educational services/apps, access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.~~

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

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

Principals are responsible for providing training so that staff under their supervision are knowledgeable about this policy and its accompanying guidelines.

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

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

Staff members shall provide guidance and instruction to their students regarding the appropriate use of District Information & Technology Resources and online safety and security as specified above. Additionally, such training shall include, but not be limited to, education concerning appropriate online behavior including interacting with others on social media, including in chat rooms, and cyberbullying awareness and response. Further, staff members shall monitor students' online activities while the students are at school. Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.

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

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

~~Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the District Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media including in chat rooms, and cyberbullying awareness and response. All users of District Technology~~ All staff members who use District Information & Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines. (See Form 7540.04 F1)

In order to keep District Information & Technology Resources operating in a safe, secure, efficient, effective, and beneficial manner to all users, staff members are required to comply with all District-established cybersecurity procedures. () including, but not limited to, the use of multi-factored authentication (MFA), **[END OF OPTION]** for which they have been trained. Principals are responsible for providing such training on a regular basis and measuring the effectiveness of the training.

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

☒ With prior approval from the Superintendent or Technology Director _____, staff may direct students who have been issued school-assigned e-mail accounts to use those accounts when signing-up/registering for access to various online educational services/apps that the student will use, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision. **[END OF OPTION]**

Staff members are responsible for good behavior when using District Information & Technology and Information Resources - i.e., behavior comparable to that expected when they are in physical classrooms, school buildings, and at school-sponsored events. Because communications classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature, general rules for professional behavior and communication apply. The Board does not approve any use of District Information & Technology and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines () and Policy 7544 and its accompanying procedure **[END OF OPTION]**.

[DRAFTING NOTE: Choose the preceding option if option above if the Superintendent recommends and the Board adopts Policy 7544.]

[NOTE: If the use of social media is authorized by Policy 7540 and Policy 7544, choose the appropriate following option to match that language]

☒ Staff members may only use District Information & Technology Resources to access or use social media if it is done for educational or business-related purposes. **[END OF OPTION]**

☒ Staff member members' use of District Information & Technology Resources technology resources to access or use social media is to be consistent with Policy 7544 and its accompanying procedure. **[END OF OPTION]**

[DRAFTING NOTE: Choose the following option to provide further direction to staff regarding the appropriate versus inappropriate use of social media.]

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

[x] [AI/NLP TOOLS OPTIONAL LANGUAGE]

Use of Artificial Intelligence/Natural Language Processing Tools

Staff are permitted to use Artificial Intelligence and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") to accomplish their job responsibilities so long as the use is ethical, responsible, and does not violate any provisions of this policy (e.g., it does not infringe on students' or staff members' privacy rights, violate their duty to maintain confidentiality related to personally identifiable information, etc.). ~~General school rules for behavior and communication apply.~~

With respect to students, it is the Board's policy that they are required to rely on their own knowledge, skills, and resources when completing school work. In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, students are prohibited from using AI/NLP tools to complete school work. The use of AI/NLP tools without the express permission/consent of a teacher is considered to undermine the learning and problem-solving skills that are essential to a student's academic success and that the staff is tasked to develop in each student. Consequently, students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools, and they are expected to ask their teachers when they have questions and/or need assistance. A student's unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using such tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

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

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

As outlined above, under appropriate circumstances, AI/NLP tools can be effectively used as a supplement to and not a replacement for traditional learning methods. Consequently, with prior teacher permission/consent, students can use AI/NLP tools to help them better understand and analyze information and/or access course materials. If a student has any questions about whether they are permitted to use AI/NLP tools for a specific class assignment, they should ask their teacher.

[END OF OPTIONAL LANGUAGE]

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

The Board designates the Superintendent and Technology Director as the administrator(s) responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff ~~member~~members' use of District **Information & Technology** ~~and Information~~ Resources.

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

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

Legal

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

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

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

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

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

47 C.F.R. 54.500 – 54.523



Book	Policy Manual
Section	Vol. 37, No. 2 - Technology - February 2023
Title	Vol. 37, No. 2 - Technology - February 2023 Revised CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN
Code	po8300
Status	
Adopted	August 14, 2017

Revised Policy - Vol. 37, No. 2

8300 - CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN

The Continuity of Organizational Operations Plan (COOP) provides the District with the capability of conducting its essential operations under all threats and conditions with or without warning. Having a plan to recover from any type of disaster regardless of the severity and consequences of the emergency is critical to recovery of operations and ~~minimizing~~ ~~can minimize~~ the impact on the District's teaching and learning, personnel, facilities, technology, transportation, food service, and other functional resources.

Scope of the Continuity Plan

The primary objective of the COOP is to restore the District's critical operational functions and the learning environment as quickly as possible after a crisis or threat event ~~occurs~~ ~~has occurred~~. A COOP contains critical and sensitive information that is confidential and exempt from public disclosure.

Planning for the continuity of operations of a school system in the aftermath of a disaster is a complex task. The current ~~changing~~ threat environment and recent emergencies, including acts of nature, accidents, technological emergencies, ~~cyberattacks~~, and terrorist attacks and threats, have increased the need for viable continuity capabilities and plans that enable the District to resume and continue the essential functions in an all-hazards environment across a full spectrum of emergencies. Such conditions have increased the importance of having continuity plans in place that provide stability of essential functions across the various levels of public government and private enterprises.

The planning and development of continuity of an organizational operations plan, as well as the ongoing review, ~~testing~~, and revision of such a plan, is important for the overall District (~~x~~) and also for each school (~~x~~) and department in the District **[END OF OPTIONS]**.

The District-wide plan describes how the District will respond as a total organization to a given emergency and describes the centralized resources and how they will be organized to implement command and control necessary to function during the life cycle of the event. Individual school and departmental plans contain the details related to the continuity plan for those specific sites and functional areas to prepare for an event, communicate throughout the duration of an event, assess the impact of an event on essential functions in the unit, respond to the event, and detail what will be done to recover from the event.

Preparation for, response to, and recovery from a disaster affecting administrative, educational, and support functions of the District's operations requires the cooperative efforts of external organizations, in partnership with the functional areas supporting the business of the District. This includes local government agencies, law enforcement, emergency management, medical services, and vendors necessary to District operations. The COOP outlines and coordinates all efforts by the District in cooperation with other local and State agencies and businesses to restore the essential functions of the District ~~to the larger local community~~ post-disaster.

The Superintendent shall ~~develop and~~ recommend the COOP for Board of Education review and approval; however, the COOP shall be considered a confidential document not subject to release under State public records laws, and accordingly, no copies shall be provided for public review during the adoption process.

The Superintendent shall conduct () an annual (☒) a periodic **[END OF OPTION]** review of the COOP.

© Neola **2023**~~2017~~



Book	Policy Manual
Section	Vol. 37, No. 2 - Technology - February 2023
Title	Vol. 37, No. 2 - Technology - February 2023 Revised INFORMATION SECURITY
Code	po8305
Status	
Adopted	August 14, 2017

Revised Policy - Vol. 37, No. 2

8305 - INFORMATION SECURITY

The District collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the District. This **data**/information may be in hard copy or digital format, and may be stored in the District or offsite with a third party provider.

Data/information collected by the District shall be classified as Confidential, Controlled, or Published. Data/information will be considered Controlled until identified otherwise.

Protecting District Information **& Technology** Resources (as defined in Bylaw 0100) is of paramount importance. Information security requires everyone's active participation to keep the District's data/information secure. This includes Board of Education members, staff members/employees, students, parents, contractors/vendors, and visitors who use District **Information & Technology** Resources (as defined in Bylaw 0100) ~~and Information Resources~~.

Individuals who are granted access to data/information collected and retained by the District must follow established procedures so that the **data**/information is protected and preserved. Board members, administrators, and all District staff members **(x)**, as well as contractors, vendors, and their employees, **[END OF OPTION]** granted access to data/information retained by the District are required to certify annually that they shall comply with the established information security protocols pertaining to District data/information. Further, all individuals granted access to Confidential Data/Information retained by the District must certify annually that they will comply with the information security protocols pertaining to Confidential Data/Information. Completing the appropriate section of the Staff Technology Acceptable Use and Safety form (Form 7540.04 F1) shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the security of that data/information and the District **Information & Technology** Resources on which it is stored.

If an individual has any questions concerning whether this Policy and/or its related administrative guidelines apply to **them, him/her** or how they apply to **them/him/her**, the individual should contact the District's Technology Director or Information Technology Department/Office.

The Superintendent shall develop administrative guidelines that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of District Data/Information.

Further, the Superintendent is **charged with developing procedures that can** ~~authorized to develop procedures that would~~ be implemented in the event of an unauthorized release or breach of data/information. These procedures shall comply with the District's legal requirements if such a breach of **personally-identifiable** ~~personally-identifiable~~ information occurs.

The Superintendent shall require **staff members to participate in training related to the internal controls applicable to the data/information that they collect and have access to and for which they are**~~the participation of staff members in appropriate training related to the internal controls pertaining to the data/information that they collect, to which they have access, and for which they would be~~ responsible for the security protocols.

Third Party~~Third party~~ contractors/vendors who require access to Confidential Data/Information collected and retained by the District will be informed of relevant Board policies that govern access to and use of **District Information & Technology** Resources, including the duty to safeguard the confidentiality of such data/information.

Failure to adhere to this Policy and its related administrative guidelines may put data/information collected and **retained**~~retain~~ by the District at risk. Employees who violate this policy and/or **its related administrative guidelines may be disciplined**~~the administrative guidelines promulgated consistent with this policy may have disciplinary consequences imposed~~, up to and including termination of employment; and/or referral to law enforcement. Students who violate this Policy and/or **its related administrative guidelines will be disciplined**~~AGs will be subject to disciplinary action~~, up to and including expulsion; and/or referral to law enforcement. **(x)** Contractors/vendors who violate this Policy and/or **its related administrative guidelines**~~AGs~~ may face termination of their business relationships with and/or legal action by the District. **[END OF OPTION]** Parents and visitors who violate this Policy and/or **its related administrative guidelines**~~AGs~~ may be denied access to the District's **Information & Technology** Resources.

The Superintendent shall conduct **()** an annual **(x)** a periodic **[END OF OPTION]** assessment of risk related to the access to and security of the data/information collected and retained by the District.

© Neola **2023**~~2017~~



Book Policy Manual

Section Vol. 37, No. 2 - Technology - February 2023

Title Vol. 37, No. 2 - Technology - February 2023 Revised INFORMATION MANAGEMENT

Code po8315

Status

Adopted December 14, 2009

Revised Policy - Vol. 37, No. 2

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 used 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 (☒) may (☐) shall **[END OF OPTION]** result in ~~discipline~~ 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 **a parent/guardian, student, or another person representing the parent/guardian or student** ~~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, **Michigan Department of Education Office for Special Education**, 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, **Michigan Department of Education Office for Special Education**, State Personnel Board of Review, or a Civil Service Commission regarding a claim **filed** 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 ~~involving~~ 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/audio recordings, images, video recordings, and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" means any type of information that is created, used, and stored in digital form and accessible by digital means. It includes all data, digital documents or files, or other information contained on any media type (e.g., tape, hard disk drive, cloud storage, or some yet-to-be-created storage technology). Specifically, it includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound/audio recordings, images, video recordings, and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. Examples include: e-mails and their attachments, text and instant messages, communications conducted in ephemeral messaging applications or in workplace collaboration tools, word processing documents, spreadsheets, digital photographs/pictures, videos, application programs and data files, data/information stored in databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, digital scans (including 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, voicemails, phone/call logs, faxes, internet/browser histories, caches, cookies, or logs of activity on computer systems (whether internal to the District or external) that may have been used to process or store electronic data. ESI also includes data/information from cloud applications (e.g., educational or operational services/apps), electronic records of online activity (e.g., social media postings), and data generated or stored by devices connected to the Internet of Things (IoT). "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, computer 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, microfilm/micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used, and/or stored on/in/through the following locations: networks and servers, whether internal or external (including the cloud); laptop and desktop work computers; home and personal computers; other computer systems; databases; backup computers or servers, whether internal or external (including cloud storage); archives; mobile devices (e.g., mobile/cellular phones and tablet computers, personal digital assistants ("PDAs" - including Palm, Blackberry), etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media also includes social media websites (e.g., Facebook, Twitter, LinkedIn) and 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 was first adopted into the future; 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," the Superintendent/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 (x) may () will [END OF OPTION] utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in the implementation of the "Litigation Hold Procedure" outlined in AG 8315.

A "Litigation Hold" shall remain in place until removed/withdrawn 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/withdrawn.

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.

Legal

Federal Rules of Civil Procedure 34, 37(f)



Book	Policy Manual
Section	Vol. 37, No. 2 - February 2023
Title	Vol. 37, No. 2 - February 2023 Revised ANIMALS ON DISTRICT PROPERTY
Code	po8390
Status	
Adopted	January 13, 2014
Last Revised	June 24, 2015

Revised Policy - Vol. 37, No. 2

[DRAFTING NOTE: Optional language regarding therapy/comfort animals is included in this template. Note: Neola does not recommend including such animals, due to the liabilities and complexities of such authorization. However, given the widespread nature of such practice, optional language providing structure to such approval is offered for use at the discretion of client districts. It is strongly recommended that such action be thoroughly explored with the district's legal counsel and approval sought from the Board.]

8390 - ANIMALS ON DISTRICT PROPERTY

Introduction

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

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

Definitions

- A. **"Animal"**: Includes any living creature that is not a human being. ~~includes every vertebrate other than a human.~~
- B. **"Service animal"**: Pursuant to 28 C.F.R. Section 36.104-35.104, "means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

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

should refer to Section 35.136 (c) through (i) of the ADA.

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

[x] [OPTION 1]

[NOTE: The following section should be included in the policy only if the District intends to require this of any animal brought onto District property for official purposes or on a regular/recurring basis.]

Vaccination, Licensing, and/or Veterinary Requirements

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

[END OF OPTION 1]

~~Non-Service Animals in Schools and Elsewhere on District Property~~

~~Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), those that provide a reasonable accommodation to a student in accordance with a Section 504 Plan, or those that serve as service animals as required by Federal and State law.~~

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

- ~~A. the staff member seeking approval to have a non-service animal in his/her classroom shall:~~
- ~~1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;~~
 - ~~2. take precautions deemed necessary to protect the health and safety of students and other staff;~~
 - ~~3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,~~
 - ~~4. keep the surrounding areas in a clean and sanitary condition at all times;~~
- ~~B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health related or other concerns.~~

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

Service Animals for Students

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

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

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

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

Removing and/or Excluding a Student's Service Animal

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

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

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

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

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

Eligibility of a Student's Service Animal for Transportation

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

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

At the discretion of the (x) Principal and/or (x) Transportation Supervisor () _____ [END OF OPTIONS], an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

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

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

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

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

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

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the () Transportation Supervisor () Principal (x) Superintendent _____ [END OF OPTIONS].

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

Service Animals for Employees

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

Service Animals for Parents, Vendors, Visitors, and Others

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

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

Non-Service Animals in Schools and Elsewhere on District Property

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

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

A. the staff member seeking approval to have a non-service animal in their classroom shall:

1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
2. take precautions deemed necessary to protect the health and safety of students and other staff;
3. provide that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
4. keep the surrounding areas in a clean and sanitary condition at all times;

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

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

[x] [OPTIONAL LANGUAGE]

Emotional Support Animals for Students

An emotional support animal is not granted the same access to school buildings and classrooms as service animals. Unless required by a student's IEP or Section 504 Plan, the District is not required to grant a student's request that the student be permitted to bring an emotional support animal to classes or on school grounds for any purpose. (x) The Superintendent may grant a student use of an emotional support animal on a case-by-case basis if necessary and not disruptive to the environment or other students. **[END OF OPTION]**

Consistent with State and Federal law, authorization for an emotional support animal to be on District grounds may be suspended if the animal is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the animal to be on District grounds requires approval by the (x) Superintendent () **[OTHER]** **[END OF OPTION]**. Authorization for an emotional support animal to be on District grounds may be withdrawn at any time by the Superintendent.

[END OF OPTIONAL LANGUAGE]

[x] [OPTION FOR ALLOWING CERTIFIED THERAPY DOGS ON DISTRICT GROUNDS]

Therapy Dogs

Therapy dogs are the personal property of the handler and are specially trained to help students in the assigned classroom, program, or school. Authorization for a therapy dog to be on District grounds may be granted by the (x) Superintendent () building principal () [OTHER] _____ [END OF OPTIONS], provided the following conditions are met each year:

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

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

[END OF OPTIONS]

28 C.F.R. ~~36.104~~ ~~35.104~~

Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)

The Americans with Disabilities Act, as amended (ADA)

The Individuals with Disabilities Education Improvement Act (IDEIA)

© Neola ~~2023~~ ~~2015~~

Legal

28 C.F.R. 36.104

Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)

The Americans with Disabilities Act, as amended (ADA)

The Individuals with Disabilities Education Improvement Act (IDEIA)



Book	Policy Manual
Section	Vol. 37, No. 2 - February 2023
Title	Vol. 37, No. 2 - February 2023 Revised SCHOOL SAFETY INFORMATION
Code	po8400
Status	
Adopted	December 14, 2009
Last Revised	March 15, 2021

Revised Policy - Vol. 37, No. 2

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.

[NOTE: Include this paragraph if adopting optional revisions of Policy 7217 only.]

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.

[NOTE: END OF OPTION]

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 possessing or using weapons or drugs 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 County Emergency Management Coordinator _____ shall ensure continued implementation and compliance with the District's obligations under the Statewide School Safety Information Policy and related law. The County Emergency Management Coordinator _____ ~~may~~ shall periodically convene meetings to make modifications as deemed necessary and proper to address issues that are unique to the District; discuss additional training that might be needed; and discuss The _____ 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 ~~their~~ his/her designee, and representatives from the local law enforcement () agency (x) agencies **[END OF OPTION]**. The following may also be invited to participate in the meeting:

- A. ☐ Chief Judge of Circuit and/or District Courts or ~~their~~ ~~his/her~~ designee, including a representative of the family division;
- B. ☒ representative from the Intermediate School District (ISD);
- C. ☒ representative(s) from the local child protection agency;
- D. ☒ building administrators;
- E. ☐ teachers;
- F. ☒ parents;
- G. ☐ students ☐ in grades ____ through ____;
- H. ☐ Fire Marshal or ~~his/her~~ designee;
- I. ☒ representative(s) from emergency medical services;
- J. ☒ representative(s) from county emergency management service agency;
- K. ☒ School Resource Officer;
- L. ☒ representatives from other school districts within Kalkaska County [county/ISD];
- M. ☐ _____ [other].

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 to local policy. ~~[] The Board encourages regular meetings, preferably annually, among the above listed constituents to review the effectiveness and to review the procedures developed within local policy. [DRAFTING NOTE: THE STATEWIDE POLICY "ENCOURAGES" ANNUAL MEETINGS.]~~

District Contact Person/Liaison

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 Superintendent shall be provided to the Michigan State Police in the manner and frequency required by law. **[DRAFTING NOTE: THIS INFORMATION MUST BE PROVIDED TWICE A YEAR. IF A DISTRICT DESIGNATES MORE THAN ONE PERSON AS CONTACT FOR THE MSP, IT MUST SPECIFY WHEN EACH PERSON IS AVAILABLE BY DAY AND TIME WHEN IT REPORTS TO THE MSP.]**

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 the principals/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* and related law 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 local school safety information policy ~~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.

The District designates Superintendent as a liaison to work with the school safety commission created under the comprehensive school safety and the office of school safety, including work on identifying model practices for determining school safety issues.

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 (x) Superintendent (x) principal () assistant principal(s) [END OF OPTIONS] to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

[x] Threat Assessment [DRAFTING NOTE: BEST PRACTICES DICTATE ADOPTING AND IMPLEMENTING THIS OPTION IN CONJUNCTION WITH AG 8400A]

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 () on a regular basis and (periodically) _____ [insert level of frequency] and [END OF OPTIONS] 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.

[END OF THREAT ASSESSMENT OPTION]

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 **[CHOOSE ONE (1) OF THE FOLLOWING OPTIONS]**

☒ 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.

~~☐ convene a meeting of the building administrator, representative(s) of the local law enforcement ☐ agency ☐ agencies **[END OF OPTION]**, 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.~~

[END OF OPTIONS]

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 **[CHOOSE ONE (1) OF THE FOLLOWING OPTIONS]**

☒ discuss the school's designation as a persistently dangerous school 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.

~~☐ convene a meeting of the building administrator, representative(s) of the local law enforcement ☐ agency ☐ agencies **[END OF OPTION]**, 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.~~

[END OF OPTIONS]

[x] If a school in a neighboring district is identified as persistently dangerous and there is not another school in that district, the District will admit students from that school in accordance with Board Policy 5113.02. **[END OF OPTION]**

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, law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

© Neola **2023**~~2021~~

Legal

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



Book	Policy Manual
Section	Vol. 37, No. 2 - Tobacco - February 2023
Title	Vol. 37, No. 2 - Tobacco - February 2023 Revised PUBLIC ATTENDANCE AT SCHOOL EVENTS
Code	po9160
Status	
Adopted	December 14, 2009
Last Revised	June 20, 2011

Revised Policy - Vol. 37, No. 2

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes the attendance of members of the community at athletic and other public events held by the schools in the District, but the Board also acknowledges its duty to maintain order and preserve the facilities of the District during the conduct of such events. The Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested. In accordance with Board Policy 7440 and AG 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

[x] The Board directs that no alcoholic beverage or other controlled substance be possessed, consumed, or distributed **[x]**, nor any betting occur, **[END OF OPTION]** **(x)** at any function sponsored by the District **(x)** at any function occurring on District premises **[END OF OPTIONS]**.

[x] Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups.

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs, or activities, or as invitees, are allowed to go. (See also, Policy 8390)

~~11~~ Smoking and/or the use of tobacco products and/or tobacco substitute products is prohibited at any time within any enclosed facility owned, or leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. For purposes of this policy, "use of tobacco" means to chew or maintain any substance

containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine) in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances (see Policy 7434).

Such prohibition also applies to:

- A. ☒ school grounds;
- B. ☒ any school-related event;
- C. ☐ except at designated times ☐ and in designated areas as defined in statute and by Michigan's Smoke-Free Workplace Program. **[END OF OPTIONS]**

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, a recording can be made if the appropriate license authorizing such recordings has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event shall obtain prior permission from the Superintendent.

The Superintendent shall ensure that all notices, signs, schedules, and other communications about school events contain the following statement:

"Upon request to the Superintendent, the District shall make reasonable accommodation for a disabled person to be able to participate in this activity."

© Neola ~~2023-2013~~

Legal

28 C.F.R. Part 35



Book	Policy Manual
Section	Vol. 37, No. 2 - Technology - February 2023
Title	Vol. 37, No. 2 - Technology - February 2023 Revised ADVERTISING AND COMMERCIAL ACTIVITIES
Code	po9700.01
Status	
Adopted	August 13, 2012

Revised Policy - Vol. 37, No. 2

9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES

The purpose of this policy is to provide guidelines for the appropriate and inappropriate use of advertising or promoting of commercial products or services to students and parents in the schools.

"Advertising" comes in many different categories and forums and is defined as an oral, written, or graphic statement made by the producer, manufacturer, or seller of products, equipment, or services which calls for the public's attention to arouse a desire to buy, use, or patronize the product, equipment, or services. This includes the visible promotion of product logos for other than identification purposes. Brand names, trademarks, logos, or tags for product or service identification purposes are not considered advertising.

☐ Option #1

~~It~~ It is the policy of the Board of Education that advertising shall not be permitted in ~~School District~~ ~~school district~~ facilities or on School District property and that the District's name, students, staff members, and District facilities shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit, or other non-school agency or organization, public or private.

[END OF OPTION # 1]

[SELECTION OF THE FIRST OPTION PRECLUDES SELECTION OF THE SECOND OPTION]

☒ Option #2

~~It~~ The Board of Education may permit advertising in School District facilities or on School District property in the following categories or forums in accordance with the guidelines set forth herein:

A. ☒ Product Sales:

- ☒ product sales benefiting a district, school, or student activity (e.g., the sale of beverages or food within schools);
- ☒ exclusive agreements between the District and businesses that provide the businesses with the exclusive right to sell or promote their products or services in the schools (e.g. pouring rights contracts with soda companies);
- ☒ fundraising activities (e.g., short-term sales of gift wrap, cookies, candy, etc.) to benefit a specific student population, club, or activity where the school receives a share of the profits.

B. ☒ Direct Advertising/Appropriation of Space:

1. ☒ signage and billboards in schools and school facilities;
2. ☒ corporate logos or brand names on school equipment (e.g., marquees, message boards, or score boards);
3. ☒ ads, corporate logos, or brand names on book covers, student assignment books, or posters;
4. ☒ ads in school publications (newspapers, ~~and~~ yearbooks, and event programs);
5. ☒ media-based electronic advertising (e.g., Channel One or Internet or web-based sponsorship);
6. ☐ free samples (e.g., of food or personal hygiene products).

C. ☒ Indirect Advertising:

1. ☒ corporate-sponsored instructional or educational materials, teacher training, contests, incentives, grants, or gifts;
2. ☒ the Board approves the use of instructional materials developed by commercial organizations, such as films and videos, only if the education value of the materials outweighs their commercial nature.

The films or materials shall be carefully evaluated by the school principal for classroom use to determine whether the films or materials contain undesirable propaganda and are in compliance with the guidelines as set forth above.

D. ☐ Market Research:

1. ☐ surveys or polls related to commercial activities;
2. ☐ internet surveys or polls asking for information related to commercial activities;
3. ☐ [other].

[END OF OPTION # 2]

It is further the policy of the Board that its name, students, staff members, and District facilities shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit, or other non-school agency or organization, public or private, without the approval of the Board or its designee.

Any commercial advertising shall be structured in accordance with the General Advertising Guidelines set forth below.

General Advertising Guidelines

The following guidelines shall be followed with respect to any form of advertising on school grounds or school property ☒, including the District's website **[END OF OPTION]**:

- A. ☒ When working together, schools and businesses must protect educational values. All commercial or corporate involvement should be consistent with the District's educational standards and goals.
- B. ☒ Any advertising that may become a permanent or semi-permanent part of a school requires prior approval of the Board.
- C. ☒ The Board reserves the right to consider requests for advertising in the schools on a case-by-case basis.
- D. ☒ No advertisement shall promote or contain references to alcohol, tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene, pornographic, or illegal materials or activities, gambling, violence, hatred, sexual conduct or sexually explicit material, X or R rated movies, or gambling aids.
- E. ☒ No advertisement shall promote any specific religion or religious, ethnic, or racial group, political candidate, or ballot issue, and shall be non-proselytizing.
- F. ☒ No advertisement may contain libelous material.
- G. ☒ No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.
- H. ☒ No advertisement shall be false, misleading, or deceptive.

- I. (☒) ~~To the extent feasible, each~~ Each advertisement must be reviewed in advance for age appropriateness.
- J. (☒) Advertisements may be rejected by the School District if determined to be inconsistent with the educational objectives of the School District, inappropriate, or inconsistent with the guidelines set forth in this policy.
- K. (☒) All corporate support or activity must be consistent with the Board's policies prohibiting discrimination on the basis of race, color, national origin, religion, sex, disability, or age, and must be age-appropriate.
- L. (☒) Students shall not be required to advertise a product, service, company, or industry.
- M. (☒) Advertising will not be permitted on the outside or the inside of school buses.
- N. (☒) The Superintendent or designee is responsible for screening all advertising (☒) unless it is not feasible to do so, and the advertising is linked to a contract approved by the Board that expressly requires the vendor who is selecting and running the advertisement(s) to comply with these General Advertising Guidelines [END OF OPTION].
- O. (☒) The Superintendent or designee may require that samples of advertising be made available for inspection.
- P. (☒) The inclusion of advertisements in School District publications, in School District facilities, or on ~~School District~~ school district property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.
- Q. (☒) Final discretion regarding whether to advertise and the content and value of the materials will be with the Board.

Accounting

Advertising revenues must be properly reported and accounted for.

© Neola ~~2023~~2012