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ESTABLISHING NEW POSITIONS

The Board of Education recognizes the need to establish positions which, when filled by competent, qualified staff members, will assist the District in achieving the education goals set by the Board. The District employs only U.S. citizens and others lawfully authorized to work in the United States.

The Superintendent shall verify all new full-time and part-time employees' right to work in the United States according to the Federal Immigration Reform and Control Act of 1986.

The Board reserves the right to:

- A. create new positions:
- B. specify the number of persons to be employed with each Job category:
- C. set the salary for a new position not currently covered by a valid, negotiated, collectively-bargained agreement.

Immigration Reform and Control Act of 1986
8 U.S.C. 1255a

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BOARD-STAFF COMMUNICATIONS

The Board of Education desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent.

A. Staff Communications to the Board

All communications from staff members to the Board or its committees shall be submitted through the Superintendent. This procedure is not intended to deny any staff member the right to appeal to the Board on important matters through established procedures.

B. Board Communications to Staff

All official communications, policies, and directives of the Board regarding staff interest and concern will be communicated through the Superintendent, who shall also keep staff members fully informed of the Board's goals, concerns, and actions.

C. Social Interaction

Both staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they may informally discuss such matters as educational trends, issues and innovations, and general concerns of the District. However, since individual Board members have no special authority, except when they are convened at a legal meeting of the Board or vested with special authority by Board action, discussions between staff and Board members of confidential information will be considered to be unethical conduct.

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EMPLOYMENT OF STAFF

Relatives of Board members may be employed by the Board, provided the Board member does not participate in any way in the discussion or vote on the employment when conflict of interest is involved. A definition of relative as found in policy 0100 (Bylaws).

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he would be supervised directly by the relative staff member.

Any staff member's intentional misstatement of fact material to his/her qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The employment of staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting,

A person who is employed as an administrator must confirm that s/he has met or is in the process of fulfilling any educational requirements for school administrators established by the State Board of Education. The Board may employ administrators, without provision for tenure, by means of a written contract for a term not to exceed three (3) years.

M.C.L.A. 380.1229. 380. 1230b. 380.1231. 380.1233; 380.623
A.C. Rule 390.1101 et seq.

Revised 3/2012

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EMPLOYMENT OF PERSONNEL IN COMMUNITY EDUCATION PROGRAMS

The Board of Education recognizes that the success of the community education program depends in large measure upon the employment of qualified and competent personnel.

The Board shall fix the compensation and set the term of employment for each person employed in the subject programs established for this District. The Board will employ only those candidates recommended by the Superintendent. Such employment will not be subject to individual Board action.

A candidate's intentional misstatement of fact material to his/her qualifications for employment, or the determination of his/her salary, will be considered by the Board to constitute grounds for dismissal.

No candidate for employment shall receive recommendation for such employment without having proffered visual evidence of proper certification, if needed, or that application for such certification is in process.

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EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES

The Board of Education may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees may be members of the District's support staff, or individuals from the community or nearby areas.

The Board authorizes the Superintendent to act for the Board in employing such part-time staff.

The Superintendent shall establish administrative guidelines to ensure that each person employed as a coach, or activity sponsor has the appropriate qualifications, has been properly interviewed, and signs an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures.

Appropriate qualifications shall, at a minimum, include any requirements established by the State, and may also include any program specific training or certification as determined by the Superintendent, such as cardio-pulmonary resuscitation and/or first aid.

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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 staff responsible for the conduct of those programs and activities. A background check will be performed on all volunteers who would come in contact with students. All background checks will be kept confidential to the extent permitted by law.

The Superintendent or designee 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.

The Superintendent or designee 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;
- 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.
- D. must have an acceptable background check report.

Revised 3/2012

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CRIMINAL HISTORY RECORD CHECK

To more adequately safeguard students and staff members, the Board of Education requires an inquiry into the background of each applicant the Superintendent recommends for employment on the District's staff.

Such an inquiry shall also be made for substitutes who may be employed by the District. For substitutes only, the Superintendent may rely on certification from another local or intermediate school district that a report has been received from the State Police and that the individual has no criminal history.

The Superintendent shall establish the necessary procedures for obtaining from the Criminal Records Division of the State Police any criminal history on the applicant maintained by the State Police.

An applicant for a certificated position must submit a set of fingerprints as part of his/her employment application.

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may employ the person on a provisional basis until the report is received.

All information and records obtained from such inquiries are to be considered confidential and shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications, except the District may confirm to another district that a potential substitute does not have a criminal history, pursuant to a report received from the State Police.

PA 68 of 1993, 99 of 1993

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EQUAL EMPLOYMENT OPPORTUNITY

The Board of Education shall comply with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the Board that no staff member or candidate for such a position in this District shall, on the basis of race, color, religion national origin, creed or ancestry, age, gender, marital status, or disability, be discriminated against, excluded from participation in denied the benefits of, or otherwise be subjected to, discrimination in any program or activity for which the Board is responsible or for which it receives financial assistance from the U.S. Department of Education.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. The Superintendent shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act is provided to students, their parents, staff members, and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring and promotion need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

M.C.LA 37.2101 et seq.
Civil Rights Act of 1964. 42 USC. 2000e. et seq.
Americans with Disabilities Act of 1990. 42 U.S.C.
12112 Rehabilitation Act of 1973.29 U.S.C. 701 et seq.

Revised 6/17/96

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DRUG-FREE WORKPLACE

The Board of Education believes that quality education is not possible in an environment affected by drugs. It will seek, therefore, to establish and maintain an educational setting which meets the requirements in the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act.

In compliance with the Act, the Board prohibits the manufacture, possession, use, distribution, or dispensing of any controlled substance, including alcohol, by any member of the District's staff at any time while on District property. Any use of alcohol, such that would impair an employee's work performance, prior to scheduled work hours, is likewise prohibited. Any staff member who violates this policy shall be subject to disciplinary action in accordance with District guidelines and the terms of any collectively-bargained agreements.

The Superintendent shall establish whatever programs and procedures are necessary to meet the Federal certification requirements but which also comply, or do not interfere with, any collectively-bargained agreements.

The District recognizes alcoholism and drug abuse as treatable illnesses. When such illnesses impair the performance of staff members, the Board recognizes the responsibility to assist in a manner recommended by appropriate specialists in the treatment of those illnesses.

A staff member having an illness or other problem relating to the use of alcohol or other drugs will receive the same careful consideration and offer of assistance that is presently extended to staff members having any other illness.

The responsibility to correct unsatisfactory job performance or behavior resulting from a suspected health problem rests with the staff member. Failure to do so will result in appropriate corrective or disciplinary action as determined by the District.

No staff member will have his/her job security or promotion opportunities jeopardized by his/her request for counseling or referral assistance.

Staff members who suspect they may have an alcohol or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting the District's Employee Assistance Program.

P.L. 101-126

Drug-Free Workplace Act of 1988. 41 U.S.C. 701. et seq.
20 U.S.C. 3224A

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TERMINATION AND RESIGNATION

TERMINATION

Employment contracts may be suspended or terminated upon a majority vote of the Board of Education. In such cases, the Board shall abide by due process and such terms as may be set forth in a negotiated, collectively-bargained agreement or individual employment contract and state and federal laws.

RESIGNATION

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

An employee may resign by filing a written resignation with the Superintendent. A thirty (30) day notice is preferred prior to the effective date of the resignation.

The Board will not accept a resignation from a certificated employee, which is effective during the employee's work year. Such action will be considered a matter of forfeiture of Tenure Rights under the Michigan Teacher Tenure Act.

A resignation, once accepted, may not then be rescinded.

The supervisor shall, whenever possible, conduct a post-resignation interview to determine the reasons for the resignation.

The Superintendent may act for the Board in the acceptance of a resignation and is authorized to waive these requirements in justifiable situations.

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NON-RENEWAL OF A PROBATIONARY TEACHER

The Board of Education recognizes its obligation to employ only those staff members best trained and equipped to meet the educational needs of the students of this District. The Board shall discharge that obligation by retaining in service only those probationary teachers who meet those standards.

The Superintendent shall ensure that probationary teachers are evaluated in a timely manner by appropriate administrators, notified of areas of which performance is not meeting expectations, and are provided assistance in improving their performance. Each new probationary teacher is to be provided with an Individualized Development Plan (IDP) which is to be designed and utilized in accordance with the Superintendent's administrative guidelines. Such guidelines should also ensure that each new probationary teacher is evaluated properly in terms of the IDP.

The Superintendent shall annually review the performance of all probationary teachers by a date adequate to ensure timely compliance With all atatutory, contractual, or other applicable timelines. The Superintendent shall ensure that appropriate notices of the Board's actions are timely sent and delivered to all affected probationary teachers.

M.C.L.A. 38.81 et seq.

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NON-RENEWAL OF ADMINISTRATIVE CONTRACTS

In terminating the contract of an administrator, the Board of Education shall provide notice of the pending action to the administrator at least sixty (60) days prior to the termination date. It shall also advise the administrator, in writing, not less than thirty (30) days prior to the date it actually will act on the non-renewal, of its intent not to renew, the reasons for the non-renewal, and of his/her right to a meeting with the Board during the thirty (30) day period to discuss these reasons in closed or open session. The reasons for non-renewal shall not be arbitrary nor capricious.

M.C.L.A. 380.132; 380.247; 380.346; 380.471(a)

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MEDICAL EXAMINATION

The Board of Education or Superintendent reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine his or her physical and/or mental capacity to perform the essential job functions. This may include testing to determine freedom from substance abuse. Such examinations shall be done in accordance with the Superintendent's guidelines and/or the terms of the negotiated, collectively-bargained agreements.

Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be discussed with the employee or candidate and made a part of an employee's personnel record. In the event of a report of a condition that could influence job performance, the Superintendent shall base a nonemployment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or candidate to adequately fulfill those responsibilities or otherwise create an undue hardship.

**Any employee reporting to work whose physical/psychological condition renders her/him as being potentially unsafe to self or others may be sent immediately for an appropriate medical/psychiatric evaluation. Any drug and/or alcohol testing must be in compliance with applicable statutes.

The Board shall assume any uninsured fees for required examinations.

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DRUG AND ALCOHOL TESTING OF CDL LICENSE HOLDERS

The Board of Education believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with District vehicles must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' health and well-being.

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:

- A. The term *illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- B. The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained, or not used for its intended purposes, or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity, unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes all tasks associated with the operation and maintenance of District vehicles.
- E. The term *CDL license holder* means all regular and substitute bus drivers, other staff members who may drive students in District vehicles or inspect, repair, and maintain District vehicles.
- F. The term *while on duty* means all time from the time the CDL license holder begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

The Board expects all CDL license holders to comply with Board policy 4122.01 on Drug Free Schools which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substance while on duty.

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The Board directs the Superintendent to establish a drug and alcohol testing program whereby each regular and substitute bus driver, as well as any other staff member who holds a CDL license, is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Amphetamines
- E. Phencyclidine (PCP)

Such tests are to be conducted in accordance with Federal and State regulations a.) prior to employment, b.) for reasonable cause, c.) upon return to duty after any alcohol or drug rehabilitation, d.) after any accident, e.) on a random basis, and f.) on a follow-up basis.

Any staff member who tests positive shall be prohibited from driving any school vehicle and be referred to the District's Employee Assistance Program.

Prior to the beginning of the testing program, the District shall provide a drug-free awareness program which will inform each CDL license holder about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse
- B. Board policies 3122.01 - Drug-Free Workplace, and 3170.01 - Substance Abuse Treatment Program
- C. the sanctions that may be imposed for violations of policy 3122.01

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the District's Medical Review Officer (MRO)

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- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the District, the MRO, and to Federal and State governments

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.

49 C.F.R 382.101 et. seq.
revised 3/12

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SUBSTANCE ABUSE TREATMENT PROGRAM

The Board of Education believes that early recognition and treatment of illegal drug use or controlled substance abuse is important for successful rehabilitation, return to productive work, and reduced personal, family, and social disruption.

The District encourages the earliest possible diagnosis and treatment for illegal drug use or controlled substance abuse and supports sound treatment efforts. Whenever feasible, and subject to the limitations described here, the District will assist staff members in overcoming illegal drug use or controlled substance abuse. However, the decision to seek diagnosis and accept treatment for illegal drug use or controlled substance abuse is primarily the individual staff member's responsibility.

Self-Referral. Staff members with personal drug or controlled substance abuse problems should request assistance from the Employee Assistance Center. Assistance will be provided on a confidential basis, and each staff member will be referred to the appropriate treatment and counseling services. Staff members who, in dealing with drug or controlled substance abuse problems, voluntarily request assistance through the EAP may do so without Jeopardizing their continued employment with the District.

District Referral.

A positive test for the use of illegal drugs will result in immediate termination. (Unless otherwise prohibited by a collectively-bargained agreement.)
Staff member terminated for this reason will be ineligible for rehire.

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STAFF ETHICS AND CONDUCT

The Board of Education believes that all public school employees significantly affect our present and future generations. Preserving our democracy and full development of our nation rest, to a large degree, in the hands of the teaching professionals and other school employees. The students look upon them as models. Their behavior and actions reflect not only upon themselves, but also upon the entire educational community.

The Board expects that staff members, in maintaining appropriate relationships with students, will adhere to the following standards of personal conduct acceptable in the community.

- A. Deal honestly, justly, professionally, and considerately with students, staff members, and members of the community ;
- B. Seek to improve learning facilities and opportunities ;
- C. Withhold confidential information about a student or his/her home unless its release serves professional purposes, or is required by law ;
- D. Make discrete use of information obtained through their positions ;
- E. Establish and maintain proper communications. Conduct conferences with or concerning students in an appropriate place and manner ;
- F. Ensure that their actions or those of another on their behalf are not made with specific intent of advancing private economic interests;
- G. Direct concerns and complaints to the appropriate staff member for proper and expedient resolution ;
- H. Avoid exploiting their relationships with students, parents, and staff (see Conflict of Interest)
- I. Inform appropriate individuals and agencies of the student's educational needs and assist in providing an understanding of his/her educational experiences ;
- J. Acknowledge the right and responsibility of the public to participate in the formulation of education policy and carrying out programs and procedures ;
- K. Report all cases of suspected child abuse to proper authorities in compliance with state and federal statutes.

Revised 3/2012

administrative **guidelines**

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STAFF ETHICS GUIDELINES

It is imperative that all actions, decisions, and behavior of Lake Shore staff is made only in the best interest of students we serve. As such, no staff shall be accept anything that may be perceived as influencing their actions past, present or future.

The following guidelines are designed to clarify the district's Policy #3210, Staff Ethics:

Staff shall:

1. At all times use common sense. If you're uncomfortable, don't do or accept the offer.
2. Never personally accept any gift of value greater than \$25.
3. Never accept any gift, payment, or gratuity delivered to your home.
4. Never accept any offer of travel for other than district-approved business travel.
5. Suggest to the giver that gifts or donations may be given to the LSFEE

Staff may:

1. Accept lunches, dinners, entertainment, hospitality, golf outings, etc. within the area, if it provides an opportunity to build or enhance the working relationship with the donor, or if is a learning opportunity. Such offers may not be accepted if provided for the employee or his/her family only (the donor/vendor does not attend).

It is the responsibility of each staff member to inform vendors or others who may wish to offer gifts, etc. of these guidelines. Notifying the donors in advance, avoids awkward or embarrassing situations.

The intent of these guidelines shall not apply to gifts between staff members, or tokens of appreciation given to staff by parents, students or parent groups.

administrative guidelines

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USE OF CLASSROOM TELEPHONES

The following guidelines apply to the use of classroom telephones.

- Except in extenuating Circumstances, students should not be allowed to use classroom telephones. Students should be referred to the main office if they request to use the telephone. We also ask that you not have students answer your telephone.
- The telephone should not be used to make personal calls while students are in the room.
- Telephones shall be on "call divert" during the times class is in session. The "call divert" mode may be turned off before and after school, during lunch and preparation periods, etc. If there is an emergency, the office staff know how to override the "call divert" function. If the telephone rings while on "call divert", please answer it.
- It is inappropriate and unprofessional to use the telephone to communicate with parents and discuss student progress while other students are in the classroom.
- If you use the telephone to make personal calls that result in a long distance or toll charge, it is expected that you will reimburse the district. It is not necessary to reimburse the district for local calls.
- Do not share your pin number. If you want to change your pin number, you may do so by calling the Technology Department at 285-8485.
- If you have voice mail, please check it frequently, at least once per day. If you have not activated your voice mail, please do so immediately.
- We encourage you to give your classroom telephone number to parents so that they can call your voice mail directly. Be advised that your telephone number is listed on the District website.

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Lake Shore Public Schools Technology Acceptable Use Policy for Staff

Technology Use Guidelines

Lake Shore Public Schools is pleased to offer access to computers and a computer network from which to access the Internet. Use of Lake Shore Public School's technology is a privilege, not a right. Individuals who use District technology must adhere to the District's policies. In addition, all use of technology must support and be consistent with the District's stated goals.

User Responsibilities

Staff members who use District technology are expected to:

1. Respect the privacy of other users. Users shall not intentionally seek information; obtain copies; modify files, data or passwords belonging to other users; represent themselves as another user, unless explicitly asked to do so by that individual; or attempt to gain unauthorized access to files, programs or network services.
2. Follow copyright law, patent law and license agreements for software programs and other data. This includes but is not limited to plagiarizing text, copying photographs, downloading and copying Internet materials and copying or "over-installing" software disks and CDs.
3. Preserve the integrity of computers and network systems. Individuals shall not intentionally develop, distribute or implement programs that harass other users, infiltrate a computer or computing system, and damage or alter software, a computer or computing system.
4. Report any misuse of the network to the building administrator. Misuse is commonly viewed as any message or file that indicates or suggests pornography, violence, racism, sexism, unethical or illegal solicitation or inappropriate language.
5. Refrain from sending, creating, disclosing or accessing inappropriate materials. This includes text files, pornographic material, viruses or files dangerous to the integrity of the network. The District may review information such as e-mail, letters or reports without the author's permission.
6. Maintain the integrity of the e-mail system. Individuals are responsible for all mail sent or received under their user account. Users should be advised that the content of e-mail is neither private nor confidential.
7. Refrain from any use for commercial purposes.

The District does not warrant that the functions of the system will meet any specific requirements the user may have, or that it will be error-free, or that its operation will be uninterrupted.

I have read and understand the Lake Shore Public Schools Technology Acceptable Use Policy and agree to adhere to all technology use guidelines and user responsibilities.

Name (print)

Signature

Building

Date

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STUDENT SUPERVISION AND WELFARE

Staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the staff member.

It is the responsibility of the professional staff to ensure the maintenance of the following standards:

- A. Each staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- C. Each staff member shall immediately report to the principal any accident or safety hazard s/he detects.
- D. A staff member shall not send students on any personal errands.
- E. A staff member shall not associate with students, particularly those of the opposite gender, at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs.

This provision should not be construed as precluding a staff member from associating with students in private for legitimate or proper reasons.
- F. If a student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/ or family relationships, the staff member may help the student make contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to formally counsel, assess, diagnose or treat the student's problem or behavior.
- G. A staff member shall not transport students in a private vehicle without the approval of the principal.
- H. A student shall not be required to perform work or services that may be detrimental to his/her health.

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Most information concerning a child in school, other than directory information described in Policy 7330, is confidential under Federal and State laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 7462, each staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

M.C.L.A. 722.621 et seq.

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STAFF DRESS AND GROOMING

The Board of Education believes that staff members set an example in dress and grooming for their students to follow. A staff member who understands this precept and adheres to it enlarges the importance of his/her task, presents an image of dignity, and encourages respect for authority. These factors act in a positive manner toward the maintenance of discipline.

The Board retains the authority to specify the following dress and grooming guidelines for staff that will prevent such matters from having an adverse impact on the educational process. When assigned to District duty, all staff members shall:

- A. be physically clean, neat, and well groomed:
- B. dress in a manner consistent with their professional responsibilities:
- C. dress in a manner that communicates to students a pride in personal appearance:
- D. dress in a manner that does not cause damage to District property:
- E. be groomed in such a way that their hair style or dress does not disrupt the educational process nor cause a health or safety hazard.

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STAFF WEAPONS

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

The term 'weapon' means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearm, dagger, dirk, stiletto, knife with blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.

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

Exceptions to this policy include :

- a) Weapons under the control of law enforcement personnel ;
- b) Items approved by a principal as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved ; (working firearms and ammunition shall never be approved).
- c) Theatrical props used in appropriate settings.
- d) Starter pistols used in appropriate sporting events.

Staff members shall report knowledge of dangerous weapons and/or threats of violence by students, staff members, or visitors to the principal. Failure to report such information may subject the staff member to disciplinary action, up to and including termination as permitted by the applicable Board policy and the terms of the existing collective bargaining agreements.

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OUTSIDE ACTIVITIES OF STAFF

The Board of Education directs the Superintendent to promulgate the following guidelines so that staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the District. If such situations threaten a staff member's effectiveness within the school system, the Superintendent shall evaluate the impact of such interest, activity, or association upon the staff member's responsibilities.

- A. Staff members should not give work time to an outside interest, activity, or association without valid reason to be excused from assigned duties.
- B. Staff members shall not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.
- C. Staff members shall not engage in business transactions on behalf of private enterprises in which s/he may profit by virtue of his/her official position or authority.
- D. Staff members shall not benefit financially from confidential information which the employee has obtained or may obtain by reason of his/her position or authority in the District.
- E. Staff members shall not campaign during their regular work hours on school property on behalf of any political issue or candidate for local, State, or National office.
- F. Staff members may not accept fees for tutoring when such tutoring is conducted during the normal work day.
- G. Staff members may not accept fees for remedial tutoring of students currently enrolled in one (1) or more of their classes.
- H. No employee or family member may use student rosters, directories or lists of students in any printed or electronic form to solicit for activities not sponsored by the District unless approved by the superintendent because of a demonstrated education purpose.

Research and Publishing

- A. Staff members are encouraged to contribute articles to publications and to engage in approved professional research.
- B. Materials which might be considered for publication and/or production, which identify the District in any manner, shall be cleared with the Superintendent prior to publication and/or production.

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- C. No literature advertising an activity and no name of any activity may suggest or imply school or District sponsorship where none exists.
- D. Publications and productions shall be subject to the following copyright provisions:
 - 1. Rights to copyrights or patents of books, materials, devices, etc. developed by staff members on their own time will be relinquished by the Board upon request of the staff member provided that:
 - a. the books, materials, devices, etc. were prepared without the use of District data, facilities, and/ or equipment;
 - b. the District is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
 - c. the staff member does not become involved in any way in the selling of the product to the District.

The final decision regarding whether materials were produced independently of any work assignment, and/ or without using school equipment, facilities, data, or equipment rests with the Superintendent who shall submit such decisions to the Board.

Staff members who desire to publish or produce materials on their own time should make such action known to the Superintendent prior to the time such work is started in order that proper procedures can be established to assure that District interests and the interests of the staff member are protected.

- 2. All books, materials, devices, or products which result from the paid work time and/or prescribed duties of staff members shall remain the property of the District. The District shall retain all rights and privileges pertaining to the ownership thereof.

In the event that any of these products have commercial possibilities, the Superintendent is authorized to secure copyrights, patents, etc, which will ensure the ownership of the product by the District.

The Superintendent is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including sharing of royalties, for the staff member(s) who developed the products.

M.C.L.A. 15.401 et seq. 380.1805 (1)

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PROFESSIONAL GROWTH REQUIREMENTS

The Board of Education believes that study is a prerequisite for professional growth of staff and Board members and, therefore, encourages the participation of all staff members in in-service and other training programs.

The Superintendent may plan and implement a program of staff development for professional staff members and support staff members, and explore other training programs.

Such staff development programs should be designed to address the professional development needs of staff members who are working at a particular level, involved in a particular course or subject, or need to be prepared for a new assignment.

During the first three (3) years of employment, each non-tenured certificated staff member shall be provided fifteen (15) days (90 hours) of professional development related to his/her: Individual Development Plan. The Superintendent shall also arrange for the assignment to each such staff member of one or more mentors who have demonstrated proficiency in the teaching skills established in the staff member's IDP.

The Superintendent shall arrange to provide each member of the certificated staff with at least five (5) days of professional development annually. These days shall not be provided in lieu of instructional days for students.

Training and staff development activities for District employees shall comply with all State and Federal mandates.

M.C.L.A. 380.1254,380.1526,280.1527

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FREEDOM OF SPEECH

The Board of Education acknowledges the right of its staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the District, however, the staff member's expression must be balanced against the interests of this District.

The following guidelines are adopted by the Board to help clarify and, therefore, avoid situations in which the staff member's expression could conflict with the District's interests. In such situations, s/he should:

- A. state clearly that his/her expression represents personal views and not necessarily those of the School District;
- B. refrain from expressions that would disrupt harmony among co-workers or interfere with the maintenance of discipline by school officials;
- C. not make threats or abusive or personally-defamatory comments about co-workers, administrators, or officials of the District;
- D. refrain from making public expressions which s/he knows to be false or are made without regard for truth or accuracy.

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ANTI-HARASSMENT

An environment of mutual respect for the rights and dignity of others must prevail if the Lake Shore Public Schools are to fulfill their educational purposes. Staff and Board of Education members are encouraged to form, hold, and express their own beliefs and opinions. However, a staff or Board member's exercise of free expression must not interfere with the acknowledged rights of students, staff, Board members, and other personnel to be free from derogatory or other objectionable conduct of a physical or verbal nature, based upon religion, race, color, national origin, age, sex, height, weight, marital status, sexual orientation, or disability where such conduct has the purpose or effect of substantially interfering with said person's employment or education, or creating an intimidating, hostile or offensive employment or educational environment. Any such conduct shall be considered harassment. It is the policy of the School District to provide students, staff, Board members, and other personnel with an atmosphere that is free from any form of harassment. Harassment of any kind by a supervisor, Board member, or employee of the School District will not be tolerated. Swift, appropriate, and firm disciplinary action will be taken against any School District employee or Board member found to have violated this policy against harassment. Based upon the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination.

A. Sexual Harassment – Definition

No employee or Board member, male or female, is to sexually harass a student, another employee, or Board member by:

1. Making unwelcome sexual advances or requests for sexual favors, or other verbal or physical conduct of a sexual nature, a condition of an employee's employment;
2. Making submission to or rejections of such conduct, the basis for employment decisions affecting the employee;
3. Creating a sexually intimidating, hostile or offensive working environment that would adversely affect either the work performance or psychological well-being of a reasonable person in the complaining employee's situation.

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Due to the serious nature of a charge of sexual harassment, the School District believes it is also important for employees to understand what does not constitute this offense. Sexual harassment does not refer to behavior or compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive, that fails to respect the rights of others, and that, therefore, interferes with one's work effectiveness. Sexual harassment may take different forms, including the following:

1. Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats, etc.
2. Nonverbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures, etc.
3. Physical: Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault, etc.

B. Reporting Procedures

1. Unless it would be futile or you feel uncomfortable doing so, politely but firmly confront whoever is doing the harassing. State how you feel about his/her actions. Politely request the person to cease harassing you because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion. Write a statement about the incident of harassment indicating the date, a summary of your conversation with the person you believe is harassing you, and what the person's reaction was when you confronted him/her. Keep this statement for possible use at a later time. If you are uncomfortable with this step, or if it is impractical for some reason, please refer to step #2.
2. When you feel that you are being harassed, promptly report this to either your supervisor (unless your supervisor is the alleged harasser), or the appropriate personnel administrator.

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This contact may be made either by telephone or in writing. When such contact is made, please state the specific details of the harassing incident(s).

3. All complaints will be handled in a timely and confidential manner. Except as required in the context of any legal or administrative agency proceeding, information concerning a complaint will not be released by the School District to anyone who is not involved with the investigation. No one involved will be permitted to discuss the subject outside the investigation. The purpose of this provision is to protect the rights and confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of harassment, and to protect the reputation of any employee wrongfully charged with harassment.
4. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in any investigation.
5. If the investigation reveals that the complaint is valid, prompt attention and disciplinary action designed to stop the harassment immediately and to prevent its recurrence will be taken.

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THREATENING BEHAVIOR TOWARD STAFF MEMBERS

The Board of Education believes that a staff member should be able to work in an environment free of threatening speech or actions.

Threatening behavior consisting of any words or deeds that intimidate a staff member or cause anxiety concerning his/her physical and/or psychological well-being is strictly forbidden. Any student, parent, visitor, staff member, or agent of this Board who is found to have threatened a member of the staff will be subject to discipline and/or reported to the authorities.

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TENURE

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

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

Administrators hired prior to July 1, 1983 shall not be entitled to acquire tenure in administrative positions. Therefore, all contracts of employment with administrators shall contain the following language:

"Tenure in any administrative or nonclassroom position is denied."

M.C.L.A. 38.71 et seq., 380.1231(5)
AC. Rule R390.661

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FAMILY LEAVES OF ABSENCE

In accord with Federal law, the Board of Education shall provide up to twelve (12) work weeks-of unpaid leave to all staff members working 1250 hours or more during any contract year for one of the following reasons:

- A. the birth or care of a child
- B. the adoption or foster care of a child
- C. the care of a spouse, son, daughter, or parent if such individual has a serious health condition
- D. a serious health condition of the staff member which disables him/her from performing the functions of his/her position. Such a condition may be an illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential medical facility or requires continuing treatment by a health-care provider (M.D. or D.O.)

If the Superintendent and the staff member agree, such leave may be taken intermittently or on a reduced-leave schedule in the event of the birth, adoption, or foster care of a child. A staff member has the right, however, to take intermittent or reduced-leave schedule (half days) when medically necessary to care for a spouse, child, or parent who has a serious health condition, or if the staff member has a serious health condition. In both cases, the taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken.

The Superintendent may require the staff member to transfer temporarily to an alternative position at the same compensation when the intermittent or reduced-schedule leave is foreseeable and the transfer better accommodates recurring periods of leave, if the leave periods exceed twenty percent (20%) of the total number of workdays encompassing the period of anticipated leave.

Whenever the leave is necessitated by the serious health condition of the staff member or his/her family member, and is foreseeable based on planned medical treatment, the staff member shall provide the Superintendent with thirty (30) day's notice. If there is insufficient time to provide such notice because of the need for treatment, the staff member shall provide such notice as early as practicable. The staff member shall make reasonable efforts to schedule treatments so as not to unduly disrupt the regular operation of the District.

The Board shall require that all accrued paid vacation leave, medical or sick leave, or personal leave be used to substitute for the family leave described in this policy. In cases in which the District has employed both the husband and the wife, the total amount of family leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either the husband or the wife.

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In the case of a health condition of a family member, the Superintendent is directed to obtain medical certification from the physician of the staff member or his/her family member, including:

- A. the date the serious health condition began:
- B. the probable duration:
- C. appropriate medical facts regarding the condition:
- D. a statement that the staff member is needed to care for the family member:
- E. an estimate of the amount of time needed for such care.

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

The Board reserves the right to obtain, at its expense, the opinion of a second health provider and, in the event of conflict, the opinion of a third health provider whose decision shall be binding and final.

The staff member shall provide the District with a statement from his/her physician that s/he is able to assume full-time responsibilities for his/her position.

At the end of any leave described in this policy, the Board shall restore the staff member to his/her former position or to one that is equivalent in responsibility and compensation. During a family leave, the Board shall maintain the staff member's current coverage under the District's health insurance program, but the staff member shall not accrue any sick leave, vacation, or other benefits during the leave period.

Should the staff member elect not to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of the health condition that gave rise to the leave or for circumstances beyond the control of the staff member, the staff member shall reimburse the District for the health insurance premiums paid by the District during the leave period.

The Superintendent shall provide a copy of the policy upon the request of a staff member.

Family and Medical Leave Act of 1993
P.L. 103-3 Section 107 stat. 6 (1993)

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UNAUTHORIZED WORK STOPPAGE

The Board of Education is obligated and committed to provide certain basic services to students participating in District programs. Therefore, if the schools are open and the students are in attendance, those basic services will be provided.

Recognizing the fact that the District, for various reasons, could experience an unauthorized work stoppage, the Board remains committed to providing educational and related services to the schools and will fulfill its obligations to operate the schools when possible.

Staff members who fail to perform their normal duties when so required as part of a concerted unauthorized work stoppage will be subject to loss of pay and fringe benefits, including paid insurance coverage, as well as disciplinary measures in accordance with the laws of the State.

M.C.L.A. 423.201 et seq