

Book	Policy Manual
Section	Pending Board Approval
Title	STUDENT SUPERVISION AND WELFARE
Code	po1613
Status	
Adopted	June 8, 2011

1613 - **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 Superintendent shall maintain and enforce the following standards:

- A. Each administrator shall report immediately to the Superintendent any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- B. Each administrator shall immediately report to the Superintendent 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.
- 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, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc.,~~ when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with ~~prior approval of the principal~~ **district approved platforms.**
- 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, ~~such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc.,~~ unless 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 in accordance with Policy 5722.

Since most information concerning a child in school, other than directory information described in Policy 8330, 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 8462, each administrator shall report to the proper legal authorities, immediately, any sign of suspected child abuse or neglect.

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M.C.L. 722.621 et seq., 750.520b, 750.520c, 750.520d, 750.520e

Book	Policy Manual
Section	Pending Board Approval
Title	STUDENT SUPERVISION AND WELFARE
Code	po3213
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3213 - **STUDENT SUPERVISION AND WELFARE**

Professional staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the professional staff member. It is the intent of the Board of Education to direct the preparation of guidelines that would minimize that possibility.

The Superintendent shall maintain and enforce the following standards:

- A. Each professional staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A professional staff member should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. A professional staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- D. Each professional staff member shall immediately report to the principal any accident or safety hazard s/he detects.
- E. Each professional staff member shall immediately report to the principal any knowledge of threats of violence by students.
- F. A professional staff member shall not send students on any personal errands.
- G. A professional staff member shall not associate or fraternize with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which 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 staff member will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.

This provision should not be construed as precluding a professional staff member from associating with students in private for legitimate or proper reasons. However, dating, romantic and/or sexual relationships with students, regardless of their age and regardless of consent are absolutely prohibited, unless the staff member and student are legally married.

- H. If a student approaches a staff member 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, the staff member 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 problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- I. A professional staff member shall not transport students in a private vehicle without the approval of the principal.

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

K. Staff members shall only engage in electronic communication with students ~~via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc.,~~ when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with ~~prior approval of the principal~~ **district approved platforms.**

L. Staff members 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, ~~such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc.,~~ unless 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 in accordance with Policy 5722.

Most information concerning a child in school other than directory information described in Policy 8330, is confidential under Federal and State laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline 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 8462, each professional staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

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M.C.L. 722.621 et seq., 750.520b, 750.520c, 750.520d, 750.520e

Book	Policy Manual
Section	Pending Board Approval
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4213 - **STUDENT SUPERVISION AND WELFARE**

Support staff members may be confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the staff member.

The Superintendent shall maintain and enforce the following standards:

- A. Each support staff member shall report immediately to the principal any accident or safety hazard s/he detects.
- B. Each support staff member shall immediately report to the principal any knowledge of threats of violence by students.
- C. A support staff member shall not send students on any personal errands.
- D. A support staff member shall not associate or fraternize with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which 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 staff member will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.

This provision should not be construed as precluding a support staff member from associating with students in private for legitimate or proper reasons. However, dating, romantic and/or sexual relationships with students, regardless of their age and regardless of consent are absolutely prohibited, unless the staff member and student are legally married.

- E. A support staff member shall not transport students in a private vehicle without the approval of the principal.
- F. A student shall not be required to perform work or services that may be detrimental to his/her health.
- G. Staff members shall only engage in electronic communication with students ~~via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc.,~~ when such communication is directly related to curricular matters or co- curricular/extracurricular events or activities with ~~prior approval of the principal~~ **district approved platforms.**
- H. Staff members 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, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc.,~~ unless 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 in accordance with Policy 5722.

Most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

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Book	Policy Manual
Section	Pending Board Approval
Title	COMMITTEES
Code	po0155
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0155 - **COMMITTEES**

Committees of Board members shall perform the duties as assigned by the Board, which may include deliberating, making decision/recommendations or taking other actions specifically authorized by the Board.

All committees shall comply with the Open Meetings Act in accordance with the applicable requirements ~~set forth in 0160 Bylaws~~. A committee may meet in closed session to review the specific contents of an employment application provided when the applicant for employment requests that the information remains confidential. It may not, however, meet in closed session to protect an applicant's identity.

The President is authorized to appoint as soon after the organizational meeting as practicable, members of the Board to standing committees where they shall serve a term of one (1) year.

Ad hoc committees may be created and charged at any time by the President or a majority of the members present at any meeting at which the need for a committee becomes evident.

Members of ad hoc committees shall serve until the committee is discharged.

~~The Superintendent shall serve as an ex officio member of each committee.~~

~~Each Board committee shall be convened by a chairperson who shall report for the committee and shall be chosen by the committee from among its members.~~

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Book	Policy Manual
Section	Pending Board Approval
Title	CONFLICT OF INTEREST
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Adopted	September 12, 2001
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0144.3 - **CONFLICT OF INTEREST**

Board members shall perform their official duties in a manner free from conflict of interest. To this end:

- A. Board members shall not use their positions as Board members to benefit either themselves or any other individual or agency apart from the total interest of the School District;
- B. when Board members determine that the possibility of personal interest conflicts exist, they should, prior to the matter being considered, disclose their interest (such disclosure shall become a matter of record in the minutes of the Board), and thereafter shall abstain from participation in both the discussion of the matter and the vote thereon.
- C. A member of the Board is presumed to have a conflict of interest if the member or his/her family member has a financial interest, or a competing financial interest, in the contract or other financial transaction or is an employee of the School District.

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.

"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.

1. A Board member is not considered to have a financial interest in any of the following instances:

a. A contract or other financial transaction between the School District and any of the following:

1. A corporation in which the individual is a stockholder owning 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
2. A corporation in which a trust, if the individual is a beneficiary under the trust, owns 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owns stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
3. A professional limited liability company organized pursuant to the Michigan limited liability company act, if the individual is an employee but not a member of the company.

b. A contract or other financial transaction between the School District and any of the following:

1. A corporation in which the individual is not a director, officer, or employee.
2. A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.
3. A corporation or firm that has an indebtedness owed to the individual.

- c. A contract between the School District and the intermediate school district.
 - d. A contract awarded to the lowest qualified bidder, upon receipt of sealed bids pursuant to a published notice for bids if the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This does not apply to any amendments or renegotiations of a contract or to additional payments under the contract that were not authorized by the contract at the time of award.
2. If the financial interest pertains to a proposed contract with the District, the following requirements must be met:
- a. Board members shall disclose financial interests in the contract to the Board with such disclosures made a part of the official Board minutes. If their financial interests amount to \$250 or more or five percent (5%) or more of the contract cost to the District, Board members shall make the disclosure in one of two (2) ways:
 1. In writing, to the Board president (or if the member is the Board president, to the Board secretary) at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. ~~(See Bylaw 0165.)~~
 2. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. Board members must use this method of disclosure if their financial interest amounts to \$5000 or more.
 - b. The contract must be approved by a vote of not less than two-thirds (2/3) of the full Board without the vote of the Board members with the pecuniary interests.

However, if a majority of the members of the Board are required to abstain from voting on a contract or other financial transaction due to a financial interest, then for the purposes of that contract or other financial transaction, the members who are not required to abstain constitute a quorum of the board and only a majority of those members eligible to vote is required for approval of the contract or financial transaction.
 - c. The official minutes of the Board disclose the name of each party involved in the contract, the nature of the financial interest, and the terms of the contract including the duration, financial consideration between the parties, facilities or services of the District included in the contract, and the nature and degree of assignment of District staff needed to fulfill the contract.
 - d. A Board member with a conflict of interest in a contract may not participate in the discussion of nor vote on the contract.
3. Board members shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds. A Board member may, however, accept a gift of unsolicited items of "nominal value" from a contractor or party to subcontracts that do not involve Federal grant funds. For purposes of this section, "nominal value" means that the gift has a monetary value of \$73 or less, as established in M.C.L. 380.634. The Michigan Department of Education (MDE) adjusts the limits on the value of gifts that may be accepted from vendors or potential vendors for Intermediate School District employees.

Board members must disclose any potential conflict of interest which may lead to a violation of this policy to the full Board.

- D. A Board member may be appointed to serve as a volunteer coach or supervisor of a student extra-curricular activity if all of the following conditions are present:
1. the Board member receives no compensation for service as a volunteer coach or supervisor;
 2. the Board member abstains from voting on issues before the Board concerning the program during the period of time s/he serves as a volunteer coach or supervisor;
 3. there is no other qualified applicant available to fill a vacant position; and

4. the appointing authority has received the results of a criminal history check and criminal records check from the Michigan State Police or the Federal Bureau of Investigation for the Board member.

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M.C.L. 15.183, 15.323, 380.1203

See also, Policy 6420, Conflict of Interest - Legal Counsel, Advisors, Consultants.