Whenever the Superintendent is away from the District and unavailable to make a
decision, and, if not otherwise specified in policy or administrative guidelines, the
Superintendent's designee shall be responsible for determining whether or not a
decision must be made prior to the Superintendent's return. If so, then he/she shall
make the decision; take and/or supervise appropriate action; and/or inform the
Superintendent upon his/her return.

Approved: 00/00/0
Revised & Adopted: 00/00/0
Reviewed: 00/00/0
Revised & Adopted: 00/00/0
policy

BOARD OF EDUCATION
DETROIT PUBLIC SCHOOLS COMMUNITY DISTRICT

ADMINISTRATION
1241/page 1 of 1

NON-REEMPLOYMENT OF THE SUPERINTENDENT

The Board of Education has an obligation to the citizens of this District to employ the professional leadership best trained and equipped to meet the educational needs of their children. It shall meet that obligation by retaining only a highly-qualified person as Superintendent for this District.

If the Board determines that the Superintendent’s overall performance is “ineffective” in any respect, the evaluation shall describe in reasonable detail specific instance of "ineffective" performance and recommendations for improvement. In all instances where the Board deems the Superintendent’s performance to be “ineffective,” should the Board desire, the Superintendent will be given a reasonable time to improve in the areas identified.

The Board may non-renew the Superintendent’s contract, with or without cause and with or without prior notice. Any such termination by the District shall be effective not less than sixty (60) days after the District gives the Superintendent written notice of termination.

The contract of the Superintendent may be terminated during its term for cause. The Superintendent shall be entitled to notice of the reasons and a reasonable opportunity to address the Board prior to any vote on termination of the contract.

Except as otherwise provided herein, non-renewal of the Superintendent shall be in accordance with MCL 380.1229 of the Michigan Revised School Code.

M.C.L. 380.1229, M.C.L 380.387

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
STUDENT ABUSE AND NEGLECT

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

Michigan Child Protection Law requires professional staff (mandatory reporters) who have reasonable cause to suspect child abuse and/or neglect to file reports with the Department of Human Services, Children’s Protective Services Division.

All mandatory reporters who have reasonable cause to suspect child abuse or neglect shall immediately report any such case to 1) his/her supervisor, and 2) the principal or his/her designee who shall, in turn, immediately notify Children’s Protective Services.

The District shall establish a procedure for all mandatory reporters to report situations of suspected child abuse/neglect and shall advise staff members of their responsibilities.

The identity of all mandatory reporters shall remain confidential, subject only to disclosure by consent or court order. All mandatory reporters shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

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

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

M.C.L.A. 722.621 et seq.
The Board of Education prohibits members of the administration from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, including athletic events, or in a District vehicle.

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

The Superintendent shall refer a staff member who violates this policy to law enforcement officials. The staff member will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy and the terms of applicable existing collective bargaining agreements.

Exceptions to this policy include:

A. weapons under the control of law enforcement personnel;

B. items approved by an administrator, principal, or director as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved; (Working firearms and ammunition shall never be approved.)

C. theatrical props that do not meet the definition of "weapons" above, used in appropriate settings;

D. starter pistols used in appropriate sporting events.

Staff members shall immediately report knowledge of dangerous weapons and/or threats of violence by students, staff members, or visitors to their immediate supervisor, building or office administrator or the Office of Employee Relations.
Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
SCHOOL ADMINISTRATOR EVALUATIONS

The Board of Education, through the powers derived from the Revised School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, the Board with the involvement of school administrators, shall adopt and implement a rigorous, transparent, and fair performance evaluation system in accordance with State law that does the following:

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

The Superintendent or designee shall perform administrators' evaluations. Administrators rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, instead of annually, at the District's discretion.

B. Establishes clear approaches to measuring student growth.

C. Evaluates a school administrator's job performance as highly effective, effective, minimally effective or ineffective, using multiple rating categories that take into account student growth and assessment data. For the 2015 - 2016, 2016 - 2017 and 2017 - 2018 school years twenty-five percent (25%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018 - 2019 school year, forty percent (40%) of the annual year-end evaluation shall be based on student growth and assessment data.

For building level administrators, the data to be used is the aggregate student growth and assessment data that are consistent with and used in teacher annual year-end evaluations in each school in which the school administrator works as an administrator. For a central-office-level administrator, the pertinent data is that of the entire School District.
D. Uses the evaluations, at a minimum, to inform decisions regarding all of the following:

1. The effectiveness of school administrators, so that they are given ample opportunities for improvement.

2. Promotion, retention, and development of school administrators, including providing relevant coaching, instruction support, or professional development.

3. Removing ineffective school administrators after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

E. The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following for the school in which the school administrator works as an administrator:

1. The school administrators' training and proficiency in conducting teacher performance evaluations if s/he does so or his/her designee's proficiency and training if the administrator designates such duties.

2. The progress made by the school or District in meeting the goals established in the school/District improvement plan.

3. Student attendance.

4. Student, parent and teacher feedback and other information considered pertinent by the Board.

F. For the purposes of conducting annual year-end evaluations under the performance evaluation system, by the beginning of the 2016 - 2017 school year, the District shall adopt and implement one (1) or more of the evaluation tools for teachers or administrators, if available, that are included on the list established
and maintained by the Michigan Department of Education ("MDE"). However, if the District has one (1) or more local evaluation tools for administrators or modifications of an evaluation tool on the list, and the District complies with H., below, the District may conduct annual year-end evaluations for administrators using one (1) or more local evaluation tools or modifications. The evaluation tools shall be used consistently among the schools operated by the District so that all similarly situated school administrators are evaluated using the same measures.

G. Beginning with the 2016 - 2017 school year, the District shall post on its public website all of the following information about the measures it uses for its performance evaluation system for school administrators:

1. The research base for the evaluation framework, instrument, and process or, if the District adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.

2. The identity and qualifications of the author or authors or, if the District adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.

3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the District adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.

4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.

5. A description of the processes for conducting classroom
observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.

6. A description of the plan for providing evaluators and observers with training.

H. Beginning with the 2016 - 2017 school year:

1. The District shall provide training to school administrators on the measures used by the District in its performance evaluation system and on how each of the measures is used. This training may be provided by a District or by a consortium consisting of two (2) or more Districts, the intermediate school District or a public school academy.

2. The District shall ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the District, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The District may provide the training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

The evaluation system shall ensure that if the administrator is rated as minimally effective or ineffective, the person(s) conducting the evaluation shall develop and require the school administrator to implement an improvement plan to correct the deficiencies. The improvement plan shall recommend professional development opportunities and other measures designed to improve the rating of the administrator on his/her next annual year-end evaluation. An administrator rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment with the District. This subdivision does not affect the ability of the District to dismiss a school administrator from his/her employment regardless of whether the school administrator is rated ineffective on three (3) consecutive evaluations.

Evaluations shall be conducted of each administrator as required by the Revised School Code and School District guidelines and procedures. An administrator shall
be given a copy of or provided access to documents relating to his/her performance evaluation which are to be placed in the personnel file.

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

M.C.L. 380.1249

© NEOLA 2016

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
policy

BOARD OF EDUCATION
DETOUR PUBLIC SCHOOLS COMMUNITY DISTRICT

SEPARATION AND DEMOTION OF TENURED INSTRUCTIONAL STAFF,
PROBATIONARY INSTRUCTIONAL STAFF, AND ADMINISTRATIVE STAFF

Version A

Discipline, demotion and discharge of tenured teachers and probationary teachers
will be governed by the Michigan Teacher Tenure Act and standard District
personnel practice. Discipline, demotion and discharge of administrative staff shall
be consistent with state and federal law and standard District personnel practice.

MCL 38.1 et seq. MCL 380.1229

Version B

Whenever it is necessary to discipline, demote or discharge a teacher or
administrator, the Board of Education directs the Superintendent or designee to
utilize procedures that are consistent with applicable state and federal laws, the
collective bargaining agreement and or standard District personnel practice. The
Superintendent or his designee may use progressive discipline when appropriate.

All instances of discipline, demotion and discharges must involve due process. To
this end, the Superintendent or designee shall conduct an investigation, as
appropriate to the situation and provide the employee with an opportunity to
respond. The decision to discharge a teacher or administrator must receive approval
from the Board with the direct recommendation from the Superintendent.

Tenured Teachers

The Teachers’ Tenure Act governs the procedure to be followed for termination or
demotion of tenured instructional staff.

Probationary Teachers

Teachers will serve a probationary period as provided by the Teachers' Tenure Act.
Probationary teachers may be dismissed from employment by the Board of
Education at any time during the probationary period. As provided in the Teachers' Tenure Act, the Superintendent, or designee, may recommend to the Board that a
probationary teacher be terminated. If the Board accepts this recommendation, at
least fifteen (15) days before the close of the school year, the Board must give the
probationary teacher notice of dismissal.
The employment of District administrators, principals, assistant principals, guidance directors, and other administrators who do not assume tenure in those positions shall be by written contract and is governed by Section 1229 of the Revised School Code. A notification of nonrenewal of an administrator's contract cannot be given for an arbitrary or capricious reason and must be given, at least, thirty (30) days before the termination date of the contract. Nonrenewal requires that the administrator be provided, at least seven (7) days advanced notice that the Board is considering nonrenewal together with a written statement as to the reason for the nonrenewal. Before the nonrenewal statement is issued; the administrator will be given the opportunity to meet with not less than a majority of the Board to discuss the reasons stated in the written statement. The administrator has the option to have the meeting held in closed session pursuant to the Open Meetings Act.

M.C.L. 38.71-191; 380.1229, 423.215(3)(m)
The Board of Education does not discriminate on the basis of race, color, national origin, sex, (including sexual orientation or transgender identity), disability, age, religion, height, weight, citizenship, marital or family status, military status, ancestry, genetic information, or any other legally protected category, (collectively, "Protected Classes"), in its programs and activities, including employment opportunities.

Reports of Complaints of Unlawful Discrimination and Retaliation

The District shall develop administrative guidelines and procedures for the reporting and resolution of complaints of unlawful discrimination and retaliation in accordance with the applicable law and this policy.

District Compliance Officers

The Board designates the following individuals to serve as the District’s "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

Executive Director of Compliance
Detroit Public Schools Community District
3011 W. Grand Blvd., 14th Floor
Detroit, MI 48202

Deputy Executive Director, Employee Relations
Detroit Public Schools Community District
3011 W. Grand Blvd., 10th Floor
Detroit, MI 48202

The names, titles, and contact information of these individuals will be published annually in the staff handbooks, if any, and on the School District’s web site.

The COs are responsible for coordinating the District’s efforts to comply with applicable Federal and State laws and regulations, including the District’s duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the...
Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public.

Any sections of the District’s collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board’s statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO’s office.

Reports and Complaints of Unlawful Discrimination and Retaliation

The COs shall develop and maintain administrative procedures for the reporting of complaints of unlawful discrimination and retaliation.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of any party involved in a complaint concerning unlawful discrimination and/or retaliation. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board’s records retention policy and applicable law.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable state and federal law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the totality of the circumstances involved in the matter shall be considered. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or the School
policy

BOARD OF EDUCATION
DEVELOPMENT COMMUNITY DISTRICT

District shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The School District shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for students and staff where appropriate. All training, as well as all information provided regarding the Board’s policy and discrimination in general, will be age and content appropriate.

M.C.L. 37.2101 et seq., 37.1101 et seq.
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendment Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
29 C.F.R. Part 1635
ANTHARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who
come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

**Other Violations of the Anti-Harassment Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one’s supervisory duties.

D. Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

**Reports and Complaints of Harassing Conduct**

Members of the School District community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent.
Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as the District’s “Anti-Harassment Compliance Officers” for the District (hereinafter referred to as the “COs”).

Executive Director of Compliance
Detroit Public Schools Community District
3011 W. Grand Blvd., 14th Floor
Detroit, MI 48202

Deputy Executive Director of Employee Relations
Detroit Public Schools Community District
3011 W. Grand Blvd., 10th Floor
Detroit, MI 48202

The names, titles, and contact information of these individuals will be published annually in the staff handbooks, if any, and on the School District's web site.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of any party involved in a complaint concerning harassment. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy and applicable law.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the
suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State and Federal law and the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

**Retaliation**

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

**Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct**

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

**Education and Training**

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided
policy

BOARD OF EDUCATION
DETROIT PUBLIC SCHOOLS COMMUNITY DISTRICT

regarding the Board’s policy and harassment in general, will be age and
content appropriate.

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education
Improvement Act of 2004 (IDEIA)
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
The Handicappers’ Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
WHISTLEBLOWER PROTECTION

The Board of Education expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal laws, Board policies, administrative guidelines and procedures. The Board encourages and requires staff to report all potential fraudulent activity. Parents, volunteers, contractors and concerned citizens are encouraged to report potential fraudulent activity, when done in good faith belief.

Employees are required to call the Fraud Hotline or contact the Office of Inspector General (OIG) directly, when they have credible information regarding potential fraudulent activity. The District shall provide protections to complainants of potential fraudulent activity who, as a result of reporting violations to the OIG may be subject to retaliation by their supervisors.

Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making a Whistleblower report as long as the employee had a good faith belief as to the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination for knowingly making a false report under this policy. In accordance with this policy, employees may also be subject to disciplinary action, up to and including termination, if they fail to report any potential fraudulent activity and violations of Federal, State, or local laws involving or relating to the business of the District.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy.

M.C.L.A. 15.361 et seq.
The Michigan Whistleblowers’ Protection Act (469 P.A. 1980)
FREEDOM OF INFORMATION ACT REQUESTS

It is the policy of the "District that all persons are entitled to full and complete information regarding governmental decision-making, consistent with the Michigan Freedom of Information Act (the "FOIA" or the "Act").

For purpose of these procedures and guidelines, a "public record" means: a writing prepared, owned, used, in the possession of, or retained by the District in the performance of an official function, from the time it is created. Public record does not include computer software.

Procedures & Guidelines

General Information

A. All officers, employees, and agents of the District shall protect public records from loss, unauthorized alteration, mutilation, or destruction.

B. The Superintendent’s designee is hereby designated the "FOIA Coordinator" with the authority and responsibilities stated in the Act and these procedures and guidelines.

C. The FOIA Coordinator shall be responsible to accept and process all written requests for public records under the Act and shall be responsible for approving a denial under Section 5 of the Act (MCL 15.235)

D. These procedures and guidelines regarding time frames, appeals, and fees do not apply to public records prepared for, or disclosed pursuant to another act or statute (i.e., requests for medical records made pursuant to the Public Health Code, or requests made pursuant to the Public Employment Relations Act or the Bullard-Plawecki Employee Right to Know Act, etc.).

Written Requests

A. All Individuals desiring to inspect or receive a copy of a public record shall make a written requests to the FOIA Coordinator that describes the public record sufficiently to enable the FOIA Coordinator, or his/her designee, to identify and locate the public record.
B. The FOIA Coordinator, or any other designee, is not required to respond to oral requests for public records, but may do so for routine requests that can be granted immediately.

C. If a written request is received directly by a District employee other than the FOIA Coordinator, the original shall be promptly forwarded to the FOIA Coordinator.

D. A written request made by facsimile, electronic mail, or other electronic transmission is not received by the FOIA Coordinator until one business day after the electronic submission is made. If a request is delivered to a spam or junk mail folder, the request is not received by the FOIA Coordinator until one business day after it is discovered.

E. Upon receiving a written request for a public record pursuant to these procedures and guidelines, a person or entity has the right to inspect, copy, or receive copies of the requested public record(s), unless the requested public record is exempt from disclosure pursuant to Section 13 of the Act (MCL 15.243), as amended.

F. The School District is not required to create new public records, compilations, summaries, and/or reports of information in response to a FOIA request.

G. Upon request for public inspection, the FOIA Coordinator, or any other designee, shall furnish a requestor a reasonable opportunity for inspection and examination of the requested public records, subject to applicable exemptions, and shall furnish reasonable facilities for making memoranda or abstracts from its public records during regular business hours.

H. A requestor may stipulate the public records be provided on non-paper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. Notwithstanding the foregoing, such stipulation must be within the technological capabilities of the District.

I. A person or entity may subscribe to future issuances of public records that are created, issued, or disseminated on a regular basis. A subscription shall remain valid for up to six months, at the request of the subscriber, and shall be renewable.
policy

BOARD OF EDUCATION
DETOUR PUBLIC SCHOOLS COMMUNITY DISTRICT

J. If a requested public record may be obtained on the District's website or webpage, the FOIA Coordinator shall notify the requestor in writing of such availability and provide the direct internet address or link to obtain such public record. If, after receiving such written notification from the FOIA Coordinator, the requestor notifies the District that he or she continues to want the District to provide a copy of the available public record, in any format, the District shall process such request and may impose additional labor costs as specified within Article IV below.

Request Processing

1. When the District receives a written request for a public record, the FOIA Coordinator, or any other designee, shall, in not more than five (5) business days after the District receives the request, respond to the request by one of the following:

   A. Grant the request.

   B. Issue a written notice to the requestor denying the request.

   C. Grant the request in part and issue a written notice of the requestor denying the request in part.

   D. Issue a written notice extending, for not more than ten (10) business days, the period during which the District shall respond to the request.

2. Any failure to respond to a written request as provided for above constitutes the District's determination to deny the request.

3. Any written response denying a request for a public record, in whole or in part, is a final determination to deny the request or portion of that request. A denial response should contain the following:

   A. An explanation of the basis under the Act or other statute for the determination that a public record(s), or portion(s) thereof, is exempt from disclosure, if that is the reason for denying all or part of a request.
policy

BOARD OF EDUCATION
DETOUR PUBLIC SCHOOLS COMMUNITY DISTRICT

B. A statement that the public record(s) do not exist under the name/description given by the requestor or by another name reasonably known to the District.

C. A description of a public record(s) or information on a public record that is separated or deleted if such separation or deletion is made.

D. A full explanation of the requestor’s right to either file an appeal with the Superintendent or designee or seek judicial review of the denial pursuant to Section 10 of the Act (MCL 15.240).

E. Notice that a requestor may receive attorneys’ fees and damages pursuant to the Act if the Court determines that the District has not compiled with Section 5 (MCL 12.235) of the Act and orders disclosure of all or a portion of a public record.

Deposits and Fees

In accordance with Section 4 (MCL 15.234) of the Act, the School District may charge fees for the necessary copying of a public record for inspection or for providing a copy provided it has established and made publicly available, and follows procedures and guidelines to implement the subsection. Fees shall be limited to actual mailing costs, and to the actual incremental cost of duplication or publication including labor, the cost of search, examination, review and the deletion and separation of exempt from nonexempt information. Specific exclusions will be made as provided in subsection 4(2)(a) of the Act (the first $20 of the fee is waived for recipient of public assistance and/or if indigent.)

In its response to a requestor, the District may require a good-faith deposit if the estimated fees for providing the response exceed $50.00.

Procedures and Guidelines for Implementation

The School District shall establish procedures and guidelines for implementation of this policy related to the processing of requests, responses, deposit requirements, fee calculations and appeals.

M.C.L.A 15.231 et. seq.
ASSESSMENT OF DISTRICT GOALS

One of the major functions of the Board is to work with the Superintendent to establish the goals by which the District may accomplish its mission and to provide the resources necessary for their accomplishment. Because of the importance the Board places on accomplishing goals, it has established the following policy for effective assessment of the District’s progress toward their realization.

In conjunction with its annual evaluation of the Superintendent, the Board shall also provide time for both the Board and the administration to assess the progress of the District, during the previous year, and toward the achievement of District goals. Both the Superintendent’s evaluation and the assessment of goals shall take place at a time of the year when the following conditions are most favorable to assure this policy operates as intended, but not later than the date established for setting the Superintendent’s performance goals or the District’s goals for the upcoming year, whichever comes first.

A. Adequate and reliable data on results-to-date of each District goal is available so assessment and evaluation can focus on how well the District is accomplishing its goals.

B. Evaluations or progress assessments of the District’s learning programs as well as evaluations of key administrators and other staff have been completed so such data is available for reference by the Superintendent and Board during the assessment of District goals and the evaluation of the Superintendent.

C. The Board uses this assessment/evaluation time period to assess the effectiveness of the Board.

D. Summaries and synthesized data, compiled from the evaluation of the Superintendent, the Board’s self-assessment, and the evaluation data on programs and staff, is available to serve as reference information when determining the reasons for progress and/or lack of progress toward accomplishment of District goals.

The assessment/evaluation of the Board, Superintendent, staff, programs, and resources may not be considered finished until District goals, strategies and actions being used to accomplish them have been reviewed.
POLICY AND PROCEDURE DISSEMINATION

The Superintendent shall ensure Board policies, administrative regulations, procedures and/or guidelines are maintained and available for public access. The Superintendent shall provide timely communication of revisions or additions to Board policy, administrative regulations, procedures or guidelines, and will provide training and education to ensure understanding and compliance as needed and appropriate.

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
The Board of Education shall have discretion to establish and maintain group health plans for the benefit of eligible employees. The definition of group health plans as used in this policy may include, but is not limited to, major medical, prescription drug, dental and/or vision plans. These group health plans may provide certain health benefit plans to employees as permitted by law.
Administrator Responsibilities for Student Supervision and Welfare

Administrators shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities and are expected to establish and maintain professional staff/student boundaries that are consistent with their legal, professional and ethical duty of care for students.

The School District shall maintain and enforce the following standards:

A. Each administrator shall report immediately any accident, safety hazard, or other potentially harmful condition or situation s/he detects.

B. Each administrator shall immediately report any knowledge of threats or violence by students.

C. An administrator shall not send students on any personal errands.

D. An administrator shall not associate or fraternize with students at any time in a manner that may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity that could be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol or tobacco. Any sexual or other inappropriate conduct with a student by any administrator will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.

E. If a student approaches an administrator to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the administrator may attempt to assist the student by facilitating contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student’s stated problem. However, under no circumstances should an administrator attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student’s problem or behavior, nor should such administrator inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
F. An administrator shall not transport students in a private vehicle without the approval of the Superintendent or his/her designee.

G. A student shall not be required to perform work or services that may be detrimental to his/her health.

H. Administrators shall only engage in electronic communication with students via email, texting, social media and/or online networking media, when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the principal.

I. Administrators are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, unless written parent consent or School District publicity release form is completed. Such transmission has been made as part of a pre-approved curricular matter or co-curricular/extracurricular event or activity such as a school-sponsored publication or production.

Since most information concerning a child in school, other than directory information described in the student records policy is confidential under Federal and State laws, any administrator who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 1252 regarding student abuse and neglect, each administrator shall report to the proper legal authorities, immediately, any sign of suspected child abuse or neglect.

See Board Policy 1252 – Student Abuse & Neglect

M.C.L. 722.621 et seq.
policy
policy

BOARD OF EDUCATION
DETROIT PUBLIC SCHOOLS COMMUNITY DISTRICT

SUPERINTENDENT

The Superintendent shall be the chief executive officer of the School District and shall have, under the direction of the Board, general supervision and authority over all of the schools and personnel of the District. The Superintendent is responsible for the management of the schools under Board policies and is accountable to the Board.

The Superintendent, at his/her discretion, may delegate to other school personnel the exercise of any powers and the discharge of any duties imposed upon the Superintendent by these policies or by vote of the Board. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action taken under such delegation.

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
Whenever it becomes necessary to discipline an Administrator, the Superintendent shall utilize the following principles and procedures. The Board, or its designee, shall utilize the following principles and procedures if the Superintendent is the subject of the disciplinary action.

The Superintendent/Board shall conduct an investigation of any alleged act or omission by an Administrator that could result in disciplinary action. The Administrator shall be provided with oral or written notice of the issue or incident being investigated.

The investigation shall include, at a minimum, interviews of appropriate persons and a meeting with the subject Administrator to allow the Administrator an opportunity to respond to the complaint. Prior notice of this meeting shall be provided to the Administrator for any discipline that may result in a suspension or loss of pay.

After completion of the investigation, if discipline is to be imposed, the Administrator shall receive written notice of the discipline and this notice shall also be placed in the Administrator’s file.

Discipline may include, but is not limited to:

A. verbal warning;
B. written warning;
C. written reprimand;
D. suspension (paid or unpaid);
E. discharge;
F. financial penalty in accordance with Michigan law.
The District does not have to apply discipline in a progressive manner, but, rather, may impose discipline consistent with seriousness of the Administrator’s conduct, as determined by the District. Additionally, nothing in this policy limits the District’s right to take other appropriate action, such as placing an Administrator on administrative leave during the pendency of an investigation or issuing a counseling memorandum, which is considered instructional, not disciplinary.

The Superintendent’s decision to impose any disciplinary action that is not subject to Board review is final.

Discharge, demotion or non-renewal of an Administrator may only be imposed by the Board in adherence with the requirements of the Revised School Code.
NON-RENEWAL OF ADMINISTRATIVE CONTRACTS

If the Board of Education determines to consider non-renewal of the contract of an administrator, either the Board or the Superintendent shall notify the administrator in writing of:

A. the reasons for possible non-renewal, which shall not be arbitrary or capricious; and

B. the right to meet with a majority of the Board, in open or closed session, to discuss the decision prior to the vote on non-renewal.

Such notice must be delivered to the administrator at least thirty (30) days prior to the date that the Board will vote on the issue of non-renewal together with a written statement of the reason the Board is considering non-renewal.

The vote on non-renewal must occur:

A. At a meeting which shall be open to the public or a closed session as the affected person elects under section 8 of the open meetings act, 1976 PA 267, MCL 15.268; and

B. After notice of consideration of non-renewal (with statement of reason) is issued but before written notice of non-renewal decision is issued.

Written notice of the non-renewal decision must be provided to the administrator at least seven (7) days prior to the termination date of the administrator's contract.

If the Board fails to allow for a meeting, or if the non-renewal is for arbitrary or capricious reasons as determined by a court, then the contract is renewed for one additional year.

1976 PA 267 (MCL 15.261 et seq.,)  
M.C.L. 15.268  
M.C.L. 380.1229
PARENT, STUDENT AND COMMUNITY ADVISORY COMMITTEES

The Board recognizes that the District benefits from parent, student and community participation on advisory committees to help build strong relationships, shape understanding and provide an additional avenue for input and feedback on the operations and improvement of the District. The Superintendent is given the authority to engage parents, students, community members, and staff to serve on committees, task forces, work groups, etc. for purposes of advising the work of the District.

The Superintendent shall develop guidelines and procedures defining the various committees and groups, their purpose, membership, scope of authority, operating procedures, and a well-publicized process by which parents, students, community members, and/or staff can apply to serve. For each advisory committee, the Superintendent will inform the Board at least annually its purpose, proposed membership and the nature of their advisory responsibility, as well as provide progress reports as appropriate.

In support of the District’s parent, student, and community advisory efforts, the superintendent shall establish School Advisory Council (SACs) in each District school to serve in an advisory capacity to the school principal and to assist in the preparation, implementation, monitoring, and evaluation of the school improvement plan.

Each SAC will consist of the following: one (1) principal, one (1) Detroit Federation of Teacher Union Representative, one (1) Parent Teacher Association President, three (3) teachers at the school, two (2) school support staff at the school, three (3) students at the school, four (4) parents whose children currently attend the school, one (1) alumni, and three (3) business and/or faith-based partners. The majority of the SAC shall be non-school and District employees. Individuals must be nominated and selected by the majority of their peers. SACs shall not assume any of the powers or duties now reserved by Michigan law for the Board, the principal, or other administrative or instructional staff. SACs and its members shall operate consistent with relevant, applicable Board policies, including fundraising and volunteer policies.

Absent the Superintendent’s reauthorization or formal discharge, advisory committees established under this policy shall expire and cease operations on June 30 of the calendar year following their creation or reauthorization.
TERMINATION AND RESIGNATION

TERMINATION

An employment contract may be suspended or terminated, upon a majority vote of the Board of Education. In such cases, the Board shall abide by due process and such terms as may be set forth in a negotiated, collectively-bargained agreement, the Teacher Tenure Act or the individual contract, as applicable.

Employees and those under contract to work regularly and continuously in the schools, whether part-time or full-time, may not continue employment with the Board if a criminal history records check or other authoritative source reveals a conviction of a "listed" offense under M.C.L. 28.722.

Individuals convicted of a felony other than a listed offense may not continue to work unless both the Superintendent and the Board give written approval. Such conviction(s) may subject professional staff to discharge or demotion of a teacher on continuing tenure. The State Board of Education will be notified of the report of conviction(s) as required by law.

RESIGNATION

A professional staff member may resign in accordance with the terms of the negotiated, collectively-bargained agreement or his/her employment contract.

An administrator may resign by filing a written resignation with the Superintendent at least thirty (30) days prior to the effective date of the resignation. A resignation, once accepted, may not then be rescinded.

The Superintendent may act for the Board in the acceptance of a resignation.

M.C.L. 28.722, 38.74, 380.1230 et seq., 380.1535a

Approved: 00/00/00
policy

PROFESSIONAL STAFF EVALUATIONS

The Board of Education, through the powers derived from the Revised School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, the Board with involvement of professional staff, shall adopt and implement a rigorous, transparent, and fair performance evaluation system in accordance with State law that accomplishes all of the following:

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

   Teachers rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, at the District's discretion.

B. Establishes clear approaches to measuring student growth;

C. Evaluates an employee's job performance, using rating categories of highly effective, effective, minimally effective and ineffective, which take into account student growth and assessment data. For the 2015 - 2016, 2016 - 2017 and the 2017 - 2018 school year twenty-five percent (25%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018 - 2019 school year, forty percent (40%) of the annual year-end evaluation shall be based on student growth and assessment data.
For these purposes, teacher performance shall be measured by the following:

1. The portion of a teacher's annual year-end evaluation that is not based on student growth and assessment data shall be based primarily on a teacher's performance as measured by the evaluation instrument developed or adopted by the District.

2. Beginning with the 2018 - 2019 school year, for core content areas in grades and subjects in which state assessments are administered, fifty (50) percent of student growth must be measured using the state assessments, and the portion of student growth not measured using state assessments must be measured using multiple research-based growth measures or alternative assessments that are rigorous and comparable across schools within the District. Student growth also may be measured by student learning objectives or nationally normed or locally adopted assessments that are aligned to state standards, or based on achievement of individualized education program goals.

3. If there are student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent three (3) consecutive-school-year period. If there are not student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.
policy

BOARD OF EDUCATION
DETROIT PUBLIC SCHOOLS COMMUNITY DISTRICT

PROFESSIONAL STAFF

3220/page 3 of 7

11

4. The portion of a teacher's evaluation that is not measured using student growth and assessment data or using the evaluation tool developed or adopted by the District shall incorporate criteria enumerated in section M.C.L. 380.1248(1)(b)(i) to (iii) that are not otherwise evaluated under the tool. (See Policy 3131.)

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

1. the effectiveness of employees, so that they are given ample opportunities for improvement

2. promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development

3. whether to grant tenure or full certification, or both, to employees, using rigorous standards and streamlined, transparent, and fair procedures

4. removing ineffective tenured and untenured employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

12

5. to evaluate job performance for employees hired after the accountability system required by MCL 380.380 has been implemented.

13
E. provides a mid-year progress report for every teacher who is in the first year of probation or has received a rating of minimally effective or ineffective on the most recent annual year-end evaluation

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

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

F. includes classroom observations in accordance with the following:

1. must include review of the lesson plan, State curriculum standards being taught and student engagement in the lesson
2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) year-end evaluations
3. observations need not be for an entire class period
4. at least one (1) observation must be unscheduled;
5. the school administrator responsible for the teacher's performance evaluation shall conduct at least one (1) of the observations;

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

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

G. For the purposes of conducting annual year-end evaluations under the performance evaluation system, in 2017-18, the District will adopt and implement one (1) or more of the evaluation tools for teachers that are included on the list established and maintained by the Michigan Department of Education ("MDE"). However, if the District has one (1) or more local evaluation tools for professional tools or modifications of an evaluation tool on the list, and the District complies with H., below, the District may conduct annual year-end evaluations for administrators using one (1) or more local evaluation tools or modifications. The evaluation tools shall be used consistently among the schools operated by the District so that all similarly situated school administrators are evaluated using the same measures.

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

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

1. The research base for the evaluation framework, instrument, and process or, if the District adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.

2. The identity and qualifications of the author or authors or, if the District adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.

3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the District adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability,
validity, or efficacy of the evaluation tool or the evaluation process.

4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.

5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.

6. A description of the plan for providing evaluators and observers with training.

I. Training:

1. The District will provide training to teachers on the evaluation tool(s) used by the District in its performance evaluation system and how each evaluation tool is used. This training may be provided by a District or by a consortium consisting of the District, the intermediate school District or a public school academy.

2. The District will ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the District, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The District may provide the training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

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

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

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

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

M.C.L. 380.1249 (as amended)
MCL 380.1250
TENURE

Professional staff members covered by the Michigan Teachers’ Tenure Act shall acquire tenure in accordance with the Michigan Teacher’s Tenure Act (M.C.L. 38.71 et. seq.).

In accordance with the time periods specified in the Act, the Superintendent shall make recommendations to the Board regarding whether probationary employees covered by the Act should be permitted to acquire tenure. These recommendations shall be acted upon by the Board.

Administrators shall not be entitled to acquire tenure in administrative positions.

M.C.L. 38.71 et seq.A.C. Rule R390.661

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
CONFLICT OF INTEREST – GENERAL COUNSEL, ADVISORS, OR CONSULTANTS

A person serving as the General Counsel to the School District or otherwise acting as an advisor or consultant to the Board of Education, who believes or has reason to believe that he/she has a conflict of interest with regard to a contract or other financial transaction that requires the approval of the Board shall disclose the conflict of interest to the Board before the vote on the contract or other financial transaction.

Such a person is presumed to have conflict of interest if the person or his/her family member has financial interest, or a competing financial interest in the contract or other financial transaction under consideration by the Board.

"Family member" means a person’s spouse or spouse’s sibling or child; a person’s sibling or sibling’s spouse or child; a person’s child or child’s spouse; or a person’s parent or parent’s spouse; and includes these relationships as created by adoption or marriage.

Having a child in the District does not alone constitute a conflict of interest or financial interest in a contract or other financial transaction of the School District.

M.C.L. 380.1203

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00
WEB CONTENT, SERVICES AND APPLICATIONS

The Board of Education authorizes staff members and students to create web content, services and applications that will be hosted by the Board on its servers or District-affiliated servers and published on the Internet. For purposes of this policy, an application is defined as a self-contained program or piece of software that enables the user to perform a specific task. The web content, services and applications must comply with State and Federal law (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 (COPPAA)), and reflect the professional image/brand of the District, its employees, and students. Web content, series and applications must be consistent with the Board’s Mission Statement and staff-created web content, services and applications are subject to prior review and approval of the Superintendent or his/her designee before being published on the Internet and/or utilized with students. Student-created web content, services and applications are subject to Policy 5722 - School-Sponsored Student Publications and Productions. The creation of web content, services and applications by students must be done under the supervision of a professional staff member.

The purpose of such websites is to educate, inform, and communicate. The following criteria should be used to guide the development of such websites:

A. Content provided in the website 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.

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

C. Content may provide an avenue to communicate with the community.

The information contained on the website should reflect and support the Board’s mission, vision, core values, and priorities.

When the content includes a photograph or information relating to a student, the Board will abide by the provisions of the District’s Student Records policy.
All links included on the pages must also meet the above criteria and comply with State and Federal law (e.g. copyright laws, Children’s Internet Protection Act, ADA, SOPPA Children’s Online Privacy Protection Act (COPPA)). Nothing in this paragraph shall prevent the District from linking the Board’s web site to (1) recognized news/media outlets (e.g., local newspapers’ web sites, local television stations’ web sites) or (2) to web sites that are developed and hosted by outside commercial vendors pursuant to a contract with the Board.

Under no circumstances is a website 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 pages contained on the District’s web site 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 web site of another organization if the other web site 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.

Pages should reflect an understanding that both internal and external audiences will be viewing the information.

School websites must be located on Board-affiliated servers.

The Superintendent shall prepare administrative guidelines defining the standards permissible for web-site use.

The Board retains all proprietary rights related to the design of websites and/or pages that are hosted on the Board’s servers, absent written agreement to the contrary.

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.

Prior written parental permission is necessary for a student to be identified by name on the Board’s website.

**Instructional Use of Web Services and Applications**
The Board authorizes the use of web services and/or applications to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

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

The Board further requires the use of a Board-issued e-mail address in the login process.

Approved: 00/00/00
Revised & Adopted: 00/00/00
Reviewed: 00/00/00
Revised & Adopted: 00/00/00