Book	Policy Manual
Section	Vol. 40, No. 2 - February 2026 MI
Title	Vol. 40, No. 2 - February 2026 OVERVIEW
Code	01 - OVERVIEW
Status	From Neola

MICHIGAN LOCAL UPDATE OVERVIEW AND COMMENTS

VOLUME 40 NUMBER 2

FEBRUARY 2026

All production-related materials and questions should be directed to the Production Office at 632 Main Street, Coshocton, Ohio 43812 (phone: 800-407-5815 or 740-622-5341, e-mail: production@neola.com). Billing questions should be directed to the Stow Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone: 330-926-0514, e-mail: accounts@neola.com).

Please do not retype Neola materials before returning them for processing. We prefer to have the original materials returned after you have marked them indicating which changes and additions you choose to have/not have for your District. If a District chooses not to adopt a policy or an administrative guideline, the District is still obligated to follow applicable Federal and State laws relating to that section.

The proposed new, revised, and replacement policies, administrative guidelines, and forms included in this update have been thoughtfully prepared and reviewed by Neola's legal counsel for statutory compliance. If you make changes or substitute in its entirety policies or other materials of your own drafting, those materials should be reviewed by your legal counsel to verify compliance. Neola does not review District-specific edits to update materials or District-specific policies for statutory compliance.

If a policy or guideline is marked as a revision, the changes have been marked in bold/green font (to add material) and crossed out/red font (to delete material). As you review a revised policy or guideline, you may choose to accept one (1), many, or all of the changes provided. If a policy or guideline is marked as a replacement, that means there have been enough changes made that justify a complete, clean replacement copy. As you review a replacement policy or guideline, you should also check the materials you have in your current policy or guideline to see if there is some District/other specific wording you want to be included in the replacement policy. If so, any wording from the current policy should be added using "Track Changes" in the BoardDocs platform in the replacement policy or guideline before returning it electronically to the Production Office for processing.

If the District alters language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute District-specific edits.

Policies that are to be removed from the policy manual require Board action to rescind the policy.

As the Update "season" gets underway, Neola offers some suggestions for accessing the comprehensive policy services through your Neola Associate. While "in-person" consultation sessions are the preferred method for Neola Update "visits", the means by which you and your Neola associate accomplish this review should be mutually determined based on availability and level of comfort with the consultation process. Overall, health and safety are the primary concerns. Your Neola associate will be in contact with you soon to discuss these options with you and to schedule an appointment to review this update and ensure you are current on this and previous updates. Please consider the following options:

A. schedule an appointment date/time to review the update materials during an in-person conference;

B. schedule/reschedule update or drafting visits for a later time;

C. schedule an appointment date/time to review the update materials via a virtual meeting such as Google Meet or other electronic options; or

D. schedule an appointment date/time to review the update materials in a telephone conference.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Processing Update Materials

If you will be making changes to these Update documents electronically, use the "Track Changes" editing tool in the BoardDocs platform to mark the Neola materials indicating which of the proposed revisions and additions you choose to include or not include for your District, or to make additional edits, before returning them electronically for processing. Be sure to leave the "track changes" and marked-up version as the one you submit to the Production office in Coshocton, Ohio.

District-Specific Material

If the District chooses during any step of the Update process to incorporate District-specific material into a new policy or guideline that has been proposed, or to insert District-specific material into a current policy or guideline for which revisions have been proposed in an update issued by Neola, then the District agrees to hold Neola harmless for those District-specific edits and acknowledges that Neola's warranty for legal challenges to that District-specific language in that policy or guideline will not be in effect. In addition, Neola retains ownership of the text from the original policy template that remains in a policy to which District-specific material has been added. District-specific materials include the following:

A. materials from the District's existing materials that the District requests be incorporated during the drafting process;

B. new materials that the District develops in their entirety and exclusive of Neola; and

C. revisions or deletions that substantively depart from Neola's templates.

Further, Neola does not recommend the use or incorporation of District-specific materials. Neola will, at the request of the District, incorporate District-specific materials into the licensed materials, with the implicit understanding that the District bears all risks associated with the District's decision to request that such District-specific materials be incorporated. Neola reserves the right, but is not obligated, to advise the District to seek its own legal review of District-specific materials.

FY 2025-26 Thresholds for Competitive Bids, Value of Awards, and Gifts

The Michigan Department of Education ("MDE") provides updated information on statutory requirements that determine thresholds for competitive bids and value of awards and gifts. The fiscal year 2025 -26 base for M.C.L. 380.623a, M.C.L. 380.1267, and M.C.L. 380.1274 is $31,321 (pertaining to school building construction, addition, renovation, or repair and procurement of supplies, materials, and equipment). There are changes to the limits on the value of awards given by an ISD to an employee, volunteer, or pupil, as well as the value above which an ISD administrator may not accept a gift from a vendor or potential vendor. The fiscal year 2025-26 upper limit (M.C.L. 380.634) for awards is $180 and the cap for gifts is $79. Thresholds and caps included in MDE's Memo #089-25 are effective as of October 2, 2025, and are in effect until the next MDE communication revises them.

Section 620(1) of the Revised School Code (MCL 380.620(1)) establishes a base above which travel expenses paid with intermediate school district (ISD) funds must be posted to the ISD website. For fiscal year 2026, the base amount for travel increases to $5,128.

Notice Regarding Legal Accuracy

Neola is vigilant in providing policy language to clients that has been vetted for legal accuracy by outside legal counsel. Should questions arise as to the legal compliance or accuracy of Neola's materials, it is our expectation that Neola's counsel would have the opportunity to assist in the resolution of such a claim. Please notify the Neola corporate office if an issue arises in which such a review or assistance is necessary.

Policies in this update have been reviewed by Varnum, LLP (Grand Rapids, MI) for consistency with Federal and State law.

REMINDERS

A. The Minimum Wage in Michigan for the entire State of Michigan is expected to increase due to legislation passed in February 2025. Starting January 1, 2026, the minimum wage is at $13.73 per hour. Additional increases are scheduled for 2027 and beyond, with future adjustments tied to inflation.

B. The Internal Revenue Service ("IRS") issued Notice IR-2025-128 (December 29, 2025), which provides the 2026 mileage rate at seventy-two and 1/2 cents ($0.725) per mile for business travel.

C. The U.S. Department of Labor maintains regulatory authority over state and local government employers, including public school districts. Note that the following Federal laws have poster requirements which apply to school districts (no Federal or Federally-assisted contracts or subcontracts):

1. The Equal Employment Opportunity Commission ("EEOC")

2. The Employee Polygraph Protection Act ("EPPA")

3. Employee Rights under the Fair Labor Standards Act ("FLSA/ Minimum Wage")

4. Employee Rights and Responsibilities under the Family and Medical Leave Act ("FMLA")

5. Uniformed Services Employment and Reemployment Rights Act ("USERRA")

6. Job Safety and Health: It's the Law ("Occupational Safety and Health Act/OSHA")

7. Whistleblower Protections

In addition, certain organizations may be required to display posters that can only be obtained from DOL's Office of Workers' Compensation Programs ("OWCP"). More information on these posters is available. Links to all Federal employment posters are always available on the Poster Page, as are answers to frequently asked questions. Note that school districts with Federal or Federally-assisted contracts or subcontracts may have additional requirements.

LEGAL ALERTS

Included with this update are four (4) legal alerts. These include:

03 - Executive Order 14370 - Increasing Medical Marijuana and Cannabidiol Research

04 - Protected Classes Guidance Memo

05 - Preliminary Injunction Issued Following Sixth Circuit en banc decision in Parents Defending Education v. Olentangy Local School District Bd. of Educ., et al. (Case: 23-3630)

06 - Vaccination Requirements for Students

BYLAWS AND POLICIES

Bylaw 0100 - Definitions (Revised)

This bylaw has been revised to reflect the provisions of H.B.4141 (Public Act 2 - 2026) which prohibit students from using a wireless communications device on school grounds during instructional time. The definition of "wireless communications device (WCD)" was added to this bylaw and the definition of "personal communications device (PCD)" was modified to include WCDs.

Revisions to this bylaw should be adopted to maintain current and statutorily compliant policies.

Policy 1410 - Staff Ethics (New)

This new policy is provided at the request of clients in order to establish the overall expectation of ethical behavior of all district staff.

Specifically, the intent of Policy 1410 - Staff Ethics is to ensure an effective educational program by establishing high standards of integrity, ideals, and professional conduct for all administrators. The policy outlines key ethical responsibilities across five (5) areas: the profession itself, professional competence, relationships with students, engagement with the school community, and the responsible use of technology. Ultimately, this framework is designed to promote the well-being of students and the district community while upholding the highest levels of professional and ethical practice, including an explicit prohibition on inappropriate staff-student relationships.

This policy is consistent with Policy 3210 - Staff Ethics and Policy 4210 - Staff Ethics. This adoption should be considered in order to maintain consistent expectations for all employees.

Policy 2370.01 - Online/Blended Learning Program (Revised)

The policy establishes an Online/Blended Learning Program to offer eligible students the option of participating in courses that use online or distance education technology. Its primary purpose is to make instruction available to students in both traditional and nontraditional classroom settings, including courses where the student and teacher may be separated by time or location. Furthermore, the District is responsible for ensuring all eligible students and their parents or guardians are made aware of this program.

This policy has been revised to reflect the latest provisions in the School Aid Act regarding Online/Blended Learning Programs (Section 21f). The Act eliminated the provision for a district to provide online instruction for not more than fifteen (15) days per school year.

This revision should be adopted in order to reflect current provisions of state law.

Policy 2417 - Comprehensive School Health Education (Revised)

Policy 2417 provides a comprehensive health education program to help students become "health literate" and develop the knowledge and skills necessary to make healthy choices and avoid damaging behaviors. The Board must comply with state law by adopting and implementing a research- and evidence-based, medically accurate, and developmentally appropriate curriculum. This program is extensive, covering Pre-K through grade twelve with a goal of at least fifty (50) hours of instruction per grade, focusing on critical health behaviors, social-emotional skills, and utilizing a collaborative approach with families.

This policy has been revised to expand the program's scope by explicitly addressing self-efficacy, a broader range of social-emotional skills, and the use of valid and reliable health information, and also introduces mandates for safe, trauma-responsive, inclusive, and culturally responsive learning environments. Key additions include a new focus on incorporating personal safety skills and the prevention of child sexual abuse, alongside more detailed guidance for implementation, such as specific teacher endorsements and the provision for parental opt-out from sex education.

This revision should be adopted in order to reflect best practice and current provisions of state law.

Policy 2418 - Sex Education (Revised)

Policy 2418 is in accordance with Michigan statute which authorizes Boards of Education to provide elective instruction in sex education, covering topics such as human sexuality, consent, and the prevention of STIs. The policy requires the instruction to be medically accurate, developmentally appropriate, and stress abstinence as the only 100% effective prevention method. Furthermore, it mandates advance parental notification and the right for a student to be excused from the course without penalty or loss of academic credit.

The revised policy broadens the scope of instruction to include topics such as gender identity, sexual orientation, and consent education, while also structuring the curriculum into detailed content areas appropriate for specific grade spans (3-5, 6-8, 9-12). Additionally, the policy strengthens its position on abstinence, stating it is the only 100% effective protection, and includes new requirements for secondary-level teacher endorsements, aligning with the Michigan Health Education Standard Guidelines and the Elliott-Larsen Civil Rights Act.

This revision should be adopted in order to reflect best practice and current provisions of state law.

Policy 3120.09/4120.09 - Volunteers (Renumbered/Rescind)
Policy 8120.09 - Volunteers (Renumbered/Revised for Policies 3120.09/4120.09)

The purpose of the volunteer policies is to enhance District programs and activities by strategically utilizing community volunteers who possess helpful knowledge or skills, with the Superintendent responsible for their appropriate recruitment and placement. A critical component of the policy is ensuring student and staff safety by mandating criminal history and registry checks for all volunteers, especially those who work with or have access to students. Additionally, the policy requires the Superintendent to inform volunteers of their obligation to follow District policies and the understanding that the District provides liability coverage but no health insurance for injuries sustained during their service.

Policies 3120.09 and 4120.09 have both been deleted and replaced by one policy that has been placed in the 8000 series. Much of the content remains the same. The change to a different series recognizes that volunteers are not considered employees of the district, but rather function more to support general district operations. School districts should keep in mind that this policy governs unpaid volunteers. Teaching and nonteaching employees who receive supplemental contracts/stipends to supervise extracurricular activities are covered by other policies.

In the future, any revisions to the volunteer policy will be made in Policy 8120.09 only. As a result, the revisions to these policies are highly recommended.

Policy 4210 - Staff Ethics (NEW)

As described above in Policy 1410 - Staff Ethics, this new parallel policy is provided at the request of clients in order to establish the overall expectation of ethical behavior of all district staff. This policy is consistent with Policy 1410 - Staff Ethics and Policy 3210 - Staff Ethics.

This adoption should be considered in order to maintain consistent expectations for all employees.

Policy 5136 - Wireless Communications Devices (WCDs) (Replacement)

This replacement policy reflects the provisions of S.B. 495 (Public Act 1 - 2026) and H.B. 4141 (Public Act 2 - 2026) which were signed by Governor Whitmer on February 10, 2026. This legislation prohibits students from using a wireless communications device on school grounds during instructional time, allows for specific exemptions, and requires a protocol for when and how pupils are permitted to use wireless communications devices during an emergency be included in the District's emergency operations plan.

This replacement policy should be adopted in order to reflect current provisions of state law.

Policy 5336 - Diabetes (NEW)

The intent of this new policy is to provide clear guidance so that all diabetic students receive required, physician-ordered care at school, including blood glucose/ketone checks, insulin/glucagon administration, and oral medication. It allows trained staff to administer medication, permits authorized student self-care, and requires informing parents about potential Section 504 Plan eligibility. This new policy is offered in response to client requests for authorization for the use of glucagon and for more guidance regarding the care of students with diabetes.

This policy is highly recommended, but not required.

Policy 6320 - Purchasing (Revised)

The primary intent of Policy 6320 is to ensure all procurement of supplies, materials, equipment, and services using District funds complies with federal and state laws, encourages full and open competition, and is conducted with sound business judgment. It establishes a structured system for purchasing by setting various levels for procurement—from seeking informal price quotations to requiring formal competitive bids—and defining the specific financial thresholds at which Board involvement and approval are required.

This policy has been revised to include language specific to bidding requirements and processes. Additionally, the drafting note reflects current bidding thresholds issued each year by the Michigan Department of Education, as required by law.

This revised policy should be adopted to maintain accurate policies.

Policy 6325 - Procurement - Federal Grants/Funds (Revised)

The primary intent of Policy 6325 is to ensure that all procurement of supplies, materials, equipment, and services paid for with Federal funds or District matching funds complies with all applicable Federal, State, and local statutes and regulations, as well as the terms of the Federal grant. It mandates that procurement transactions must be conducted with full and open competition, sound business judgment, and includes requirements for a contract administration system that incorporates affirmative steps for various small and minority business enterprises.

This policy is revised to reflect revised threshold amounts for micro-purchases (not to exceed $15,000), small purchases (not to exceed $350,000), and price analysis requirement threshold ($350,000 effective October 1, 2025). Revisions to this policy should be adopted in order to be consistent with Federal regulations.

This revised policy should be adopted to maintain accurate policies.

Policy 7540.09 - Artificial Intelligence (AI) (Replacement)

Replacement Policy 7540.09 acknowledges the transformative potential of Artificial Intelligence (AI) in education and operations, emphasizing a balanced, people-centered approach that supports its responsible and innovative use to enhance, but not replace, human interaction and instruction. It establishes a framework for ethical use, transparency, and content responsibility, mandating that all AI-driven decisions require human review and that the District only approves the use of carefully vetted, Closed AI tools.

This replacement policy should be adopted as it provides all staff with clear direction on AI use, as well as provides the district with clear and current legal guidance. around AI use.

Policy 8402 - Emergency Operations Plan (Revised)

This policy has been revised to reflect the requirement in S.B. 495 (Public Act 1 - 2026) to include a protocol for when and how pupils are permitted to use wireless communications devices during an emergency.

Revisions to this policy should be adopted in order to reflect current provisions of state law.

Policy 8655 - Specialized Transportation for Students with IEPs (NEW)

The intent of this new policy is to ensure that students with an Individualized Education Program ("IEP") receive specialized transportation as a related service when it is necessary for them to access a Free Appropriate Public Education ("FAPE") in the Least Restrictive Environment ("LRE"). The IEP Team is responsible for determining the need for specialized transportation based on the student's individual needs, considering all options to keep the student with their peers, and without cost being a factor in the determination.

This new policy is recommended but not required for adoption.

ADMINISTRATIVE GUIDELINES

AG 2418 - Sex Education (Revised)

See note on Policy 2418.

AG 5136 - Wireless Communications Devices (WCDs) (Revised)

See note on Policy 5136.

FORMS

Form 3120.09 F1/4120.09 F1 (Renumber/Rescind)
Form 8120.09 F1 - Volunteer Release Form (Renumber)

This form replaces Form 3120.09 F1 and Form 4120.09 F1.

Form 5336 F1 (New)

See note on Policy 5336.

COMMENTS

Reviewing Board Minutes

A feature of your subscription to the Update Service is the review of your District's Board minutes to identify actions that result in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the District will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.

Book	Policy Manual
Section	Vol. 40, No. 2 - February 2026 MI
Title	Vol. 40, No. 2 - February 2026 Policy Disposition Sheet
Code	02 - Policy Disposition Sheet
Status	From Neola

DISPOSITION OF NEW/REVISED/REPLACEMENT
POLICIES FOR BOARD ADOPTION

Vol. 40, No. 2 - February 2026

Coding for District-Specific Edits
***1** = drafted by District staff
***2** = if the material was a work for hire, that is, material the District paid someone else to develop but from whom the District purchased the rights to publish
***3** = if the material is copyrighted to someone else from whom the District has secured permission to publish the material
(No code is needed for accepting Neola's vetted material)

Policy Number	Date Adopted	District-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po0100				
po1410 New				
po2370.01				
po2417				
po2418				
po3120.09 Renumber/Rescind				
po4120.09 Rescind				
po4210 New				
po5136 Replacement				
po5336 New				
po6320				
po6325				
po7540.09 Replacement				
po8120.09 Renumber/Revised				
po8402				
po8655 New				

Book	Policy Manual
Section	Vol. 40, No. 2 - February 2026 MI
Title	Executive Order 14370 - Increasing Medical Marijuana and Cannabidiol Research
Code	03 - Legal Alert
Status	From Neola

Legal Alert

To: Neola Clients

From: Neola Legal Counsel

Re: Executive Order 14370 - Increasing Medical Marijuana and Cannabidiol Research

Date: January 2026

Executive Order 14370 - Increasing Medical Marijuana and Cannabidiol Research

On December 18, 2025, President Trump signed Executive Order 14370 (the "EO"), titled "Increasing Medical Marijuana and Cannabidiol Research." The EO directs the Attorney General to **begin** the process of moving marijuana from its current listing on Schedule I to Schedule III of the Controlled Substances Act ("CSA").

The proposed switch from Schedule I to Schedule III will NOT make recreational marijuana "legal" at the federal level. As the title of the EO implies, rescheduling marijuana would facilitate easier and more widespread research for medical applications of marijuana and its derivatives. Substances listed on Schedule III of the CSA have recognized medical applications and can lawfully be prescribed by physicians, while substances listed on Schedules I and II cannot. The move would also allow some state-legal marijuana businesses to take advantage of business deductions previously unavailable. To be clear, the EO alone cannot effectuate a change of schedules – it merely directs the Attorney General to begin the official rulemaking process to amend the CSA.

While the President's EO may have created buzz around the topic of marijuana, nothing has changed that would impact the drug's current status in the school environment. All template policies remain current, with no changes warranted at this time.

This legal alert is intended as general information and not legal advice. No attorney-client relationship exists. If legal advice is required, obtain the services of an attorney.

Book	Policy Manual
Section	Vol. 40, No. 2 - February 2026 MI
Title	Protected Classes Guidance Memo
Code	04 - Legal Alert
Status	From Neola

Legal Alert

To: Neola Clients

From: Neola Legal Counsel

Re: Protected Classes Guidance Memo

Date: December 2025

Protected Classes Guidance Memo

We understand that categories of protected classes are a moving target, particularly on the Federal level. There are many Federal statutes that address discrimination and harassment, such as Title IX and Title VII, and there are definitions imposed by specific agencies, such as the USDA. It is, of course, imperative that districts and all covered entities comply with these laws. However, states are also permitted to enact laws, including those that cover discrimination and harassment. If those laws provide more protections, they are presumed to prevail over differing Federal law. Put another way, Michigan can provide protections to additional categories or classes of citizens, beyond those protected by Federal law. (Conversely, no state can provide fewer protections than Federal law.)

Why are we explaining this? Because the Elliott-Larsen Civil Rights Act ("the Act") expressly includes sexual orientation and gender identity or expression to the list of protected classes in the state of Michigan. Gender identity or expression is defined as having or being perceived as having a gender-related self-identity or expression, whether or not associated with the individual's assigned sex at birth. Sexual orientation means having an orientation for heterosexuality, homosexuality, or bi-sexuality or having a history of such an orientation or being identified with such an orientation.

The Act applies to employment, facilities accommodation, and the education of students. This means that in all aspects of district operations, a district is prohibited by Michigan law from discriminating based on sexual orientation and gender identity or expression, even if those classes are not protected under Federal law.

Current Neola policies already reference a prohibition against discrimination based on sex which is inclusive of sexual orientation and gender identity. These references are included to ensure compliance with Michigan law. Even if this language is removed from policy, as we understand some districts are inclined to do, that does not change the fact that a Michigan district may not discriminate against a person based on sexual orientation and gender identity or expression. The legal requirements remain even if not expressed in policy.

Disclaimer: This Alert is provided for informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Questions should be addressed to the school district's legal counsel for specific legal advice.

Book	Policy Manual
Section	Vol. 40, No. 2 - February 2026 MI
Title	Preliminary Injunction Issued Following Sixth Circuit En Banc Decision in Parents Defending Education v. Olentangy Local School District Bd. of Educ., et al. (Case: 23-3630)
Code	05 - Legal Alert
Status	From Neola

Legal Alert

To: Neola Clients

From: Neola Legal Counsel

Re: Preliminary Injunction Issued Following Sixth Circuit's *En Banc Decision in Parents Defending Education v. Olentangy Local School District Bd. of Educ.*, et al. (Case: 23-3630)

Date: February 2026

Preliminary Injunction Issued Following Sixth Circuit's *En Banc Decision in Parents Defending Education v. Olentangy Local School District Bd. of Educ.*, *et al.* (Case: 23-3630)

On November 6, 2025, the United States Court of Appeals for the Sixth Circuit issued a decision in *Parents Defending Education v. Olentangy Local School District Bd. of Educ., et al.* (Case: 23-3630), a case challenging the enforcement of certain Neola policies to discipline students for intentionally misgendering their transgender classmates. The full Sixth Circuit reversed the opinion of the Southern District of Ohio, which a three-judge circuit panel originally upheld, and remanded the case to the district court, directing it to grant Defending Education (f/k/a "Parents Defending Education") "an appropriately tailored preliminary injunction." See, *Parents Defending Education v. Olentangy Local School District Bd. of Educ., et al.,* Sixth Circuit Case: 23-3630, ECF No. 253-2 ("Decision") at P. 35.

When Defending Education originally sued the Olentangy Local School District Board of Education, it challenged the facial constitutionality of Olentangy's adopted versions of Neola template policies 5517 – Anti-Harassment and 5136 – Personal Communication Devices, as well as Olentangy's High School Student Handbook provisions on Use of Obscene or Discriminatory Language / Materials / Actions / Gestures and Hazing, Harassment, Intimidation, Bullying, and Sexual Harassment. On rehearing, however, Defending Education narrowed its requested relief to an "injunction that bars Olentangy from punishing students for misgendering other students, over one that bars Olentangy from enforcing the challenged policies in full or in part." *Supplemental en banc brief of Plaintiff-Appellant,* Sixth Circuit Case: 23-3630, ECF No. 134, at p. 16.

On January 27, 2026, the District Court for the Southern District of Ohio issued a preliminary injunction as instructed by the Sixth Circuit in its en banc ruling. As anticipated, the injunction does not dictate or require any line-by-line changes to the text of Neola's policies, but enjoins Olentangy's Board of Education from:

> *[T]aking any action to enforce the policies challenged by Plaintiff in this action (i.e., Policy 5517, Policy 5136, and the Code of Conduct) against Plaintiff's members or their children for referring to another student, in a commonplace way, using pronouns that are consistent with the other student's birth sex but inconsistent with that student's gender identity.*

Opinion & Order Granting Preliminary Injunction, at *3, S.D. Ohio Case No.: 2:23-cv-1595 (Jan. 27, 2026).

Emphasizing the need for public schools to "safeguard their students," the Opinion & Order further clarifies that:

> *It shall not be a violation of this Order for Defendants to enforce the anti-harassment policies challenged by Plaintiff in this action (i.e., Policy 5517, Policy 5136, and the Code of Conduct) to prevent the abuse of transgender students, just as they enforce those policies to prevent the abuse of all other students.*

Based on the preceding, school boards may lawfully discipline students pursuant to the specified policies in situations where their misgendering of transgender students rises to the level of unlawful harassment. Specifically, District Judge Marbley states that school districts remain empowered to "'bar abusive 'invective' that targets 'specific' students,' including 'transgender students,'…just as it can still discipline bullying in general."

The Opinion & Order concludes with Judge Marbley reminding "Plaintiffs members and their children [that while they] may refer to another student using certain pronouns that are consistent with that student's birth sex but inconsistent with that student's gender identity, they need not do so" and reiterating "the hope expressed by Judges Kethledge and Stranch [two of the Sixth Circuit Judges who participated in the *en banc* rehearing] that Plaintiff's members and their children may elect to show grace to their fellow students."

Based on the court's preliminary injunction, Neola does not intend to change the referenced template policies. If you have any questions concerning implementation of those policies in specific circumstances, you should consult with your board's local counsel.

This legal alert is intended as general information and not legal advice. No attorney-client relationship exists. If legal advice is required, obtain the services of an attorney.

Book	Policy Manual
Section	Vol. 40, No. 2 - February 2026 MI
Title	Vaccination Requirements for Students
Code	06 - Legal Alert
Status	From Neola

Legal Alert

To: Neola Clients

From: Neola Legal Counsel

Re: Vaccination Requirements for Students

Date: February 2026

In recent months, vaccinations have received a great deal of public attention, as have increases in diseases such as measles which have long been isolated or absent in the U.S. Just recently, on December 5th, 2025, the Advisory Committee on Immunization Practices for the U.S. Centers for Disease Control voted to revoke universal hepatitis B vaccinations for newborns, instead recommending individual decision-making in consultation with health care providers for mothers who test negative for the virus. Earlier in 2025, the Advisory Committee voted to recommend that COVID-19 vaccinations be given based on individual-based decision-making, rather than recommending universal vaccination.

Because of changes in vaccination requirements, experts are concerned that insurance carriers will restrict or eliminate coverage for certain vaccines, which might further impact the trend of declining vaccination rates in children and adults. These developments have prompted questions from school districts about legal requirements and response to outbreaks.

Overview of State Law

Under Michigan law, the Michigan Department of Health and Human Services prescribes the minimum percentage levels of immunization for children in a school. M.C.L. § 333.9209(2). Before November 1 of each year, the principal or administrator of each school shall deliver to state and local health departments, a list of the immunization status at the time of school entry of new students entering kindergarten and first grade. M.C.L. § 333.9209(1). Before February 1 of each year, the principal or administrator of each school shall update the list to show the additional immunizations received by each child since entering the school. These reports shall be made on the forms provided or approved by the department. M.C.L. § 333.9209(4).

Vaccines required by Michigan law

Unless an exception applies, the Michigan Department of Health and Human Services requires students to be immunized against the following diseases:

All Kindergartners and 4–6-Year-Old Transfer Students

1. Diphtheria, Tetanus, Pertussis (DTP, DTaP)- 4 doses, with 1 dose at or after 4 years of age;

2. Hepatitis B - 3 doses;
3. Measles, Mumps, Rubella (MMR) – 2 doses at or after 12 months of age;
4. Polio – 4 doses (or 3 doses if dose 3 was given at or after 4 years of age); and
5. Varicella (Chicken pox) – 2 doses at or after 12 months of age.

All 7th Graders and 7-18 Year-Old Transfer Students

In addition to the above vaccines, students entering 7th grade or higher must have:

1. Diphtheria, Tetanus, Pertussis (DTP, DTaP) – 4 doses or 3 doses if 1st given on or after 1 year of age;
2. Diphtheria, Tetanus, Pertussis (Tdap) – 1 dose at 11 years of age or older;
3. Meningococcal Conjugate (MenACWY) – 1 dose at 11 years of age or older.

A parent or guardian applying to have a child registered for the first time in a school must present to school officials, at the time of registration or not later than the first day of school, a certificate of immunization or statement of exemption from the immunization requirements prescribed by the department. M.C.L. § 333.9208(1). A parent having a child registered with only the minimum doses of a vaccine, but not all required doses, shall present an updated certificate of immunization within four (4) months after initial attendance showing the immunizations have been completed as prescribed by the department. M.C.L. §333.9208(2). A child who enters school in September and who has not completed the required immunizations and has not filed an exemption before February 1 shall be excluded from school attendance. A child who enters school at any other time of the school year and who has not completed the immunizations and has not filed an exemption within four (4) months after entrance shall be similarly excluded from school attendance. M.C.L. § 333.9208(4).

Vaccine Exemptions

Prior exposure to measles, mumps, rubella, hepatitis B, or varicella can serve as a basis for excluding a student from the general vaccination requirements for that disease if documented laboratory evidence of immunity is provided. Mich. Admin. Code R. 325.176(9).

A child is exempt from immunization requirements if a parent or guardian of the child presents a written statement to the administrator of the child's school to the effect that the requirements cannot be met because of religious convictions or other objection to immunization. M.C.L. § 333.9215(2). Parents and guardians choosing to decline vaccines must obtain a certified non-medical waiver from a local health department.

Students can receive a medical exemption from the state's vaccination mandate. A child is exempt from the requirements as to a specific immunization for any period of time as to which a physician certifies that a specific immunization is or may be detrimental to the child's health or is not appropriate. M.C.L. § 333.9215(1).

Responding to Outbreaks

It is worth noting that the number of parents choosing not to vaccinate their children has been growing in recent years. This includes immunization against the vaccines required by Michigan law and other less common diseases. According to the Michigan Department of Health and Human Services, the exemption rate for kindergarten, seventh grade, and new entrant students was nearly 6.2% for the 2024-2025 school year. This rate nearly doubled from the 2015 rate of 3.1%. Of this, 57.6% reported it was for philosophical reasons, 39.3% called it a religious decision, while 3.5% were for medical reasons. Coverage rates may vary drastically by county.

As vaccination rates drop, schools may begin to experience more outbreaks in their community. For example, measles (which was declared eliminated in the United States in 2000) is seeing its highest number of reported cases in decades. Michigan has also seen a 1790% increase in pertussis (whooping cough).

Some states have established laws confirming that exemptions are not recognized during an outbreak, epidemic, or emergency. Michigan has adopted a provision under Mich. Admin Code R. 325.175(4), which allows a local health officer to deny admission to a pupil lacking documentation of immunity or otherwise considered susceptible to a disease until such time as the health officer deems there to be no likely further risk of the disease spreading. Michigan has also adopted a provision that allows the local school district or governing body of a nonpublic school to require immunization as a condition for admission if the immunization level in any grade falls below the level necessary to guard against the spread of disease. M.C.L. § 333.9212.

Some Michigan school districts have adopted policies that declare an unvaccinated student could be excluded from school or placed in an isolated location during an outbreak of any disease listed under Michigan

Administrative Code Rule 325.176. Neola provides a template for this (PO 8450). It is recommended that districts seek legal advice regarding enforcement of these rules.

This legal alert is intended as general information and not legal advice. No attorney-client relationship exists. If legal advice is required, obtain the services of an attorney.

Book	Policy Manual
Section	Pending Board Approval
Title	DEFINITIONS
Code	po0100
Status	
Adopted	September 12, 2001
Last Revised	May 11, 2022

0100 - **DEFINITIONS**

The bylaws of the Board of Education of this District incorporate quotations from the laws and administrative code of the State of Michigan. Such quotations may be substantively altered only by appropriate legislative, judicial, or administrative action.

Whenever the following items are used in these bylaws and policies, and administrative guidelines, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Agreement

A collectively negotiated contract with a recognized bargaining unit.

Apps and Services

Apps and services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100) over a network, or client-server applications in which the user interface runs in a web browser. Apps and services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and services also are used to facilitate communication to, from and among and between, staff, students, and parents, Board members and/or other stakeholders and members of the community.

Board

The Board of Education.

Bylaw

Rule of the Board for its own governance.

Classified or Support Employee

An employee who provides support to the District's program and whose position does not require a professional certificate.

District

The School District.

Due Process

Procedural due process requires prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond.

Procedural due process may require consideration of statutorily mandated factors, right to counsel and/or confrontation or cross-examination of witnesses, depending upon the situation.

Family Member

"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. (See Bylaw 0144.3)

Full Board

Authorized number of voting members entitled to govern the District.

Majority vote: Majority of members lawfully serving on the Board (i.e. elected or appointed). Specifically, four (4) votes on a seven (7) member Board. Four (4) votes required regardless of number in attendance. Only "exception" is 2/3 vote mentioned on 0140, page eight (8), Section B number two (2), but that would also require four (4) votes. (See M.C.L. 380.1201)

Information Resources

The Board defines Information Resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, websites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

May

This word is used when an action by the Board or its designee is permitted but not required.

Meeting

Any gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body.

Parent

The natural or adoptive parents, or individuals with a valid power of attorney for the care and custody of the student for purposes other than educational placement. Parent refers to any individual appointed by the State or court as a legal guardian or custodian for the student. Both parents will have equal access to records and rights regarding the student's education absent a court order restricting such rights.

Personal Communication Devices

Personal communication devices ("PCDs") may include computers, laptops, tablets, e-readers, wireless communication devices ("WCDs"), cellular/mobile phones, smartphones, watches, glasses, and/or other web-enabled devices of any type.

Policy

A general, written statement by the governing Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board of Education. (See Bylaw 0170)

Principal

The educational leader and head administrator of one (1) or more District schools or programs, as designated by the Board of Education. The Principal must hold an appropriate school administrator certificate or permit. The Principal is responsible for the supervision of the school or program consistent with Board policy and directives of the Superintendent and may delegate responsibility to subordinates as appropriate.

Professional Staff Member

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the State.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

Secretary

The chief clerk of the Board of Education. (See Bylaw 0170)

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" also signifies a required action.)

Social Media

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication, including, but not limited to, text messaging, instant messaging, websites, web logs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook Messenger, Google Hangouts, X (f.k.a. Twitter), LinkedIn, YouTube, Flickr, Instagram, Pinterest, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts. Apps and web services shall not be considered social media unless they are listed on the District's website as District-approved social media platforms/sites.

Student

A person who is officially enrolled in a school or program of the District.

Superintendent

The chief executive officer of the School District. Responsible to supervise all programs and staff of the District and to implement Board policy and follow Board directives. Consistent with Board policies and directives, the Superintendent may delegate responsibility to subordinates as appropriate.

Technology Resources

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Treasurer

The chief financial officer of the District. (See Bylaw 0170)

Vice-President

The Vice-President of the Board of Education. (See Bylaw 0170)

Voting

A vote at a meeting of the Board of Education. Except to accommodate the absence of any member of the Board due to military duty, or for any other purpose permitted by law. Board members must be physically present to have their vote officially recorded in the Board minutes**.**

Wireless Communication Device ("WCD")

For the purposes of Policy/Administrative Guideline 5136 - Wireless Communication Devices (WCDs), a WCD is an electronic device capable of, but not limited to, text messaging, voice communication, entertainment, navigation, accessing the internet, sending and receiving photos and videos, or producing email. A WCD does not include a basic telephone, which is a device primarily used for voice calling that cannot support third-party applications, except those preinstalled, and does not support access to internet platforms via applications or web browsers.

Citations to Michigan Compiled Laws Annotated (M.C.L.) are shown as M.C.L. followed by the Section Number (e.g., M.C.L. 380.1438). Citations to the Michigan Administrative Code are prefaced A.C. Rule (e.g., A.C. Rule R380.221). Citations to the Federal Register are noted as F.R., to the Code of Federal Regulations as C.F.R., and to the United States Code as U.S.C.

Revised 8/15/07
Revised 4/10/19
Revised 6/24/20

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Book	Policy Manual
Section	Pending Policy Committee Review
Title	New STAFF ETHICS
Code	po1410
Status	

New Policy - Vol. 40, No. 2

1410 - **STAFF ETHICS**

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Education expects all administrators to maintain high standards in their working relationships, and in the performance of their professional duties, to:

A. **Responsibility to the Profession**

1. demonstrate responsibility for oneself as an ethical professional;
2. acknowledge, address, and attempt to resolve ethical issues in an appropriate manner;
3. promote and advance the profession within and beyond the school community;

B. **Responsibility to Professional Competence**

1. demonstrate commitment to high standards of practice;
2. demonstrate responsible use of data, materials, research, and assessment;
3. act in the best interest of all students;

C. **Responsibility to Students**

1. respect the rights and dignity of students;
2. demonstrate an ethic of care for students;
3. maintain student trust and confidentiality in a developmentally appropriate manner and within appropriate limits;

D. **Responsibility to the School Community**

1. promote effective and appropriate relationships with parents/guardians;
2. promote effective and appropriate relationships with colleagues;
3. promote effective and appropriate relationships with the community and other stakeholders;
4. promote effective and appropriate relationships with employers;
5. understand the problematic nature of dual or multiple relationships;

E. **Responsible and Ethical Use of Technology**

1. use technology in a responsible manner;

2. ensure student safety and well-being when using technology;

3. maintain confidentiality in the use of technology;

4. promote the appropriate use of technology in educational settings;

F. **(X)** recognize basic dignities of all individuals with whom they interact in the performance of duties;

G. **(X)** represent accurately their qualifications;

H. **(X)** exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;

I. **(X)** seek and apply the knowledge and skills appropriate to assigned responsibilities;

J. **(X)** keep in confidence legally-confidential information as they may secure;

K. **(X)** ensure that their actions or those of another on their behalf are not made with specific intent of advancing private economic interests;

L. **(X)** avoid accepting anything of value offered by another for the purpose of influencing judgment;

M. **(X)** refrain from using position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. This will not be implemented in a manner that limits constitutionally or legally protected rights as a citizen.

[END OF OPTIONS]

In keeping with the ethical responsibilities of administrators, the Board prohibits staff from engaging in a romantic or sexual relationship of any kind with students of this District, regardless of the student's age. District staff should not provide alcohol, drugs, cigarettes, or any other contraband to a student.

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Legal M.C.L. 750.520b, 750.520c, 750.520d, 750.520e

Michigan Code of Educational Ethics

Book	Policy Manual
Section	Pending Policy Committee Review
Title	ON-LINE/BLENDED LEARNING PROGRAM
Code	po2370.01
Status	
Adopted	June 12, 2013
Last Revised	January 24, 2024

2370.01 - **ON-LINE/BLENDED LEARNING PROGRAM**

The District shall provide eligible students the option of participating in on-line or blended learning courses. The purpose of the program is to make instruction available to eligible students using on-line and distance education technology in both traditional and nontraditional classroom settings. The District must make all eligible students and their parents or guardians aware of this program.

A. **Definitions**

1. **On-Line Learning** - Means a course of study that is capable of generating a credit or a grade, that is provided in an interactive internet-connected learning environment, in which students and their teachers are separated by time or location, or both, and in which the teacher is responsible for determining appropriate instructional methods for each student, diagnosing learning needs, assessing student learning, prescribing intervention strategies, reporting outcomes, and evaluating the effects of instruction and support strategies.

2. **Blended Learning** - A hybrid instructional delivery model where students are provided content, instruction, and assessment in part at the classroom, with a teacher, and in part through internet-connected learning environments with some degree of student control over time, location, and pace of instruction.

B. **Program Eligibility**

The District shall offer a program for students in Grades 9–12.

The District may offer a full-time or part-time program for grade 9-12 students enrolled in dropout prevention, academic intervention, core courses to meet graduation requirements, or dual enrollment programs.

C. **Course Availability and Access**

1. The District shall provide access to enroll and participate in the available courses and shall award credit, as may be appropriate, for successful completion. Access shall be available to eligible students during or after the school day and during summer school enrollment. The District will provide at least one of the following:

    a. On-line Learning, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-D.

    b. Virtual Learning, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-A.

    c. Independent Study, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-A.

2. The District shall enroll an eligible student in up to two (2) on-line courses as requested by the student during an academic term, semester, or trimester. Consent from the student's parent or legal guardian must be obtained for students under the age of eighteen (18), except that permission shall not be required if the course is being provided as permitted by M.C.L. 388.1621f(14)~~, which allows a district to provide online instruction for not more than fifteen (15) days per school year under specific circumstances~~.

3. A student may enroll in more than two (2) virtual courses in a specific academic term, semester, or trimester if both of the following conditions are met:

a. The District has determined that it is in the best interest of the student.

b. The student agrees with the recommendation of the District.

4. The District will provide two (2) or fewer courses per semester in Grades K-5 and one (1) or more courses per semester in Grades 6-12. If students are taking more than two (2) courses per semester, the guidance found in the Pupil Accounting Manual 5-0-B shall be followed and seat time waivers obtained.

5. An eligible student may enroll in an on-line course published in the District on-line course syllabus, as described in section 8 below, or the State-wide catalog of on-line courses maintained by the Michigan Virtual University.

6. The District may deny a student enrollment in an on-line course if any of the following apply, as determined by the District:

   a. The student is enrolled in any of grades K to five (5).

   b. The student has previously gained the credits provided from the completion of the on-line course.

   c. The on-line course is not capable of generating academic credit.

   d. The on-line course is inconsistent with the remaining graduation requirements or career interests of the student.

   e. The student has not completed the prerequisite coursework for the requested virtual course or has not demonstrated proficiency in the prerequisite course content.

   f. The on-line course is of insufficient quality or rigor. If the District denies a student enrollment for this reason, the District shall make a reasonable effort to assist the student in finding an alternative course in the same or a similar subject that is of acceptable rigor and quality.

   g. The cost of the virtual course causes the District to exceed the target foundation allowance percentage.

   h. If a student is denied enrollment in an on-line course by the District, the student may appeal the denial by submitting a letter to the ISD. The appeal must include the reason provided by the District for not enrolling the student and the reason why the student is claiming that the enrollment should be approved.

      The ISD shall respond to the appeal within five (5) days after it is received. If the ISD determines that the denial of enrollment does not meet one (1) or more of the reasons specified in subsection 4(E)i.-vi., the District shall allow the student to enroll in the on-line course.

7. An on-line learning student shall have the same rights and access to technology in ~~his/her~~the student's District's school facilities as all other students enrolled in that District.

8. If a student successfully completes an on-line course, as determined by the District, the District shall grant appropriate academic credit for completion of the course and shall count that credit toward completion of graduation and subject area requirements. A student's school record and transcript shall identify the on-line course title as it appears in the on-line course syllabus.

9. The enrollment of a student in one (1) or more on-line courses shall not result in a student being counted as more than 1.0 full- time equivalent student under this act.

D. **Nonresident Applicants**

1. The District shall determine whether or not it has capacity to accept applications for enrollment from nonresident applicants in on-line courses and may use that limit as the reason for refusal to enroll an applicant.

2. If the number of nonresident applicants eligible for acceptance in an on-line course does not exceed the capacity of the District to provide the on-line course, the District shall accept for enrollment all of the nonresident applicants eligible for acceptance.

3. If the number of nonresident applicants exceeds the District's capacity to provide the on-line course, the District shall use a random draw system.

4. The District shall determine whether or not it has the capacity to accept applications for enrollment from nonresident applicants in online courses and may use that limit as the reason for refusal to enroll an applicant.

E. **Requirements Specific to On-Line Learning Courses**

To offer an on-line course, the District must:

1. Provide a Michigan Virtual University with the course syllabus in a form and method prescribed by the Michigan Virtual University for inclusion in a Statewide on-line course catalog.

2. Provide on its publicly accessible website a link to the course syllabi for all of the on-line courses offered by the District and a link to the Statewide catalog of on-line courses maintained by a Michigan Virtual University.

3. Assign to each student a teacher of record.

4. Offer the on-line course on an open entry and exit method, or aligned to a semester, trimester, or accelerated academic term format.

F. **On-line Course Syllabus**

The District must publish an on-line course syllabus for each on-line course offered. The on-line course syllabus must include:

1. An alignment document showing how the course meets applicable State academic standards.

2. On-line course content outline.

3. On-line course required assessments.

4. On-line course prerequisites.

5. Expectations for actual teacher contact time with the on-line learning student and other student-to-teacher communications.

6. Academic support available to the on-line learning student.

7. On-line course learning outcomes and objectives.

8. Name of the institution or organization providing the online content.

9. Name of the institution or organization providing the teacher of record.

10. The course titles assigned by the provider and the course titles and course codes from the National Center for Education Statistics school codes for the exchange of data.

11. Number of eligible nonresident students that will be accepted by the District in the on-line course. This may include limiting enrollment to students enrolled in the District.

12. Results of the on-line course quality review using the guidelines and model review process published by the Michigan Virtual University.

Revised 9/27/17

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Legal M.C.L. 388.1621f

Michigan Department of Education Guidance on Best Practices as Defined in M.C.L. 388.1621f

Book	Policy Manual
Section	Pending Policy Committee Review
Title	Revised COMPREHENSIVE SCHOOL HEALTH EDUCATION
Code	po2417
Status	

Revised Policy - Vol. 40, No. 2 LOCS currently does not have this policy

2417 - **COMPREHENSIVE SCHOOL HEALTH EDUCATION**

~~**[NOTE: This policy is provided to address Best Practice Incentive for Fiscal Year 2012-13.]**~~

The Board shall provide a comprehensive health education program that addresses the essential knowledge and skills that help students to become "health literate," develop self-efficacy in health-related skills and knowledge, make~~making~~ the healthiest choices available, and avoid~~avoiding~~ those behaviors that can cause damage to their health and well-being.

The Board shall comply with current state law in implementing comprehensive health education programs. In doing so, the Board shall adopt, implement, and evaluate a research and evidence based comprehensive health education program that is effective, medically accurate, and developmentally appropriate~~research-based, theory-driven comprehensive education program~~.

The District's comprehensive health education program shall strive to:

A. provide quality~~at least fifty (50) hours of~~ health education instruction at every grade level, from Pre-kindergarten through grade twelve (12), facilitated by qualified, properly endorsed educators in partnership with families to give all students sufficient time to learn health skills and habits for a lifetime;

B. align instruction with~~help students master~~ the Michigan Health Education Standards Guidelines~~Content Standards and Benchmarks~~;

C. focus on helping young people develop and practice personal, social, and emotional competencies ~~and social skills, such as communication and decision making, in order~~ to deal effectively with health-risk situations;

D. use active, participatory instructional strategies within safe and supportive learning environments consistent with State guidelines~~to engage all students~~;

E. address social and media influences on student behaviors and help students identify healthy alternatives to specific high-risk behaviors;

F. emphasize critical knowledge and skills that students need in order to obtain, understand, and use valid and reliable health information, products, services, and resources~~basic health information and services~~ in ways that enhance healthy living, including skills for research, reasoning, critical thinking, and problem solving;

G. focus on behaviors that have the greatest effect on health, especially those related to nutrition; physical activity; violence and injury; alcohol and other drug use; tobacco use; mental and emotional health; healthy relationships; and sexual behaviors that may increase the risk of HIV/AIDS, sexually transmitted infections~~and sexual behaviors that lead to HIV, sexually transmitted disease~~, or unintended pregnancy, emphasizing both~~their~~ short-term and long-term consequences and strategies for prevention, including abstinence;

H. build functional knowledge and skills, from year to year, that are developmentally appropriate, trauma-responsive, inclusive, and culturally responsive; ~~and~~

I. include medically accurate and up-to-date information, and be appropriate to students' developmental levels, personal behaviors, and cultural backgrounds; and~~.~~

J. incorporate personal safety skills, maintaining personal boundaries.

Assessment

Student work in health education courses may be regularly assessed and the District may determine how course grades factor into~~shall be regularly assessed and graded using performance-based items that are aligned with the health education content standards. Course grades shall be determined in the same manner as other subject areas and shall be included in calculations of~~ grade point average, class rank, and academic recognition programs.

Collaborative Approach

Collaborative and integrative approaches shall be used in the teaching of health education. The health education program is one component of a coordinated school health program and shall be coordinated with other school health initiatives. If the District includes sex education as part of its comprehensive health education program, a sex education advisory board shall be established in accordance with M.C.L. 380.1507. In fostering a collaborative approach with the school, parents shall have the right to opt their child out of sex education instruction without penalty or loss of academic credit.

Health topics shall be integrated into the instruction of other subjects, with the assistance of school health education professionals, in order to complement the health education program.

The District will collaborate with community organizations to provide student learning opportunities in both the classroom and the community. Participation in community opportunities for service learning related to health and utilization of community resources as a part of classroom instruction shall be in accordance with policies of the Board and relevant to course objectives.

The District shall partner with parents/guardians and families, who are recognized as the first and primary health educators of their children, in order to provide consistent messages regarding health behavior. Health education programs shall be consistent with school and community standards that support positive parent/child communications and guidance.

Implementation

The Board shall employ ~~highly~~ qualified teachers of health education with the appropriate endorsements and credentials. Such teachers shall possess the necessary qualifications, skills, and training as specified by Michigan law and the Michigan Department of Education. Such qualifications for teachers to provide instruction in health education include the appropriate endorsement as specified by the Michigan Department of Education. To provide instruction in sex education, teachers must meet the qualification requirements of M.C.L. 380.1507(5)~~essential to perform their duties well, and shall serve as positive role models by demonstrating healthy behaviors~~.

Teachers shall have received quality professional development in health education through their pre-service preparation or through in-service training.

~~In order to teach health in secondary health courses, a teacher must have an endorsement in health or family and consumer sciences on their secondary level teaching certificate.~~

The Board supports ongoing professional development activities specifically related to health education, including practice using strategies designed to positively influence students' health behaviors and attitudes.

The Board shall evaluate its policies and implementation of District efforts that promote health literacy and healthy behaviors among all students. The District shall utilize available funds effectively in providing health education services and shall work with local partners in pursuit of additional resources to provide comprehensive school health education programming, professional development, and classroom materials.

M.C.L. 380.1502, 380.1169, 380.1170, 380.1507
Michigan State Board of Education Policy on Comprehensive School Health Education
Michigan Health Education Standards Guidelines (2025)

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Legal

M.C.L. 380.1502, 380.1169, 380.1170, 380.1507

Michigan State Board of Education Policy on Comprehensive School Health Education

Michigan Health Education Standards Guidelines (2025)

Book	Policy Manual
Section	Pending Board Approval
Title	SEX EDUCATION
Code	po2418
Status	
Adopted	January 24, 2018
Last Revised	June 12, 2024

2418 - **SEX EDUCATION**

In accordance with Michigan statute and the Michigan Health Education Standard Guidelines, the Board of Education authorizes instruction in sex education. Such instruction may include family planning, human sexuality, ~~gender identity, gender expression, sexual orientation,~~ and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health, consent education, and the recognition, prevention, and treatment of sexually transmitted infections ("STIs"), including HIV/AIDS~~diseases~~.

The instruction described in this policy shall emphasize~~stress~~ that abstinence from sex is the only protection that is 100% effective against unplanned pregnancy, sexually transmitted infections, and HIV. Instruction shall also articulate the benefits of abstinence, postponing sexual activity, and setting personal limits based on individual beliefs and values~~a responsible and effective method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted diseases and is a positive lifestyle for unmarried young people~~.

Such instruction shall be elective and not a requirement for graduation.

A student shall not be enrolled in a class in which the subjects of family planning or reproductive health are discussed unless the student's parent or guardian is notified in advance of the course and the content of the course, is given a prior opportunity to review the materials to be used in the course and is notified in advance of the parent's/guardian's right to have the student excused from the class. The Michigan Board of Education shall determine the form and content of the notice required in this policy.

Upon the written request of a student or the student's parent or legal guardian, the student shall be excused, without penalty or loss of academic credit, from attending a class described in this policy. If a parent or guardian submits a continuing written notice, the student will not be enrolled in a class described in this policy unless the parent or guardian submits a written authorization for that enrollment.

The District shall provide the instruction by teachers qualified to teach health education. Material and instruction in a sex education curriculum shall be developmentally appropriate, age-appropriate, medically accurate~~age-appropriate, not medically inaccurate~~, and shall comply with the statutory requirements of M.C.L. 380.1507b and align with the Michigan Health Education Standard Guidelines.

Instruction shall be organized around grade spans (3-5, 6-8, 9-12) and shall address content areas appropriate to each span as detailed in AG 2418 and aligned with the Michigan Health Education Standard Guidelines.

If a district chooses to include sex education as part of its comprehensive health education program, the district shall~~The Board~~ shall establish a sex education advisory board and shall determine terms of service for the sex education advisory board, the number of members to serve on the advisory board, and a membership selection process that reasonably reflects the District's population. The Board shall appoint two (2) co-chairs for the advisory board, at least one (1) of whom is a parent of a child attending a District school. At least one-half (1/2) of the members of the sex education advisory board shall be parents who have a child attending a District school, and a majority of these parent members shall be individuals who are not employed by the District. The sex education advisory board shall include students of the District, educators, local clergy, and community health professionals. Written or electronic notice of a sex education advisory board meeting shall be sent to each member at least two (2) weeks before the date of the meeting.

The sex education advisory board shall:

A. Establish program goals and objectives for student knowledge and skills that are likely to reduce the rates of sexual activity~~sex~~, pregnancy, and sexually transmitted infections~~diseases~~. ~~Additional program goals and objectives may be established by the sex education advisory board that are not contrary to Michigan law.~~

B. Review the materials and methods of instruction used and make recommendations to the Board for implementation. The advisory board shall take into consideration the District's needs, demographics, and trends including, but not limited to, teenage pregnancy rates, STI~~sexually transmitted disease~~ rates, and incidents of student sexual violence and harassment.

C. At least once every two (2) years, evaluate, measure, and report the attainment of program goals and objectives established by the advisory board. The Board shall make the resulting report available to parents in the District.

Before adopting any revisions in the materials or methods used in instruction under this policy including, but not limited to, revisions to provide for the teaching of abstinence from sex as a method of preventing unplanned or out-of-wedlock pregnancy and STIs~~sexually transmitted disease~~, the Board shall hold at least two (2) public hearings on the proposed revisions. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given in the manner required for Board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to M.C.L. 380.1169.

Teachers providing instruction at the secondary level (Grades 6-12) must hold appropriate endorsements as specified by Michigan statute and the Michigan Department of Education. Instruction in health and sex education shall comply with the Elliott-Larsen Civil Rights Act and all applicable laws, including parent opt-out provisions.~~Each person who provides instruction to K to twelve (12) students in accordance with this policy shall receive training based on District approved standards and in accordance with training requirements of the Michigan Department of Education (MDE) and Michigan Department of Health and Human Services (MDHHS).~~

No person shall dispense or otherwise distribute, in a District school or on District school property, a family planning drug or device.

For purposes of this policy, "family planning" means the use of a range of methods of fertility regulation to help individuals or couples avoid unplanned pregnancies; bring about wanted births; regulate the intervals between pregnancies; and plan the time at which births occur in relation to the age of parents. It may include the study of fetology. It may include marital and genetic information. Clinical abortion shall not be considered a method of family planning, nor shall abortion be taught as a method of reproductive health.

M.C.L. 380.1169, 380.1170, 380.1310b, 380.1507, 380.1507a, 380.1507b
Act 453 of 1976, as amended by Public Act 6 of 2023 (Elliott-Larsen Civil Rights Act)

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Legal	M.C.L. 380.1169, 380.1170, 380.1310b, 380.1507, 380.1507a, 380.1507b Act 453 of 1976 as amended by Public Act 6 of 2023 (Elliott-Larsen Civil Rights Act)

Book	Policy Manual
Section	Pending Policy Committee Review
Title	VOLUNTEERS
Code	po3120.09
Status	
Adopted	September 12, 2001
Last Revised	November 6, 2024

~~3120.09 - **VOLUNTEERS**~~

~~The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.~~

~~The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. S/He shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.~~

~~Any individual who volunteers to work in the schools or on any school-sponsored activity shall submit to a criminal history records check, through the Internet sites for the Sex Offenders Registry (SOR) list, the Internet Criminal History Access Tool (ICHAT) criminal history records check, and/or the Offender Tracking Information System (OTIS), prior to being allowed to participate in any activity or program.~~

~~The Superintendent is to inform each volunteer that s/he:~~

A. ~~shall agree to abide by all Board policies and District guidelines while on duty as a volunteer including signing, if appropriate, the District's Network and Internet Access Agreement Forms;~~

B. ~~will be covered under the District's liability policy but the District cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers compensation;~~

C. ~~will be asked to sign a form releasing the District of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services.~~

~~The District may, at any time, require volunteers to be fingerprinted.~~

~~The Superintendent shall determine whether the individual will be allowed to volunteer pending review of the criminal convictions.In making the determination regarding whether to allow an individual to continue volunteering with pending felony charges or after a conviction, the Superintendent will consider the following factors:~~

A. ~~the nature of the offense does relate or is related to children, sex, drugs, or violence, etc.~~
B. ~~how long ago did the incident occur~~
C. ~~were there repeated incidents~~
D. ~~nature of assignment in District (access to children, role model, etc.)~~
E. ~~whether any treatment or other rehabilitation has occurred~~
F. ~~the nature of the employee's work record since offense (likelihood of repeated misbehavior)~~
G. ~~as may be deemed relevant~~

~~The Superintendent shall also ensure that each volunteer is properly informed of the District's appreciation for his/her time and efforts in assisting the operation of the schools.~~

~~Revised 11/13/02~~
~~Revised 1/1/07~~

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Book	Policy Manual
Section	Pending Policy Committee Review
Title	VOLUNTEERS
Code	po4120.09
Status	
Adopted	September 12, 2001
Last Revised	November 6, 2024

~~4120.09 - **VOLUNTEERS**~~

~~The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the support staff responsible for the conduct of those programs and activities.~~

~~The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. S/He shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.~~

~~Any individual who volunteers to work in the schools or on any school-sponsored activity shall submit to a criminal history records check, through the Internet sites for the Sex Offenders Registry (SOR) list, the Internet Criminal History Access Tool (ICHAT) criminal history records check, and/or the Offender Tracking Information System (OTIS), prior to being allowed to participate in any activity or program.~~

~~The Superintendent is to inform each volunteer that s/he:~~

A. ~~shall agree to abide by all Board policies and District guidelines while on duty as a volunteer including signing, if appropriate, the District's Network and Internet Access Agreement Forms;~~

B. ~~will be covered under the District's liability policy but the District cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers compensation;~~

C. ~~will be asked to sign a form releasing the District of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services.~~

~~The District may, at any time, require volunteers to be fingerprinted.~~

~~The Superintendent shall determine whether the individual will be allowed to volunteer pending review of the criminal convictions.~~

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A. ~~the nature of the offense does relate or is related to children, sex, drugs, or violence, etc.~~
B. ~~how long ago did the incident occur~~
C. ~~were there repeated incidents~~
D. ~~nature of assignment in District (access to children, role model, etc.)~~
E. ~~whether any treatment or other rehabilitation has occurred~~
F. ~~the nature of the employee's work record since offense (likelihood of repeated misbehavior)~~
G. ~~as may be deemed relevant~~

~~The Superintendent shall also ensure that each volunteer is properly informed of the District's appreciation for his/her time and efforts in assisting the operation of the schools.~~

~~Revised 11/13/02~~
~~Revised 1/1/07~~

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Book	Policy Manual
Section	Pending Policy Committee Review
Title	New STAFF ETHICS
Code	po4210
Status	

New Policy - Vol. 40, No. 2

4210 - **STAFF ETHICS**

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Education expects all support staff members to maintain high standards in their working relationships, and in the performance of their professional duties, to:

A. **Responsibility to the Profession**

1. demonstrate responsibility for oneself as an ethical professional;
2. acknowledge, address, and attempt to resolve ethical issues in an appropriate manner;
3. promote and advance the profession within and beyond the school community;

B. **Responsibility to Professional Competence**

1. demonstrate commitment to high standards of practice;
2. demonstrate responsible use of data, materials, research, and assessment;
3. act in the best interest of all students;

C. **Responsibility to Students**

1. respect the rights and dignity of students;
2. demonstrate an ethic of care for students;
3. maintain student trust and confidentiality in a developmentally appropriate manner and within appropriate limits;

D. **Responsibility to the School Community**

1. promote effective and appropriate relationships with parents/guardians;
2. promote effective and appropriate relationships with colleagues;
3. promote effective and appropriate relationships with the community and other stakeholders;
4. promote effective and appropriate relationships with employers;
5. understand the problematic nature of dual or multiple relationships;

E. **Responsible and Ethical Use of Technology**

1. use technology in a responsible manner;

2. ensure student safety and well-being when using technology;

3. maintain confidentiality in the use of technology;

4. promote the appropriate use of technology in educational settings;

F. **(X)** recognize basic dignities of all individuals with whom they interact in the performance of duties;

G. **(X)** represent accurately their qualifications;

H. **(X)** exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;

I. **(X)** seek and apply the knowledge and skills appropriate to assigned responsibilities;

J. **(X)** keep in confidence legally-confidential information as they may secure;

K. **(X)** ensure that their actions or those of another on their behalf are not made with specific intent of advancing private economic interests;

L. **(X)** avoid accepting anything of value offered by another for the purpose of influencing judgment;

M. **(X)** refrain from using position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. This will not be implemented in a manner that limits constitutionally or legally protected rights as a citizen.

[END OF OPTIONS]

In keeping with the ethical responsibilities of the support staff, the Board prohibits staff from engaging in a romantic or sexual relationship of any kind with students of this District, regardless of the student's age. District staff should not provide alcohol, drugs, cigarettes, or any other contraband to a student.

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Legal M.C.L. 750.520b, 750.520c, 750.520d, 750.520e

Michigan Code of Educational Ethics

Book	Policy Manual
Section	Pending Board Approval
Title	Replacement WIRELESS COMMUNICATIONS DEVICES (WCDs)
Code	po5136
Status	
Adopted	March 10, 2004
Last Revised	October 26, 2011

Replacement Policy - Vol. 40, No. 2

5136 - **WIRELESS COMMUNICATIONS DEVICES (WCDs)**

Students are prohibited from using a wireless communications device ("WCD") on school grounds during instructional time. A WCD is an electronic device capable of, but not limited to, text messaging, voice communication, entertainment, navigation, accessing the internet, sending and receiving photos and videos, or producing email. A WCD does not include a basic telephone, which is a device primarily used for voice calling that cannot support third-party applications, except those preinstalled, and does not support access to internet platforms via applications or web browsers.

For purposes of this policy, school grounds means a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school. School grounds does not include a building used primarily for adult education or college extension courses.

The prohibition on WCD use does not apply to the following:

A. Medically necessary devices.

B. District-owned devices including, but not limited to, school-issued tablets and laptops.

C. Devices designated by the District to be used for instructional purposes.

D. Devices used for special education programming or devices provided as an accommodation to students as required under Section 504 of Title V of the Rehabilitation Act of 1973, 29 U.S.C. 794, or as part of an individualized education plan under Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 12131 to 12165.

E. Lesson-specific academic assignments, at the limited and direct discretion of a classroom teacher.

F. Emergency situations. Use of a WCD under this exemption must not interfere with school emergency protocols or the actions of first responders, and must not endanger students or faculty. A protocol for when and how pupils are permitted to use wireless communications devices during an emergency is included in the District's Emergency Operations Plan (Policy 8402).

[SELECT OPTION A, OPTION B, OR OPTION C - (DRAFTING NOTE: M.C.L. 380.1303a (Public Act 2 of 2026) requires the policy to include enforcement language, but does not specify what that language must say. The following is optional language for the district to consider.)]

[X] [OPTION A]

Students who violate this policy by using a WCD on school grounds during instructional time will be subject to discipline in accordance with the Student Code of Conduct.

[END OF OPTION A]

~~**[ ] [OPTION B]**~~

~~Students who violate this policy by using a WCD on school grounds during instructional time will be subject to the following progressive disciplinary measures:~~

A. ~~First Offense: Verbal warning and confiscation of the device until the end of the school day.~~

B. ~~Second Offense: Confiscation of the device with parent/guardian notification and required parent/guardian pickup.~~

C. ~~Third Offense: Confiscation of the device, parent/guardian conference, and additional disciplinary action as determined by school administration.~~

~~These enforcement mechanisms are designed to achieve the goals of this policy.~~

~~**[END OF OPTION B]**~~

~~**[ ] [OPTION C]**~~

~~Enforcement mechanism language as drafted by the District.~~

~~**[END OF OPTION C]**~~

~~**[DRAFTNG NOTE: CHOOSE OPTION #1, OPTION #2, OR OPTION #3]**~~

~~**[ ] [OPTION #1]**~~

~~The use of WCDs that contain built-in cameras (i.e., devices that take still or motion pictures, whether in a digital or other format) is prohibited in **( )** classrooms, **( )** gymnasiums, **[END OF OPTIONS]** locker rooms, shower facilities, rest/bathrooms **( )** and/or swimming pool **[END OF OPTION]**.~~

~~**[END OF OPTION #1]**~~

~~**[ ] [OPTION #2]**~~

~~The use of WCDs in **( )** classrooms, **( )** gymnasiums, **[END OF OPTIONS]** locker rooms, shower facilities, rest/bathrooms **( )** and/or swimming pool **[END OF OPTION]** is prohibited.~~

~~**[END OF OPTION #2]**~~

[X] [OPTION #3]

WCDs, including, but not limited to, those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, **(X)** classrooms, **(X)** gymnasiums, **[END OF OPTIONS]** locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a WCD is absolutely prohibited.

[END OF OPTION #3]

Students shall have no expectation of confidentiality with respect to their use of WCDs on school premises/property.

Students may not use a WCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated. See Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using WCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a WCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using WCDs to receive such information.

A copy of the District's Wireless Communications Devices policy shall be posted on the District's website.

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Legal M.C.L. 380.1303a (Public Act 2 of 2026)

Book	Policy Manual
Section	Pending Board Approval
Title	New CARE OF STUDENTS WITH DIABETES
Code	po5336
Status	

New Policy - Vol. 40, No. 2

5336 - **CARE OF STUDENTS WITH DIABETES**

The Board of Education is committed to ensuring that each student enrolled in the District who has diabetes receives appropriate and needed diabetes care in accordance with an order signed by the student's treating practitioner.

The diabetes care to be provided includes any of the following:

A. checking and recording blood glucose levels and ketone levels, or assisting the student with checking and recording these levels;

B. responding to blood glucose levels that are outside of the student's target range;

C. in the case of severe hypoglycemia, administering glucagon and other emergency treatments as prescribed;

D. administering insulin or assisting the student in self-administering insulin through the insulin delivery system the student uses;

E. providing oral diabetes medications;

F. understanding recommended schedules and food intake for meals and snacks in order to calculate medication dosages pursuant to the student's treating practitioner's order;

G. following the treating practitioner's instructions regarding meals, snacks, and physical activity; and

H. administering diabetes medication, as long as the conditions described below are satisfied.

Within fourteen (14) days after the District receives an order signed by the student's treating practitioner, the ~~Board~~ school will inform the student's parent, guardian, or other person having care or charge of the student that the student may be entitled to a Section 504 Plan regarding the student's diabetes.

[DRAFTING NOTE: SELECT OPTION #1 or #2]

[X] [BEGIN OPTION #1]

With regard to the administration of diabetes medication:

A. The diabetes medication may be administered by a school nurse, or in the absence of a school nurse, such medication can be administered by a school employee who is trained in diabetes care. Such training must address the following issues:

1. recognizing the symptoms of hypoglycemia and hyperglycemia;

2. the appropriate treatment for a student who exhibits the symptoms of hypoglycemia or hyperglycemia;

3. recognizing situations that require the provision of emergency medical assistance to a student;

4. understanding the appropriate treatment for a student, based on an order issued by the student's treating practitioner, if the student's blood glucose level is not within the target range indicated by the order;

5. understanding the instructions in an order issued by a student's treating practitioner concerning necessary medications;

6. performing blood glucose and ketone tests for a student in accordance with the student's treating practitioner's order and recording the results of those tests;

7. administering insulin, glucagon, or other medication to a student in accordance with the student's treating practitioner's order and recording the results of the administration; and

8. understanding the relationship between the diet recommended in a student's treating practitioner's order and actions that may be taken if the recommended diet is not followed.

The training must also comply with the following additional requirements:

1. The training must be coordinated by a school nurse, or if the school does not employ a school nurse, a licensed health care professional (e.g., a medical or osteopathic doctor, a registered nurse, advanced practice registered nurse, a licensed practical nurse, or a physician's assistant) with expertise in diabetes who is approved by the District to provide the training.

2. The training will take place prior to the beginning of each school year, as needed, or not later than fourteen (14) days after the ~~Board~~school receives an order signed by the treating practitioner of a student with diabetes.

3. Upon completion of the training, the ~~Board~~ school will determine whether each trained employee is competent to provide diabetes care.

4. The school nurse or approved licensed health care professional with expertise in diabetes care will promptly provide all necessary follow-up training and supervision to an employee who receives training.

B. ~~The Principal of a school attended by a student with diabetes will distribute a written notice (see Form 5336 F1) to each employee containing the following information:~~

1. ~~A statement that the school is required to provide diabetes care to a student with diabetes and is seeking employees who are willing to be trained to provide that care.~~

2. ~~A description of the tasks to be performed.~~

3. ~~A statement that participation is voluntary and that the School District will not take action against an employee who does not agree to provide diabetes care, including that the employee will not be penalized or disciplined for refusing to volunteer to be trained in diabetes care.~~

4. ~~A statement that training will be provided by a licensed health care professional with expertise in diabetes to an employee who agrees to provide care.~~

5. ~~A statement that a trained employee will not be subject to disciplinary action by the Board for providing care or performing duties to students with diabetes.~~

6. ~~A statement that a trained employee is immune from liability for damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties under this Policy (unless the act or omission constitutes willful or wanton misconduct).~~

7. ~~The name of the individual to contact if an employee is interested in providing diabetes care.~~

The school nurse and/or the school employee can only administer diabetes medication as described above if the requirements of Policy 5330 are met.

[END OF OPTION #1]

~~**[ ] [BEGIN OPTION #2]**~~

~~Diabetes medication may be administered by a school nurse.~~

~~The school nurse can only administer diabetes medication as described above if the requirements of Policy 5330 are met.~~

~~**[END OF OPTION #2]**~~

~~**[END OF SELECTION]**~~

A student's diabetes medication will be kept in an easily accessible location.

A student with diabetes will be permitted to attend to the student's diabetes care and management, in accordance with the student's treating practitioner's order, during regular school hours and school-sponsored activities only if:

A. the student's parent, guardian, or other person having care or charge of a student provides a written request that the student be permitted to attend to the student's diabetes care and management while at school (see Form 5330 F1); and

B. the student's treating practitioner has authorized such self-care and determined that the student is capable of performing diabetes care tasks (see Form 5330 F1).

A student with diabetes is permitted to perform diabetes care tasks in a classroom, in any area of the school or school grounds, and at any school-related activity. The student must have access to a private area for performing diabetes care tasks if the student or the student's parent, guardian, or other person having care or charge of the student makes such a request.

A student with diabetes is permitted to possess, on the student's self at all times, all necessary supplies and equipment to perform diabetes care tasks. If the student performs any diabetes care tasks or uses medical equipment for purposes other than the student's own care, the ~~Board~~ school will revoke the student's permission to attend to the care and management of the student's diabetes.

~~**[ ] [OPTIONAL LANGUAGE]**~~

~~The Board will provide training in the recognition of hypoglycemia and hyperglycemia and actions to take in response to emergency situations involving these conditions to both of the following:~~

~~A. a school employee who has primary responsibility for supervising a student with diabetes during some portion of the school day; and~~

~~B. a bus driver employed by the Board who transports a student with diabetes.~~

~~**[END OF OPTIONAL LANGUAGE]**~~

~~**[ ] [OPTIONAL LANGUAGE]**~~

~~The Board authorizes the Superintendent to procure and maintain a supply of injectable or nasally administered glucagon for use in emergency situations. In procuring injectable or nasally administered glucagon, the Board will accept donations of glucagon from wholesale distributors of dangerous drugs or manufacturers of dangerous drugs, as well as donations of money from any person to purchase the drug.~~

~~In the circumstance of severe hypoglycemia, staff will follow the procedures and protocols relating to the administration of glucagon.~~

~~**[END OF OPTIONAL LANGUAGE]**~~

In accordance with Michigan law, the Board and its members and school employees shall not be liable for damages in a civil action for injury, death, or loss to person or property that allegedly arises from providing care or performing duties under this Policy unless the act or omission constitutes willful or wanton misconduct. Also, in accordance with Michigan law, a school nurse or other licensed health care professional shall be immune from disciplinary action by the Board of Nursing or any other regulatory board for providing care or performing duties under this Policy if the care provided or duties performed are consistent with applicable professional standards.

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Book	Policy Manual
Section	Pending Board Approval
Title	PURCHASING
Code	po6320
Status	
Adopted	September 12, 2001
Last Revised	June 12, 2024

6320 - **PURCHASING**

Procurement of all supplies, materials, equipment, and services paid for from District funds shall be made in accordance with all applicable Federal and State statutes, Board policies, and administrative procedures. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts are established in Policy 1130, Policy 3110, and Policy 4110 – Conflict of Interest.

All procurement transactions shall be conducted in a manner that encourages full and open competition and in accordance with good administrative practice and sound business judgment.

Each year, the State of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.

It is the policy of the Board that the Superintendent adhere to the following:

A. Seek informal price quotations on purchases in excess of $5,000; or

B. When the purchase of, and contract for, single items of supplies, materials, or equipment is less than the amount allowed by State statute, but exceeds $5,000 the Superintendent shall, whenever possible, require three (3) competitive price quotations.

Purchases in a single transaction that are in excess of the dollar amount permitted by State statute shall require competitive bids and, whenever possible, have at least three (3) such bids for substantiation of purchase and shall require approval of the Superintendent or designee prior to purchase.

Competitive Bids

Michigan’s Revised School Code (M.C.L. 380.623a, 380.1267, and 380.1274) establishes a base above which competitive bids must be obtained for school construction projects (including renovation, repair, or remodeling) and procurement of supplies, materials, and equipment. This requirement does not apply to buildings, renovations, or repairs costing less than the amount specified in Michigan's Revised School Code. **[DRAFTING NOTE: The maximum amount specified in this subsection shall be adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the twelve (12) months ending August 31 of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31 of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar. The state laws also provide for an increase in the base amount corresponding to increases in the Consumer Price Index ("CPI"). For fiscal year 2026, which began on Wednesday, October 1, the base amount for Section 1267 (pertaining to construction, renovation, repair, or remodeling) and the new base for Sections 623a and 1274 (pertaining to procurement of supplies, materials, and equipment) are each $31,321.]**

~~**[ ]** In order for sealed bidding to be feasible, the following conditions shall be present:~~

A. ~~a complete, adequate, and realistic specification or purchase description is available;~~

B. ~~two (2) or more responsible bidders have been identified as willing and able to compete effectively for the business; and~~

C. ~~the procurement lends itself to a firm, fixed price contract and the selection of the successful bidder can be made principally based on price.~~

When sealed bids are used, the following requirements apply:

A. Bids shall be solicited in accordance with the provisions of State law and this policy. Bids shall be solicited from **~~[CHOOSE OPTION] ( ) _____ [ENTER AMOUNT]~~ (X)** an adequate number of **[END OF OPTION]** qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.

B. The invitation for bids must define the items or services with specific information, including any required specifications, for the bidder to properly respond.

C. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.

D. A firm, fixed-price contract is awarded in writing to the lowest responsive bid and responsible bidder. When specified in the invitation for bids, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts must only be used to determine the low bid when the District determines they are a valid factor based on prior experience.

E. The Board reserves the right to reject any or all bids, but must document and provide a justification for all bids it rejects for sound documented reason.

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L. 18.1263.

Competitive bids are not required for food purchases, unless food purchased in a single transaction costs $100,000 or more.

Bids shall be sealed and shall be opened by the Assistant Superintendent of Business & Finance or designee in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder, however, consideration can be given to:

A. the quality of the item(s) to be supplied;

B. its conformity with specifications;

C. suitability to the requirements of the District;

D. delivery terms;

E. past performance of the vendor.

In addition to the factors above, the Board may consider and provide a preference to bidders which use a Michigan-based business as the primary contractor or use one (1) or more Michigan-based businesses as subcontractors.

For purposes of this preference, a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L. 18.1268, which requires that the business certifies that, since inception or during the last twelve (12) months, it has done one (1) of the following:

A. filed a Michigan business tax return showing an allocation of income tax base to Michigan

B. filed a Michigan income tax return showing income generated in or attributed to Michigan

C. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

The Board reserves the right to reject any and all bids.

Bid Protest

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

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

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

General Provisions

The Superintendent is authorized to purchase all items within budget allocations.

The Superintendent is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the school in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

In order to promote efficiency and economy in the operation of the school, the Board requires that the Superintendent periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped, but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the Superintendent shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the school. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that upon the placement of a purchase order, the Superintendent shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

The Board may acquire office equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

Revised 3/10/10
Revised 1/24/18

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Legal	M.C.L. 380.1267, 380.1274 et seq.
Cross References	po6350 - PREVAILING WAGE

Book	Policy Manual
Section	Pending Board Approval
Title	PROCUREMENT - FEDERAL GRANTS/FUNDS
Code	po6325
Status	
Adopted	September 27, 2017
Last Revised	February 12, 2025

6325 - **PROCUREMENT – FEDERAL GRANTS/FUNDS**

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

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

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

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

The District will avoid acquisition of unnecessary or duplicative items. Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. When appropriate, an analysis shall be made between leasing and purchasing property or equipment to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

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

Competition

All procurement transactions under the Federal award paid for from Federal funds or District matching funds shall be conducted in a manner that provides full and open competition and that is in accordance with 2 C.F.R. Part 200, good administrative practice, and sound business judgment. To ensure objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids from competition for such procurements.

Examples of situations that may restrict competition include, but are not limited to:

A. unreasonable requirements on firms for them to qualify to do business;

B. unnecessary experience and excessive bonding requirements;

C. noncompetitive pricing practices between firms or between affiliated companies;

D. noncompetitive contracts to consultants that are on retainer contracts;

E. organizational conflicts of interest;

F. specification of only a "brand name" product instead of allowing for an *"or equal"* product to be offered and describing the performance or other relevant requirements of the procurement; and

G. any arbitrary action in the procurement process.

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

The District shall require that all prequalified lists of persons, firms, or products which are used in procurement transactions are current and include enough qualified sources to provide maximum open competition. When establishing or amending prequalified lists, the District (or subrecipient) must consider objective factors that evaluate price and cost to maximize competition. The District shall not preclude potential bidders from qualifying during the solicitation period.

To the extent consistent with established practices and legal requirements applicable to the recipient or subrecipient, this subpart does not prohibit recipients or subrecipients from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections. This subpart also does not prohibit recipients and subrecipients from making inquiries of bidders about these subjects and 2 C.F.R. Revisions 2024: Unofficial Comparison Version assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.

Solicitation Language (Purchasing Procedures)

The District shall have written procurement procedures (in accordance with 2 C.F.R. 200.319(d)) that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the property, equipment, or service being procured. The description may include a statement of the qualitative nature of the property, equipment, or service to be procured. When necessary, the description must set forth those minimum essential characteristics and standards to which the property, equipment, or service shall conform. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to clearly and accurately describe the technical requirements, a "brand name or equivalent" description of features to provide procurement requirements may be used. The specific features of the named brand must be clearly stated and the District must identify any additional requirements which the offerors must fulfill and all other factors that will be used in evaluating bids or proposals.

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

Procurement Methods

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

A. **Informal Procurement Methods**

Informal procurement methods for small purchases expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when the value of the procurement transaction under a Federal award does not exceed the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are not required. The informal procurement methods include:

1. Micro-purchases

Procurement by micropurchase is the acquisition of supplies or services, the aggregate dollar amount consistent with the Code of Federal Regulations (C.F.R.) 200.67 Micro-purchases. To the extent practicable, the District should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if Superintendent considers the price to be reasonable based on research, experience, purchase history, or other relevant information, and maintains documents to support its conclusion. The District shall maintain evidence of this reasonableness in the records of all purchases made by this method.

2. Small Purchases

   Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the State of Michigan bid threshold (M.C.L. 380.1274) for goods and the Federal Simplified Acquisition Threshold as defined in 2 C.F.R. 200.88 for services. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

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

B. **Formal Procurement Methods**

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

1. Sealed Bids

   Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than the amount allowed by Michigan statute and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Michigan statute.

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

   a. a complete, adequate, and realistic specification or purchase description is available;

   b. two (2) or more responsible bidders have been defined as willing and able to compete effectively for the business; and

   c. the procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally based on price.

   When sealed bids are used, the following requirements apply:

   a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.

   b. The invitation for bids must define the items or services with specific information, including any required specifications, for the bidder to properly respond.

   c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.

   d. A firm, fixed-price contract is awarded in writing to the lowest responsive bid and responsible bidder. When specified in the invitation for bids, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts must only be used to determine the low bid when the District determines they are a valid factor based on prior experience.

   e. The Board reserves the right to reject any or all bids, but must document and provide a justification for all bids it rejects for sound documented reason.

2. Proposals

   Procurement by proposals is a method in which either a fixed price or cost-reimbursement contract is awarded. This method is used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

a. Requests for proposals require public notice, and must identify all evaluation factors and their relative importance. To the maximum extent practicable, any proposals submitted in response to the public notice must be considered.

b. Proposals shall be solicited from an adequate number of sources.

c. The District must have written procedures for conducting technical evaluations and for making selections.

d. Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the District considering price and other factors.

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

3. Noncompetitive Procurement

Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:

a. the aggregate amount of the procurement transaction does not exceed the micro-purchase threshold;

b. the procurement transaction can only be fulfilled by a single source;

c. the public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation;

d. the District requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or

e. after soliciting several sources, competition is determined to be inadequate.

Domestic Preference for Procurement

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

Procurement of Recovered Materials

The District must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6962. These requirements include:

A. procuring only items designated in the guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000;

B. procuring solid waste management services in a manner that maximizes energy and resource recovery; and

C. establishing an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

The District should, to the greatest extent practicable and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable.

This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products.

Contract/Price Analysis

The District shall perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the Simplified Acquisition Threshold (currently $~~2~~350,000). The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the District should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the District must make independent estimates before receiving bids or proposals. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements. The District must not use the "cost plus a percentage of cost" and "percentage of construction costs" methods of contracting.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that the costs incurred or cost estimates included in negotiated prices would be allowable for the District according to cost principle requirements.

Time and Materials Contracts

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

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

Suspension and Debarment

The District will award contracts only to responsible contractors that possess the ability to perform successfully under the terms and conditions of the proposed contract. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as 1) contractor integrity; 2) public policy; 3) compliance; 4) proper classification of employees; 5) record of past performance; and 6) financial and technical resources.

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

Bid Protest

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

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

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

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

Maintenance of Procurement Records

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

Records Retention

The District must retain all Federal award records for three (3) years from the date of submission of the final financial report. For awards that are renewed quarterly or annually, the District must retain records for three (3) years from the date of submission of the quarterly or annual financial report, respectively. Records to be retained include, but are not limited to, financial records, supporting documentation, and statistical records. Other records retention requirements shall be in accordance with 2 C.F.R. 200.334.

The District must collect, transmit, and store Federal award information in an open file, non-licensed, and machine-readable formats. The District may substitute electronic versions of original paper records through duplication or other forms of electronic conversion, provided that the procedures are subject to periodic quality control reviews. Quality control reviews must ensure that electronic conversion procedures provide safeguards against the alteration of records and assurance that records remain in a format that is readable by a computer system.

Revised 4/10/19
Revised 8/14/19
Revised 2/24/21
Revised 5/11/22
Revised 5/31/23
Revised 6/12/24

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Legal	2 C.F.R. 200.334 - 200.336
	2 C.F.R. 200.317-.326; Appendix II to Part 200
	2 C.F.R. 200.520
Cross References	po6350 - PREVAILING WAGE

Book	Policy Manual
Section	Pending Board Approval
Title	Replacement ARTIFICIAL INTELLIGENCE (AI)
Code	po7540.09
Status	
Adopted	February 12, 2025

Replacement Policy - Vol. 40, No. 2

7540.09 - **ARTIFICIAL INTELLIGENCE (AI)**

The Board acknowledges the positive impact and transformative potential of Artificial Intelligence ("AI") in education and operations, emphasizing a balanced, people-centered approach. It supports the responsible and innovative use of AI in classrooms and professional settings, with the understanding that AI should enhance human interaction and instruction, not replace it, and all AI-driven decisions require human review. The Superintendent is authorized to support the use of artificial intelligence technology when its use is consistent with the District's mission, goals, and operational integrity. The **(X)** Superintendent **(X)** _____or designee **[END OF OPTIONS]** is responsible for overseeing and ensuring compliance of this policy.

Definitions

For purposes of this policy, the following definitions apply:

Artificial Intelligence ("AI")

AI refers to systems or tools capable of performing tasks that typically require human intelligence including, but not limited to, decision-making, problem-solving, and language understanding. AI is computer code that can resemble human intelligence to complete a given task (e.g., problem-solving, planning, etc.). It involves developing algorithms and systems that can perceive, reason, learn, and make decisions based on data made available to the AI tool.

Generative AI

A subset of AI that uses large language models ("LLMs") and other advanced algorithms to create content, such as text, images, audio, or video, in response to user input.

Generative AI works by analyzing large datasets to learn patterns and features, which it then uses to generate new, original content. It uses complex algorithms, often based on neural networks, to make predictions based on the input data it has processed; thereby enabling it to create a wide range of outputs, from text and images to music and code, that mimic the style or characteristics of the data on which it was trained.

At its core, generative AI predicts the flows of language. Trained on massive amounts of text taken from publicly available internet sources to recognize the relationships that most commonly exist between individual units of meaning (including full or partial words, phrases, and sentences), LLMs can, with great frequency, generate replies to users' prompts that are contextually appropriate, linguistically facile, and factually correct.

Natural Language Processing ("NLP")

A field of artificial intelligence that focuses on enabling computers to understand, interpret, and respond to human language in a meaningful way. Examples of NLP include, but are not limited to, Grammarly, GPT-Based APIs, Google Cloud Natural Language AI, Microsoft Azure Text Analytics, IBM Watson NLP, Amazon Comprehend, etc.

Large Language Model ("LLM")

A sophisticated AI system trained on extensive text data to process and produce language; recognize patterns, grammar, and nuances. It can perform tasks like text generation, question answering, and language translation.

Algorithm

A set of rules or instructions guiding AI operations and decision-making.

Personally Identifiable Data/Personal Data

Refers to any information that can directly or indirectly identify an individual including, but not limited to, names, addresses, student records, and health information.

Proprietary Information/Data

Refers to a broad category of non-public, sensitive, or confidential data belonging to the District, its staff, or its operations. This information is considered the District's. This information is generally protected from unauthorized disclosure or use.

Open AI ("Open-Source AI")

Definition: AI models where the developers openly share the model's architecture, underlying code, and often the "weights" (the learned parameters of the model), and sometimes the training data. Open AI models accessed publicly present a high risk of data release, as data input is often used for AI tool training and can be publicly available. Open AI models may require the District to implement and manage its own wrapper or filtering layer. As a result, it is not recommended that OpenAI tools/applications are used in districts due to the high potential of violating Federal and State laws. Open-Source AI also produces less reliable content, because it is accessing a pool of data that is not universally verified as accurate.

Closed AI ("Closed-Source/Proprietary AI")

Definition: AI models where the developers obscure or protect the model's architecture, underlying code, training data, and weights. Users interact with the model via a restricted service. Closed AI may offer better, contractually-guaranteed data security (e.g., "enterprise" versions), but its "black box" nature still requires a formal audit and contract. Closed AI developers typically manage these filters internally. Closed-Source or Proprietary AI produces more reliable results because it is accessing data sources that are controlled and can be verified as accurate.

Any use of artificial intelligence technology in the District's educational program or operations must be in accordance with State and Federal law as well as Board policies **(X)** including, but not limited to, the following: Policy 5500 – Student Code of Classroom Conduct; Policy 5517 – Student Anti-Harassment; Policy 5517.01 – Bullying; Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities; Policy 8330 – Student Records; Policy 2240 – Controversial Issues in the Classroom; Policy 7540.03 – Student Technology Acceptable Use and Safety; and Policy 7540.04 – Staff Technology Acceptable Use and Safety **[END OF OPTION]**. **[DRAFTING NOTE: Confirm and Select as Needed]**

General Principles

A. **Transparency**

Users of AI tools must disclose when and how these tools have been employed in the creation of academic or professional work.

B. **Ethical Use**

District employees who use AI technologies must do so in ways consistent with institutional values, privacy standards, Family Educational Rights and Privacy Act ("FERPA"), Individuals with Disabilities Education Act ("IDEA"), copyright laws, and ethical principles, honesty, trustworthiness, and personal dignity of both employees and students.

C. **Content Responsibility**

District employees who use AI technologies are responsible for the content created by that AI tool.

Evaluation and Approval

Before adopting any AI tool or system, the District will conduct a comprehensive risk assessment — evaluating data sources (including use of student Personally Identifiable Information), decision-making impacts on students, potential bias or disparate impact, and vendor compliance with privacy, security, and data retention laws — and ensure all contracts include clear legal, ethical, and technical safeguards aligned with FERPA, IDEA, COPPA, PPRA, Michigan statutes, and District policies. AI systems must be reviewed to ensure they are nondiscriminatory, fully accessible, and do not compromise the rights or individualized support of students, particularly those protected under federal and state civil rights laws.

AI Tool Selection

The District approves the use of Closed AI tools only, that have been carefully reviewed, evaluated, and approved by **(X)** ~~_____~~the Superintendent or designee **[e.g., IT Director, Curriculum Director, or a AI Committee]** for student and staff use.

Transparency

The District is committed to transparency and accountability in AI use by informing teachers, students, and parents when AI influences decisions, clearly explaining how it works and what data it uses, assigning oversight to **(X)** ~~_____~~the Superintendent or designee, and conducting regular audits to evaluate accuracy, fairness, and impact on equity and student rights. The District will maintain a public AI Tool Inventory that lists every approved AI tool and includes a summary of its data-handling and privacy features. ~~**[ ] The AI Tool Inventory will be posted on the District website. [END OPTION]**~~

Vendor Vetting & Contracts

All AI tools used by the District must undergo a formal risk assessment by the IT/Legal department to review their Terms of Service and data handling practices to ensure compliance with all Federal and State privacy laws. The District prohibits the input by any user of any student information, staff information, or confidential district data into any AI tool that does not have a formal, vetted contract guaranteeing data privacy and non-use for training.

Employee Use of AI

Employees may integrate AI tools into their instruction at their discretion and should clearly define the parameters for AI usage in the classroom by students using District-approved AI applications/tools.

When using AI to create instructional materials, assessments, or feedback, employees shall maintain transparency by disclosing the role of AI in these processes. Employees must review and verify the accuracy and appropriateness of any AI-generated content.

Employees shall not input sensitive, confidential, personally identifiable, or proprietary information about students, colleagues, or institutional operations into AI systems that lack safeguards and policies to protect such data from being used in their training models, and if such information will be entered into an AI system, employees shall seek the approval of their **(X)** supervisor and/or **(X)** Principal **[END OF OPTION]** before doing so.

Using AI detection software to enforce academic integrity should be done in accordance with the knowledge that this software is not foolproof and that the disruptive nature of AI technologies in education can lead to considerable confusion regarding expectations for AI use. Employees should use AI-detection ethically and as the starting point of an inquiry into a possible violation of academic integrity rather than as a definitive indication of student dishonesty. Employees must also disclose the use of AI software in course curricula.

Employees may use AI tools to enhance workflows, such as drafting communications, analyzing data, or developing reports, provided the outputs are verified for accuracy and compliance with State and Board policies. The use of AI tools for such purposes should be disclosed when disseminating AI output.

Student Use of AI

Students shall receive age-appropriate instruction about responsible AI use, digital citizenship, privacy, and the risks/limitations of AI prior to using AI.

Students are expected to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI tools, and they should ask their teacher(s) when they have questions and/or need assistance.

Students may use AI tools for academic purposes when specifically and clearly permitted by their teacher(s). The use of AI must be properly disclosed and cited in accordance with the established guidelines and not be employed to undermine authentic learning or learning objectives for the course or assignment.

If a student has any questions about whether they are permitted to use AI tools for a specific class assignment, they should ask their teacher(s).

Unauthorized use of AI tools will be considered a form of plagiarism, unauthorized collaboration, or misrepresentation of AI-generated content as original work and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Handbook or Policy 5500 – Student Code of Conduct. **[DRAFTING NOTE: Confirm the Board has adopted this policy if included in this policy]**

Academic Accessibility

AI tools can be utilized to assist students with disabilities in accessing and understanding written materials. For example, text-to-speech software can help students with specific learning disabilities, visual impairments, or other disabilities in reading texts, and AI-powered translation tools can help students with hearing impairments understand spoken language (e.g., create transcripts or provide closed-captioning for spoken material). Specific use of AI technologies beyond universal application for students with disabilities is best addressed in each student's Individual Education Plan ("IEP").

Employee Training

Employees will receive training ~~**( ) annually**~~ **(X)** periodically **[END OF OPTION]** to ensure adherence to this and other related policies, data privacy, student records, and allowable/approved AI tools in the District.

Non-Academic Use of AI

Students and staff are prohibited in the use of AI from generating false or knowingly misleading representations of other students, staff, volunteers, or Board members that are reasonably interpreted as derogatory, threatening, or otherwise objectionable to a reasonable person, including by way of AI generated or manipulated visual or verbal depictions of any such individual, or the distribution of such depictions through any means, for example via social media, regardless of whether the distributor created the depictions themselves.

Enforcement

Violation of this policy may result in disciplinary consequences. Students may be disciplined for violations, up to and including suspension or expulsion. Staff may be disciplined for violations, up to and including suspension or termination of employment. The Superintendent will refer any illegal acts to law enforcement.

Questions or Concerns

Staff, parents, or members of the public who have questions or concerns regarding this policy or the use of AI in the District should contact the **(X)** Superintendent **(X)** ~~_____~~or designee **[END OF OPTION]**.

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Cross References

po5500 - STUDENT CONDUCT

po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

po7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Book	Policy Manual
Section	Pending Board Approval
Title	Renumbered/Revised VOLUNTEERS
Code	po8120.09
Status	

Renumbered/Revised Policy - Vol. 40, No. 2

8120.09~~3120.09~~ - **VOLUNTEERS**

The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. The District~~S/He~~ shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.

Volunteers for Athletic Activities

Volunteers who direct, supervise, or coach a student activity program that involves athletics, routine or regular physical activity, or activities with health and safety considerations may be required to complete a sudden cardiac arrest training course. The qualifications may also include completion of a student mental health training course. The mental health training course may be combined with or part of another training course.

These volunteers will submit to a background check and take courses as may be required by the Michigan Department of Education ("MDE") and/or the Michigan High School Athletic Association ("MHSAA").

General Requirements

Any individual who volunteers to work in the schools or on any school-sponsored activity shall submit to a criminal history records check, through the Internet sites for the Sex Offenders Registry (SOR) list, the Internet Criminal History Access Tool (ICHAT) criminal history records check, and/or fingerprinting, prior to being allowed to participate in any activity or program.

~~**X]** Any individual who volunteers to work in the schools or on any school-sponsored activity shall may submit to a criminal history records check prior to being allowed to participate in any activity or program.~~

~~**[X]** Any volunteer who works with or has access to students shall may submit to a criminal history records check prior to being allowed to participate in any activity or program.~~

~~**[X]** Any person who volunteers to work with the District shall may be screened through the Internet sites for the Sex Offenders Registry ("SOR") list, and the Internet Criminal History Access Tool ("ICHAT") criminal history records check, and the Offender Tracking Information System ("OTIS") prior to being allowed to participate in any activity or program.~~

~~**[X]** Any volunteer who works with or has access to students shall may be screened through the Internet sites for the Sex Offenders Registry ("SOR") list, and the Internet Criminal History Access Tool ("ICHAT") criminal history records check, and the Offender Tracking Information System ("OTIS") prior to being allowed to participate in any activity or program.~~

The Superintendent is to inform each volunteer that they~~s/he~~:

A. are required~~shall agree~~ to abide by all Board policies and District guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which they are exposed except as authorized by law)~~including signing, if appropriate, the District's Network and Internet Access Agreement Forms~~;

B. will be covered under the District's liability policy but the District cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;

C. will be asked to sign a form releasing the District of any obligation should the volunteer become ill or receive an injury as a result of their~~his/her~~ volunteer services;~~.~~

D. ~~**( )** may not accept compensation from any third party or source including, but not limited to, booster, parent, or other District support organizations for the performance of their official duties as a volunteer on behalf of the Board. **[END OF OPTION]**~~

Furthermore, the Superintendent shall inform all volunteers who work or apply to work unsupervised with children on a regular basis of the need to display appropriate behavior at all times, and that~~The Superintendent shall also ensure that each volunteer is properly informed of the District's appreciation for his/her time and efforts in assisting the operation of the schools.~~

[CHOOSE OPTION #1 OR #2]

[X] [OPTION #1]

they may be required to provide a set of fingerprints at any time so that a criminal records check can be conducted. If a criminal records check is then conducted, it will be done as a condition of continued service as a volunteer and will be at ~~**( )** the Board's **[OR]**~~ **(X)** the volunteer's **[END OF OPTION]** expense.

~~**[ ] [OPTION #2]**~~

~~they will have to provide a set of fingerprints so that a criminal records check can be conducted **( )** at the Board's expense **( )** and that they will have to pay the costs associated with the criminal records check **[END OF OPTION]** either before they can begin their duties or as a condition of continued service as a volunteer at the discretion of the Board.~~

~~**[END OF OPTIONS]**~~

If a criminal records check indicates that a volunteer has been convicted of or pleaded guilty to any of the offenses listed below the volunteer will be informed either that the Board is no longer interested in maintaining their volunteer service or that the volunteer will be assigned to duties for which they will not work unsupervised with children.

The Superintendent shall inform each volunteer of the District's appreciation for their time and efforts in assisting in the operation of the schools and for their understanding with regard to the need for all volunteers to be subject to a possible criminal records check.

Offenses

No person is to be accepted or maintained as a volunteer if they have been convicted of any of the following offenses:

A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter

B. felonious assault, aggravated assault, assault

C. failing to provide for a functionally impaired person

D. aggravated menacing

E. patient abuse or neglect

F. kidnapping, abduction, child stealing, criminal child enticement

G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of a minor in nudity-oriented material or performance

H. aggravated robbery, robbery

I. aggravated burglary, burglary

J. abortion without informed consent

K. endangering children

L. contributing to the delinquency of children

M. domestic violence

N. carrying concealed weapons, having weapons while under disability, improperly discharging a firearm at or into a habitation or school

O. corrupting another with drugs

P. trafficking in drugs

Q. illegal manufacture of drugs or cultivation of marijuana

R. funding of drug or marijuana trafficking

S. illegal administration or distribution of anabolic steroids

T. drug possession offenses (that are not a minor drug possession offense)

U. placing harmful objects in or adulterating food or confection

V. ~~**( )** a felony~~

W. ~~**( )** an offense of violence~~

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Book	Policy Manual
Section	Pending Policy Committee Review
Title	EMERGENCY OPERATIONS PLAN
Code	po8402
Status	
Adopted	August 14, 2019

8402 - **EMERGENCY OPERATIONS PLAN**

~~By no later than January 1, 2020, f~~For each school building the District shall 1) develop an emergency operations plan or 2) adapt its statewide school information policy (referred to as the "Plan" throughout the remainder of this Policy) to comply with the requirements of this Policy. This action shall be taken with input from the public. School building means any building intended to be used to provide instruction to students and any recreational or athletic structure or field intended to be used by students.

Beginning in the 2019-2020 school year, and at least biennially thereafter, the District shall conduct a review of its Plan, including a review of the vulnerability assessment, with at least one (1) law enforcement agency that has jurisdiction over the District.

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

A. school violence and attacks

B. threats of school violence and attacks

C. bomb threats

D. fire

E. weather-related emergencies

F. intruders

G. parent and pupil reunification

H. threats to a school-sponsored activity or event whether or not it is held on school premises

I. a plan to train teachers on mental health and pupil and teacher safety

J. a plan to improve school building security

K. an active violence protocol

L. continuity of operations after an incident

M. a vulnerability assessment

N. a protocol for when and how pupils are permitted to use wireless communications devices during an emergency

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

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Legal	M.C.L. 380.1308b

Book	Policy Manual
Section	Pending Policy Committee Review
Title	New SPECIALIZED TRANSPORTATION FOR STUDENTS WITH IEPs
Code	po8655
Status	

New Policy - Vol. 40, No. 2

8655 - **SPECIALIZED TRANSPORTATION FOR STUDENTS WITH IEPs**

It is the policy of the Board of Education to provide specialized transportation as a related service when it is necessary for a student with an individualized education program ("IEP") to receive a free appropriate public education ("FAPE"), consistent with the least restrictive environment ("LRE") requirements. Specialized transportation is defined under 34 C.F.R. 300.34(c)(16) and includes travel to and from school and between schools; travel in and around school buildings; and specialized equipment such as special or adapted buses, lifts, and ramps, if required to provide transportation for a student with an IEP.

The IEP Team shall determine whether specialized transportation is required based on the individual needs of the student and the student's access to education in the LRE, including nonacademic settings, in accordance with 34 C.F.R. 300.114 and 300.117. Transporting a student with an IEP separately from their peers shall be used only when necessary to meet the student's needs and after consideration of supplementary aids and services that could support the student on general education transportation. The IEP Team will consider whether the student can safely walk or use general education transportation to get to and from school and activities, and if not, whether disability-related medical, health, developmental, or behavioral needs necessitate specialized transportation. The IEP Team will also consider potential harmful effects on the student or the quality of services, consistent with 34 C.F.R. 300.116(d). Cost shall not be a factor in determining a student's need for specialized transportation as a related service. Any required specialized equipment or supports will be documented in the student's IEP.

Transportation options shall be selected in accordance with LRE principles and the student's documented needs and may include: general education vehicles without supplementary aids and services; general education vehicles with supplementary aids and services for specialized equipment; or specialized transportation vehicles when necessary for the student to receive FAPE. The IEP Team's determination shall address transportation to and from school and, as appropriate, nonacademic and extracurricular activities that are part of the student's IEP.

The Superintendent shall establish administrative guidelines to implement this policy and to ensure that transportation personnel receive the information necessary to carry out IEP-required transportation supports and services in compliance with Federal and State requirements.

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Legal	34 C.F.R. 300.34(c)(16), 300.114, 300.116(d), 300.117
	M.C.L. 380.1321, 1322, 1323, 1324, 1756
	A.C. Rule 340.281, 282