

The goals of the personnel policies set forth in this policy and rule section are to create the best possible educational climate for the students of the district. To this end, these personnel policies are designed to prevent misunderstanding by district personnel about their duties and privileges. In order to further develop a climate of trust and understanding, the board earnestly seeks the involvement of all personnel in the development of policies affecting their positions.

The board recognizes its obligation under the Public Employee Relations Act and all negotiated master contracts. The policies contained in this section are not intended to supersede any negotiated provision found in any master contract or to circumvent the board's obligation to bargain under the Public Employee Relations Act.

For those employees who may not be covered by a specific agreement with the board, administrative regulations in regard to personnel shall be consistent with and compatible to the personnel policies and regulations stipulated in the various agreements and other policies adopted by the board in this section.

Approved: December 16, 1991

Revised: October 16, 2000

5020 Equal Employment Opportunity

5020

The board shall be an equal opportunity employer. The objective of the board is to attract and retain individuals qualified and/or trainable for the positions in the system by virtue of job-related standards of education, training, experience, and personal qualifications.

The superintendent is responsible for ensuring compliance and continued implementation of this policy.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII; Executive Order 11246, 1986 as amended by Executive Order 11375; Equal Employment Opportunity Act of 1972, Title VII; Education Amendments of 1972, Title IX (P.L.92.318); 45CFR, Parts 81,86 (Federal Register June 4, 1975, August 11, 1975); Michigan Civil Rights Act, P.A. 453 or 1976, Section 101 through 211; Michigan Compiled Laws, 37.1101-37.1303 (Handicapper Civil Rights Act); Section 110.23 of the Age Discrimination Act of 1975.

5030 Non-Discrimination

5030

The board shall not discriminate in its policies and practices with respect to terms or conditions of employment because of such individual's race, color, religion, sex, age, national origin, height, weight, marital status, political belief, disability, or legally bonafide handicap.

The superintendent shall have in place all appropriate procedures relative to the Americans with Disabilities Act. This statement of non-discrimination shall be published and disseminated to all students, parents, employees, applicants and the general public in a manner determined by the superintendent.

Employment Access

A qualified employee is an individual who, with or without reasonable accommodation, can perform the essential functions of his/her job. It is the responsibility of the employee to inform the building principal that an accommodation is needed to perform the essential job functions or to receive equal benefits and privileges of employment. Medical documentation of the disability from a qualified professional must be presented to the building principal upon request.

Filing A Complaint

Any employee who feels that he or she has been denied a reasonable accommodation or been discriminated against because of his/her disability is encouraged to report the incidents(s) and/or pursue recourse through established district procedures.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: Civil Rights Act of 1964, Section 100.4(a & b), as amended, 1972, Title VI, Title VII. Executive Order 11246, 1965, as amended by Executive Order 11375. Equal Employment Opportunity Act of 1972, Title IX 45CFR, Parts 81.86, Sections 106.4 and 106.8(a). (Federal Register, June 4, 1975, August 11, 1975). Act No.453 of the Public Acts of 1976 (Michigan Civil Rights Act). Section 504 of the Rehabilitation Act of 1973, Subparts 104.5 and 104.7(a); MCL37.2402; Title II of the Americans with Disabilities Act, P.L. 101-336 of 1990, Section 35.130; Age Discrimination Act of 1975, Section 110.23

5050 Sexual Harassment and Intimidation

5050

It is the policy of this district to maintain a working environment that is free from sexual harassment. No staff member of this district shall be subjected to any form of sexual harassment or intimidation.

It shall be a violation of this policy for any board member, employee, or student to harass any member of the district staff through conduct or communications of a sexual nature as defined in this policy.

Each administrator shall be responsible for promoting understanding and acceptance of, and assuring compliance with, state and federal laws, and board policy and procedures governing sexual harassment within his/her building or office.

Definition

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment; or
- b. submission to or rejection of such conduct by a board member or employee is used as the basis for decisions affecting the employee; or
- c. such conduct has the purpose or effect of unreasonably interfering with an employee's performance or creating a hostile work environment.

Sexual harassment, may include, but is not limited to, the following;

- verbal harassment or abuse;
- pressure for sexual activity;
- repeated remarks with sexual or demeaning implications;
- unwelcome touching;

- sexual jokes, posters, cartoons, etc.;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning employee's safety or job;
- in addition, any form of retaliation against the complainant or witness is in itself a form of sexual harassment.

Notification

Notice of this policy will be periodically circulated to all school buildings and departments within the district, and incorporated in teacher, student and parent handbooks. All new hires of the district will be required to review and sign off on this policy and its related complaint procedure.

Approved: May 16, 1994

Revised: October 16, 2000

LEGAL REF: MCL37.2101 *et seq.*, MCL380.11a; Title IX of the Education Amendments of 1972.

5070 Federal Program Administration

5070

Federally funded programs are a vital and necessary adjunct to the educational program of the district's schools.

Federally Funded Programs

The board shall ensure that the district's federally funded programs operate in accordance with federal laws and conditions. The superintendent is responsible for administering the district's federally funded programs; assessing the educational needs of all students, particularly the needs of educationally deprived children, developing appropriate communication channels between all parties, developing in-service training for parents and staff, and developing appropriate evaluation procedures.

Approved: December 16, 1991

Revised: October 16, 2000

5170 Recruitment

5170

The superintendent shall have the authority to establish a procedure for the recruitment of well-qualified personnel to staff the schools. The superintendent may request building principals or other staff members to assist in this effort.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: Civil Rights Act of 1964, as amended, 1972, Title VI, Title VII. Executive Order 11246, 1965, as amended by Executive Order 11375. Equal Employment Opportunity Act of 1972, Title VII. Education Amendments of 1972, Title IX 45CFR, Parts 81, 86, Section 106.8(a), (Federal Register, June 4, 1975, August 11, 1975). Act No. 453 of the Public Acts of 1976 (Michigan Civil Rights Act). Section 504 of the Rehabilitation Act of 1973, Subpart 104.7(a); MCL 37.2402; Americans with Disabilities Act, P.L. 101-336

5175 Criminal History and Background Checks

5175

Criminal History Checks

Upon an offer of initial employment by the board, all persons shall have undergone a criminal history check. A staff person may be hired prior to the results of a criminal history check following the guidelines in current law.

Only those persons who have been offered a position or contract by the board and/or superintendent must undergo a criminal history check, not all applicants.

Background Checks

Upon an offer of initial employment by the board, all persons shall have undergone an unprofessional conduct background check.

Each applicant must provide a written authorization for an unprofessional conduct check authorizing the applicant's current or former employer(s) to disclose to the district any unprofessional conduct by the applicant and make available copies of all documents relating to the unprofessional conduct. Furthermore, the written authorization shall release the applicant's current or former employer(s) from any liability for providing information to the district.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL380.1230;380.1260;380.1539a(6)

5180 Staff Development Opportunities

5180

The board supports the concept of staff development and to this end, may authorize funding for various activities in its budget.

Staff development opportunities shall follow any guidelines found in the current negotiated master contract(s).

In-service Education

The superintendent, in consultation with various groups of the district's staff, shall develop programs of in-service education which will promote the continuous development, improvement and on-the-job performance of its staff.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1254

5190 Staff Conduct

5190

All staff members have the responsibility to make themselves familiar with, and abide by, the laws of the state of Michigan as they affect their work, the policies of the board, the administrative regulations designed to implement them, and applicable federal law. All staff members shall be expected to carry out their assigned duties, support and enforce board policies and administrative regulations, submit required reports, protect district property, oversight of students and contribute to the education and development of the district's students.

The superintendent shall establish administrative procedures relative to corrective discipline and such procedures shall be made available to all personnel and shall be on file at each district building.

The superintendent and building principals shall assume the major responsibility for interpreting this policy.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1300; Drug Free Schools and Communities Act, 1989 (P.L. 101-226)

5200 Staff Complaints

5200

The board recognizes the need to provide for the orderly resolution of disagreements or complaints arising out of alleged misapplication of a board policy. Such disagreements or complaints should be resolved at the lowest possible administrative level.

The superintendent shall assure the procedures may be utilized without fear of reprisal.

The procedure established for resolution of grievances in the master contracts negotiated with recognized employee organizations shall apply only to grievances as defined by the particular agreement.

This policy covers any item not covered by a negotiated master contract or subject to negotiations under the Public Employee Relations Act and does not apply to any complaints based upon alleged discriminatory practices.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1300

5203 Use of District Equipment, Supplies and Materials (CF 9260)

5203

Permission must be gained from the appropriate building principal or immediate supervisor before any district equipment, supplies or materials may be removed from school grounds.

The building principal or immediate supervisor may authorize staff members to utilize district-owned equipment, supplies and materials to develop software and associated documents outside of their work assignment, provided the development of the software is in the best interests of the district. Staff using district equipment, supplies, materials and software shall be in compliance with all copyright laws. Staff members authorized to use district equipment assigned to them for use off school grounds (such as, but not limited to, laptop computers, cellular telephones, printers or the like) shall assume responsibility for said equipment. Unless specifically authorized otherwise, all such equipment issued to teachers or administrators shall be returned to the district at the end of their annual work year.

In no case shall employees be authorized to borrow, remove or utilize district equipment, materials or supplies in connection with any outside employment or any other personal interest. Violations of this policy will result in disciplinary action up to and including discharge and/or the filing of criminal charges.

Recognized bargaining units may use district equipment as provided for in the current negotiated master contract.

Approved: October 16, 2000

LEGAL REF: MCL 19.141; MCL 750.362

5220 Staff-Student Relations

5220

All district employees are expected to maintain relationships with members of the student body which are conducive to an effective educational environment. All district employees are responsible for the regulation of student conduct.

Threats to Students

Any district employee who threatens to inflict, inflicts, or causes to be inflicted, deliberate physical and psychological pain by any means to any student, shall be subject to disciplinary action.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL 380.1312

5225 Private Tutorials and Music Lessons

5225

It is the policy of the board that members of the professional staff shall fulfill the responsibilities of their assignment prior to involving themselves in private tutorials or music lessons with district students. However, if a teacher employed by the board is approached by a student or a parent and is asked to enter into a “for fee” agreement for academic tutoring or music lessons, the teacher may conduct the lessons or tutorials in accordance with the following guidelines:

- The lessons or tutorials must relate to areas of instruction that are consistent with the mission of the Bellevue Community Schools and shall be approved in advance by the superintendent;
- The lessons or tutorials shall not be conducted during school hours;
- If the lessons or tutorials take place within a district building, the teacher shall obtain written permission from the building principal; and
- The teacher shall not actively solicit other students for lessons or tutorials.

Approved:

Revised: October 16, 2000

5230 Conflict of Interest

5230

District employees shall not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with the duties and responsibilities carried out as related to the Bellevue Community Schools.

- District employees shall not engage in any business transaction where the source of information concerning customer, client or employer originates from the information obtained through the school system.
- District employees shall not participate for financial remuneration in activities where their position as related to the school is used to sell goods or services to students or their parents.
- District employees who have patented or copyrighted any device, publication, or other item shall not receive royalties for use of such items in the district's schools.

Any alleged violations of this conflict of interest policy shall be reported to the superintendent. The superintendent shall make an initial investigation to determine whether said policy has been violated.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1300

5250 Staff-Community Relations

5250

Participation in Community Activities

Staff members are encouraged to become involved in community activities and organizations, insofar as these activities do not infringe upon school time.

Approved: December 16, 1991

Revised: October 16, 2000

5260 Political Activities

5260

Staff members who intend to become candidates for political office should notify the superintendent within five days of the date on which the declaration of candidacy is filed to discuss the compatibility of the office regarding continued employment with the district.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1300; 15.403

5270 Solicitations

5270

All persons seeking to sell, solicit or display an item relating directly to expenditures of district funds to any school employee on school premises must first secure permission from the building principal or superintendent before any appointment is made.

All such appointments approved by the superintendent or building principal shall be held before or after regular school hours. All other solicitations of or by district employees are prohibited except where expressly approved by the superintendent.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1300

Gifts by District Employees

District employees are discouraged from giving gifts to any student or class of students when such gifts arise out of a school situation, class or school-sponsored activity unless approved by the superintendent.

Gifts to District Employees

District employees are prohibited from receiving gifts from vendors, salesmen or other such representatives.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1300

5290 Personnel Records

5290

A personnel file shall be maintained by the district for each employee. Personnel files kept by the district concerning employees shall be considered confidential, kept in a secured location, and be under the custodianship of the appropriate district or building supervisor. Personnel files of employees who have left the district shall be similarly kept, but in an inactive file. Requests for access to information contained in personnel files shall be processed in accordance with current law.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 423.501-512; 15.231 *et seq.*

5310 Staff Health and Safety

5310

The board shall attempt to ensure staff health, safety, and protection during working hours.

The board shall comply with the provisions of the federal and Michigan Occupational Safety and Health Act as they apply regarding the employee's right to know of hazardous conditions or materials. The superintendent shall develop appropriate procedures for informing staff.

Provisions relating to this policy may be found in a current copy of the negotiated master contract.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1300

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

The superintendent shall implement administrative guidelines which will:

- A. Identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. Provide for inoculation of the Hepatitis B vaccine at no cost to the staff member, if requested;
- C. Ensure training in the universal precautions against exposure and/or contamination, including the provision of protective supplies and equipment;
- D. Establish procedures for the reporting, evaluation, and follow-up to any known incidents of exposure;
- E. Develop an exposure control plan.

Approved:

Revised: October 16, 2000

5345 Staff Smoking and Tobacco Products

5345

The use of tobacco products by district employees in school buildings, in school vehicles and school grounds is prohibited at all times.

District employees shall not use tobacco products when they are supervising student activities either off or on school property.

Approved: December 16, 1991

Revised: September 20, 1993

Revised: March 8, 2000

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261;380.1268, AG Opinion #5336; 750.473

5350 Drug-Free Workplace

5350

The use, distribution, dispensing and/or manufacturing of controlled substances, as defined by state and federal law, by district employees on district grounds, in district buildings and/or in connection with any district activity, is prohibited.

Any district employee who violates the above policy may be subject to disciplinary action, up to and including termination of employment. In addition, the employee may be required to satisfactorily participate in a drug assistance or rehabilitation program approved by the board.

Any district employee who has been found guilty of violating a criminal drug statute in the workplace shall notify the superintendent within five days after a conviction relating to the drug offense.

The superintendent shall notify the appropriate federal agency within ten days after receiving notice of a workplace related drug conviction on the part of the employee.

The superintendent shall develop a drug-free awareness program for district employees. District employees who request assistance for drug counseling and/or rehabilitation shall direct their request to the superintendent. Annually, the board shall allocate funds to support the drug-free awareness program.

The superintendent shall include in the district's employee in-service program a drug-free awareness program which shall include the following information:

- a. the dangers of drug abuse in the workplace;
- b. the employer's policy of maintaining a drug-free workplace;
- c. available drug counseling, rehabilitation and employee assistance programs; and

d. the penalties the board may inflict upon employees for drug abuse violations.

In developing the in-service program, the superintendent may utilize the services and assistance of the district's insurance carrier, local or county health departments, local or regional medical health center or other substance abuse agencies in the immediate area.

This policy shall be published annually in the district's faculty and staff handbooks.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: U.S. House Resolution 5210, Anti-Substance Abuse Act, 1988

5355 Medical Examinations

5355

The board may require any current employee to submit to a physical and/or psychological examination which shall certify to his/her fitness to continue his/her employment with the district. Physical and/or psychological examinations requested by the board shall be made by a physician designated by the board without cost to the employee. Each employee shall have the option of securing such examination(s) from another physician at the employee's own expense.

Approved: December 16, 1991

Revised: October 16, 2000

General Provisions

In accord with the Family and Medical Leave Act (Act) the Board of Education shall provide up to twelve (12) work weeks of unpaid leave to all eligible staff during any 12 month period for one or more of the following reasons:

1. The birth or care of a child.
2. The adoption or foster care of a child.
3. The care of a spouse, son, daughter, or parent if such individual has a serious health condition.
4. A serious health condition of the staff member which disables employee from performing the functions of his or her position.

Definitions

A *serious health condition* may be an illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential medical facility or requires continuing treatment by a health-care provider.

Eligible staff means an employee who has been employed by the district for at least 12 months and who has worked at least 1250 hours during the previous 12-month period. The Department of Labor regulations state that full-time teachers are deemed to meet the 1250 hours.

Intermittent Leave

Intermittent or reduced schedule leave may occur in the event of a birth or adoption with superintendent approval. Intermittent or reduced-schedule (half days) leave will be approved when medically necessary to care for a spouse, child, or parent

who has a serious health condition, or if the staff member has a serious health condition. In both cases the taking of such leave results in the total reduction of the 12 weeks only by the amount of leave actually taken.

The superintendent may require instructional staff requesting intermittent or reduced-schedule leave for family or personal illness to elect to take the leave in a block (not intermittently) for the entire period or to transfer to an available alternative position within the district that is equivalent in pay, for which the employee is qualified, and which better accommodates the intermittent situation when the:

1. leave is foreseeable based on planned medical treatment; and
2. leave constitutes 20% of the total number of working days in the period during which the leave extends.

Serious Health Condition

If a leave is necessitated by the serious health condition of the staff member or his or her family member, and is foreseeable based on planned medical treatment, the staff member shall, whenever possible, provide the superintendent with 30 day's notice and shall schedule the treatment so as not to disrupt the regular operation of the district.

The board may require that all accrued paid vacation, medical, sick, or personal leave be used to substitute for the family leave described in this policy. In cases in which the district has employed both husband and wife, the total amount of family leave is 12 weeks for the couple, except when the leave is for personal illness and illness of a spouse or child.

Serious Health Condition Medical Verification: Family Members

In the case of a serious health condition of a family member, the superintendent will obtain medical certification from the physician of the family member, including:

1. The date the serious health condition began.
2. The probable duration.
3. Appropriate medical facts regarding the condition.
4. A statement that the staff member is needed to care for a family member.
5. An estimate of the amount of time needed for such care.

Serious Health Condition: Staff Members

Whenever the leave is necessitated by the staff member's own health condition, a statement from his or her physician will be required which states that the staff member is unable to perform the functions of the position. Any leave or return from leave during the last 5 weeks of an academic term shall be reviewed individually by the superintendent to ensure minimal disruption to the student's program.

Second Medical Opinions

The board reserves the right to obtain, at its expense, the opinion of a second health-care provider and, in the event of conflict, the opinion of a third health-care provider (jointly designated by employer and employee) whose decision shall be binding and final. Upon return to work the staff member shall provide the district with a statement from his or her physician certifying that staff member is able to resume responsibilities for his or her position with or without reasonable accommodations.

Returning From Leave

At the end of any leave described in this policy, the board shall restore the staff member to his or her former position or to one that is equivalent in responsibility and compensation.

Should the staff member elect not to return to work at the end of the leave for

reasons other than the continuation, recurrence, or onset of the health condition that gave rise to the leave or for circumstances beyond the control of the staff member, the staff member shall reimburse the district for the health insurance premiums paid by the district during the leave period.

The board is not required by the Act to restore the position of any staff member whose salary is among the highest 10% of those paid by the board when it deems that such staff member's absence from the district will create a substantial disruption to district operations.

Insurance Coverage

During a family leave, the board shall maintain the staff member's current coverage under the district's health insurance program, but the staff member shall not accrue any sick leave, vacation, or other benefits during the leave period, unless provided by Collective Bargaining Agreement or other contractual agreement.

Implementation

The superintendent shall prepare administrative guidelines which are appropriate and necessary to implement this policy.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1230; 380.1539(b)

5370 Communicable Diseases - Employees

5370

Whenever an employee has been diagnosed by a physician as having a communicable disease, such employee should report the diagnosis and nature of the disease to the superintendent. An employee afflicted with a communicable disease dangerous to the public health may be required to withdraw from active employment for the duration of the illness in order to give maximum health protection to other district employees and to students. All district employees shall maintain the confidentiality of afflicted persons insofar as the health and safety of other persons in the district are not compromised and in compliance with state and federal laws.

The employee shall be allowed to return to his duties upon termination or remission of the communicable illness, as authorized by a physician.

The board reserves the right to require a written statement from the employee's physician indicating that the employee is free from all symptoms of a communicable disease.

Communicable disease as defined in this policy shall refer to any infectious or contagious disease as determined by the State Department of Health and Environment or the United States Centers for Disease Control.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL333.5131; 353.5111; Family Educational Rights and Privacy Act of 1974

5400 Professional Staff Contracts

5400

The employment of teachers shall be secured through written contracts according to their status as a probationary or tenured teacher.

The superintendent is authorized to sign teacher contracts on behalf of the board. All provisions of individual contracts shall be in compliance with the negotiated master agreement.

Compensation and Benefits

The current negotiated master contract provides details relative to employee's fringe benefits.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.132; 380.247; 380.471; 380.1224; 380.1231-1232; 380.1255

Teacher Selection

The board has the legal responsibility of approving the employment of all teaching personnel. While this responsibility cannot be waived, the board delegates to the superintendent the authority to recruit staff members. In carrying out this responsibility, the superintendent shall involve appropriate administrative and/or non-certified staff members as needed.

Approved: December 16, 1991

Revised: October 16, 2000

5430 Professional Staff Assignment and Transfer

5430

The assignment, transfer, and promotion of personnel may be limited by the negotiated master contract with an employee group.

The board grants to the superintendent authority to assign and/or transfer teaching personnel subject to the conditions found in the negotiated master contract.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5500 Tenure

5500

Teachers shall be placed in tenure after satisfactory completion of their probationary period and upon recommendation of the administration. Probation and tenure status shall be in accordance with current law.

Non-Classroom Teacher

Continuing tenure will not be granted to any annual assignment of extra duty for extra pay or other position except to the extent required by law.

Administrative Tenure

Administrators or teachers employed in assignments other than that of classroom teacher, shall be employed without continuing tenure in their other position, but will retain continuing tenure status in their teaching position. The superintendent is responsible for seeing that appropriate stipulations to this effect shall be provided in all contracts of employment executed by the board with such employee.

Administration of Tenure

Provisions for evaluation of administrators and teachers is a priority of the board. The superintendent is responsible for developing procedures for meeting these priorities in agreement with any negotiated master contract.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL 38.71 *et seq.*

5520 Supervision

5520

The responsibility for the supervision of the teaching staff rests with each building principal.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.132

Any evaluation procedures found in the negotiated agreement shall be followed in the development, maintenance or change of the district's evaluation policy, rules, regulations or procedures.

Availability of Evaluation Documents

Board policy provides that the evaluation instrument shall be available to the superintendent, evaluating administrator, or supervisor under whose direct supervision the teacher will work and others authorized by law.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 38.71 *et seq.*; 15.268

5530 Professional Staff Promotions

5530

All promotions of certified staff members shall be made with due consideration given to provisions in the negotiated master contract regarding promotion of teachers. The superintendent is responsible for making recommendations to the board of candidates for vacant positions.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.132; 380.247; 380.346; 380.471

5540 Suspension and/or Dismissal of Professional Staff

5540

The board may discipline, dismiss or demote any probationary or tenured teacher upon recommendation by the superintendent in accordance with the Michigan Tenure Act and/or within the provisions of the current negotiated master contract.

The superintendent or building principal shall make written recommendations to the board concerning an employee on tenure or probation who, in his judgment, should be considered for dismissal.

The superintendent is authorized by the board to suspend from active duty a teacher against whom formal charges are anticipated being filed or have already been filed, until a decision is rendered or until the board acts to reinstate said teacher.

All procedures and provisions relative to teacher discipline found in the current negotiated master contract shall be followed.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 38.71-121; 380.132(3)(b)

5550 Separation

5550

The board recognizes that teachers will leave the district under various conditions. For this reason, the following conditions and guidelines are established:

Tenure Teacher

Termination of a tenure teacher will be consistent with the procedure established under current law.

Probationary Teacher

Termination of probationary teacher will be consistent with the procedures established under current law.

Voluntary Resignation

A teacher desiring to resign during the school year shall submit a letter of resignation to the superintendent in accordance with the provisions of the current negotiated master agreement. The superintendent is to accept this resignation and inform the board.

Approved: December 16, 1991

Revised: December 20, 1993

Revised: October 16, 2000

Resignation

Under current law, teachers may resign by giving written notice to the board at least 60 days prior to September 1 of the ensuing school year, unless other arrangements are mutually agreed upon.

In instances where an employee wishes to leave on shorter notice, the board may permit an earlier release on condition that satisfactory arrangements can be made for replacement. The board reserves unto itself the right to make the final decision on such requests.

Once a resignation is tendered to the board through its superintendent, and has been accepted by the superintendent, that resignation shall be considered final unless its withdrawal is approved by the board. The superintendent shall immediately accept the resignation in writing and shall, in the letter of acceptance, include a copy of the Michigan Teacher Tenure Act.

Any teacher discontinuing his service in any other manner shall forfeit rights to continuing tenure previously acquired, and such action shall become part of the personnel record of said teacher.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 38.71-121

5570 Working Conditions

5570

For the district to develop the educational environment to the best advantage, certain guidelines are necessary. Working condition guidelines can be located in the current copy of the negotiated master contract and may include such items as: preparation times, duty free lunch, substituting, open houses and other meetings, and other items as may be negotiated.

Time Schedules

Time schedules for professional staff shall be established by the building principals within the provisions of the negotiated master contract.

School Day

The school day shall be as determined in the negotiated master contract.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5580 Staff Meetings

5580

Staff meetings for certified staff shall be called by the administration. Staff are expected to attend all meetings except for emergency situations.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5640 Non-School Employment

5640

The board expects all regular employees to give the responsibilities of their position in the district precedence over any type of outside work.

The following types of work, although compensated, are not described as employment for the purposes of this policy: elective office, membership in National Guard, membership in Military Reserve.

The outside work done by a staff member is of concern to the board only insofar as it may:

1. Prevent the employee from performing his school responsibilities in an effective and timely manner.
2. Because of the employee's position in the district, give the employee access to information or other advantages which may be used in the interest of the outside employer. In such case, the employee shall not use such information nor advantages.
3. Adversely impact the district's public image.

An employee shall not perform any duties related to an outside job during his regular work hours nor during the additional time he spends to fulfill responsibilities of the position, nor shall an employee use any district facilities, equipment or material in performing outside work.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5650 Consulting

5650

Teaching employees may be excused by the superintendent to perform technical or instructional services as consultants to other districts, government agencies or private industry. Requests for approval to serve as a consultant shall be submitted in writing to the superintendent, who shall forward the same with a recommendation to the board for consideration.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380,1261; 380.1300

5700 Ethics

5700

A teacher, in the performance of his duties shall, recognize basic dignities of all individuals with whom he interacts in the performance of his duties;

Exercise due care to protect the mental and physical safety of students, colleagues and subordinates for whom he is responsible;

Be accountable for maintaining his integrity and shall avoid accepting anything of substantial value offered by another which is known to be or which may appear to be for the purpose of influencing his judgment or performance of his duties;

Accurately represent his qualifications;

Be responsible to present any subject matter in a fair and accurate manner.

Approved: December 16, 1991

Revised: October 16, 2000

5710 Compensation Guides and Contracts: Non-certified Staff

5710

Non-certified employees shall be paid according to pay rates established by the negotiated master contract or working agreement.

No public funds will be authorized by the board in the form of wages or salary for any school employee to sponsor any religious activity. No public funds will be authorized by the board to pay any expenses of any student or school employee to attend any religious activity or conference.

Non-certified personnel shall not receive a continuing contract from the board.

Approved: December 16, 1991

Revised: October 16, 2000

5720 Positions

5720

The board will authorize the employment of non-certified employees as the needs of the district dictate and upon recommendation of the superintendent.

Approved: December 16, 1991

Revised: October 16, 2000

5730 Qualifications and Duties

5730

A job description for each classification of non-certified employees shall be developed by the district's administration in cooperation with the district's employees. Job descriptions shall not be included in these policies/rules but will be filed and published in the appropriate handbook.

Approved: December 16, 1991

Revised: October 16, 2000

5740 Recruitment

5740

The superintendent will recruit non-certified personnel to fill existing or proposed vacancies and recommend that the board hire the best qualified person available.

In recruitment or filling vacancies there shall be compliance with the provisions of the current negotiated master contract or working agreement.

Approved: December 16, 1991

Revised: October 16, 2000

5750 Part-Time and Substitute Non-Certified Staff

5750

The superintendent is authorized to employ part-time and/or substitute non-certified personnel under the provisions of the current negotiated master contract(s) or working agreements.

The superintendent shall be responsible to establish procedures for arranging substitutes in case of non-certified absences.

Salary for support staff substitutes shall be according to rates established annually by the board upon recommendation of the superintendent or as may be provided in the current negotiated master contract(s) or working agreements.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5760 Assignment and Transfer

5760

The superintendent and authorized administrative personnel are authorized to assign, reassign or transfer all non-certified employees.

All reassignments and transfers shall be made in complete adherence to the provisions of the current negotiated master contract or working agreements.

Approved: December 16, 1991

Revised: October 16, 2000

5770 Non-Certified Staff Orientation

5770

The superintendent and administrative staff shall provide for the orientation of non-certified employees. Such orientation shall not only include the specific job assignment, but also a general orientation to the district, its function, the importance of the individual and his job to the total district operation, and the basic premise that all employees, regardless of their positions, contribute to the education of children, and that his contribution is the justification for their employment.

Approved: December 16, 1991

Revised: October 16, 2000

5780 Non-Certified Staff Probation

5780

All non-certified staff shall be considered to be on probation during the first 60 working days of employment. The superintendent shall provide for adequate supervision and evaluation of the employee prior to the end of said period. If a person other than the superintendent performs the evaluation, he shall make a recommendation to the superintendent as to the continued employment of the probationary staff member.

Employees assigned to a new or different position shall be considered to be on probation in said position for the first 60 working days of assignment or as provided for in their master contract.

Approved: December 16, 1991

Revised: December 20, 1993

Revised: October 16, 2000

LEGAL REF: MCL, 380.132; 380.247; 380.346

5790 Supervision

5790

The superintendent has the responsibility to supervise all non-certified employees not directly under the supervision of a building principal.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.132; 380.247; 380.346

5800 Evaluation of Non-Certified Staff

5800

Evaluation shall be based on the achievement of results specified in the employee's position description and on specific goals and objectives.

Employees shall be evaluated at least once during the probationary period with a report submitted to the superintendent at least two weeks prior to the end of the probationary period with a recommendation as to continued employment.

Support staff employees shall be evaluated at least annually after serving the probationary period regardless of whether the employee is new to the district or serving in a new position within the district.

The process of evaluation shall be developed cooperatively by the administrative staff and each of the support staff employee groups and shall comply in all respects with provisions in the negotiated master contracts or working agreements applicable to each employee group.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 15.268

5830 Suspension and Dismissal of Non-Certified Staff

5830

The board, upon recommendation of the superintendent, may suspend, discipline or dismiss non-certified staff. Prior to taking action, the board shall give the employee an opportunity to meet with the board to present his side of the issue. The meeting shall be open or closed at the request of the employee.

The superintendent is authorized to suspend non-certified staff with or without pay pending final determination by the board.

In suspending, disciplining or dismissing non-certified personnel, the board and administrative staff shall adhere to any relevant provisions in the negotiated master contract or working agreement with the employee's collective bargaining unit.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5840 Resignation of Non-Certified Staff

5840

Any non-certified staff member desiring to resign from his position with the district shall submit a written resignation to the superintendent at least ten working days prior to the effective date of the resignation.

The superintendent is authorized to accept resignations of support staff personnel on behalf of the board and they become final upon his acceptance. The superintendent shall present all resignations to the board for information.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5850 Reduction on Non-Certified Staff

5850

Whenever provisions for reduction of non-certified staff are included in the current negotiated master contract or working agreement with an employee group, it shall be followed.

When reduction in staff is necessary for employees where provisions are not covered in contracts, the administration shall make recommendations which in its judgment will be beneficial to the district. Though length of service may be considered as a criterion for making such recommendations, it shall not be the sole determining factor considered.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261; 380.1300

5860 Working Conditions

5860

The board will make every effort to establish and maintain adequate working conditions.

Time Schedules

The board delegates to the superintendent the authority to develop time schedules for all non-certified employees, subject to approval by the board. All schedules shall be in compliance with the current negotiated master contract or working agreement.

Work Load

Work load assignments for non-certified personnel, i.e., clerical, aides, maintenance, custodial, food service and transportation, shall be made by the superintendent after careful deliberation and evaluation of personnel positions as well as restrictions of limitations that may be found in the current negotiated master contract or working agreement.

Approved: December 16, 1991

Revised: October 16, 2000

5870 Non-School Employment

5870

Non-certified employees shall not be excused during their regularly assigned time schedule to perform outside work. Non-certified employees shall engage in no outside employment which, by nature or duration, will impair the effectiveness of their assigned duties, reflect detrimentally on the district, involve any conflict of interest or require the use of any district facility or equipment.

Approved: December 16, 1991

Revised: October 16, 2000

LEGAL REF: MCL, 380.1261

