

4000—BUSINESS MANAGEMENTSN Excludes fiscal management

- 4005 Employee Conflict of Interest - Purchases
- 4010 Buildings and Grounds Management
- 4015 Insurance Program (Cf. 1190, 1220, 8460)
 - Liability Insurance
 - Worker's Compensation
- 4040 Safety (Cf. 8590)
 - Fire Prevention
 - Warning Systems
 - Building Lockdowns
 - Annual Practice
 - Safety Inspections
- 4050 Environmental Health and Safety - Employee Indemnification
 - Toxic Hazards and Asbestos
- 4060 Energy Policy
- 4080 Emergency Closings
- 4090 Traffic and Parking Controls (Cf. 8640)
- 4100 Environment
- 4110 Security
- 4120 Thefts and Vandalism (Cf. 8350)
- 4170 Records
- 4250 Printing and Duplicating Service – Copyright
 - Employee Produced Material
 - Copyright Compliance and Computer Software Copyright
- 4260 Fax Machines
- 4270 District Telephones
- 4300 Student Transportation Management (Cf. 4350)
- 4320 School Vehicles
 - Liability
 - Safety
 - Safety Inspection
 - End of Route Vehicle Inspection
 - Records
 - Licensing of Drivers
 - School Bus Safety Program
- 4350 Student Transportation in Private Vehicles
 - Field Trips
 - Use of Personal Vehicles
 - Student Self-Transportation
- 4365 Special Use of Transportation Services
- 4430 Personal and Business Transportation Services
- 4440 District Vehicle Idling Policy (Cf. 4050)
- 4450 Food Service Management (Cf. 3660, 8453)
 - Procurement of Items for Food Service
 - Charges to Food Service Account
 - Cost of Meals – School Employees

Section 4000 – Business Management

TC-4000-2

- 4460 Food Allergies (Cf. 8453)
 - Dealing with Food Allergic Students
- 4470 Bidding the Food Service Program (Cf. 3660)
- 4500 Technology - (Cf. 8940, 2810)
 - SN For policies of a general nature on the generation and control of statistical and other information as desired by the District and/or required by state and federal regulations. See also “Records” and “Report,” in Index.
 - New Programs
 - Upgrades
 - Data Management
 - Education and Instruction
- 4510 Computer Network (Cf. 4520)
 - Personal Accounts
 - Privacy
 - System Integrity
 - Network Use
 - District Web Page(s)
 - Limiting Access
 - Use of Computers in a School District Library
 - SN Includes new construction as well as related activities such as acquiring sites, plant remodeling or modernizing and leasing or renting property to meet expansion needs.
- 4520 Filtering Software (Cf. 4510)
- 4601 Facilities Development Goals
- 4650 Planning - Long-Range (Cf. 4601)
- 4700 Retirement of Facilities
 - Obsolescence/Continued Use Determination
- 4750 Naming of Facilities
- 4760 Responsible/Qualified Contractor Policy (Cf. 3660, 4770)
 - Suspension or Revocation
- 4770 Selection of an Architect/Engineer/Construction Manager
- 4800 Educational Specifications
 - SN Detailed, precise, expert presentation of a plan or proposal for educational facilities including equipment, classrooms, laboratories, curriculum, etc.
- 4890 Supervision of Construction (Cf. 4770)
 - Change Orders
- 4900 Fair Employment Clause
- 4910 Affidavits and Guarantees (Cf. 4770)
- 4950 Board Inspection of New or Remodeled Facilities
- 4970 Public Dedication of New Facilities
- 4975 Dedication Plaques

Section 4000 – Business Management

4005 Employee Conflict of Interest - Purchases

4005

Employees in a position to influence decisions on purchases shall not have a personal financial interest either directly or indirectly in purchase for the District, or benefit directly or indirectly from any financial transaction, unless that interest has been fully disclosed and the person involved has removed himself/herself from the decision-making process.

Purchases of, or use of District property, materials and manpower, by employees, shall be accomplished in accordance with good business practices, and within the framework of applicable laws, regulations, and Board policies.

The Superintendent and his/her cabinet and any other administrator deemed by the Superintendent to be in a position to influence the purchase of any goods or services, shall periodically sign and file a conflict of interest disclosure document.

Approved: February 8, 2010
LEGAL REF: MCL 15.322-323; 380.1202

Section 4000 – Business Management

4005-R Employee Conflict of Interest - Purchases

4005-R

CONFLICT OF INTEREST DISCLOSURE FORM

APPROPRIATE EMPLOYEES

Employees in a position to influence decisions on purchases or contracts shall not have a personal financial interest either directly or indirectly in any contract or purchase of the District or benefit directly or indirectly from any financial transaction or contract of the District unless that interest has been fully disclosed and the person involved has removed himself from the decision-making process.

Purchases of or use of school District property, materials and manpower by employees shall be accomplished in accordance with good business practices and within the framework of applicable laws and regulations.

The Superintendent, and any other District employee deemed by the Superintendent to be in a position to influence the purchase of any goods or services, shall sign and file the following information:

For purposes of this document, the following definitions are used:

DISTRICT: Bridgeport-Spaulding Community Schools

“SUPPLIER”: any person, partnership, trust, corporation, or other business entity that supplies materials, equipment, real estate, or services to the school District.

“FINANCIAL INTEREST”: means any stock, bond, or other debt, obligation, option or right to purchase stock, share in profits, investment, partnership interest, or other interest of any nature. Ownership in securities in a corporation shall not be considered to constitute a FINANCIAL INTEREST therein for this purpose provided all the following conditions are met:

Section 4000 – Business Management

4005-R Employee Conflict of Interest - Purchases

4005-R-2

- (1) The securities are traded on a national securities exchange, or regularly reported in over-the-counter quotations in the financial press,
- (2) The securities owned by you and to your knowledge or belief, owned by your near relatives do not exceed 1% of the outstanding securities of such corporation of the same class, and
- (3) The market value of the securities of such corporation so owned does not exceed 50% of your gross annual income.

“NEAR RELATIVE”: means your spouse and children, the parent(s)/ guardian(s), sisters and brothers of yourself and your spouse, and the spouses of your brothers and sisters. It is not necessary to interrogate the members of your family. It is sufficient to give the facts, as you know them, or believe them to be.

Complete honesty and candor is required of all employees asked to submit this form. Section 2 of Public Act 317 makes it a misdemeanor for any public servant to:

".....directly or indirectly solicit any contract between the public entity of which he is an officer or employee and (a) himself, (b) any firm (meaning a co-partnership or other unincorporated association) of which he is a partner, member or employee, (c) any private corporation in which he is a stockholder owning more than 1% of the total outstanding stock of any class where such stock is not listed on a stock exchange or stock with a present total market value in excess of \$25,000.00 where stock is listed on a stock exchange or of which he is a Director, officer, or employee, or (d) any trust of which he is a beneficiary or trustee, nor shall he take any part in the negotiations for such a contract or the renegotiations thereof or amendment thereto or in the approval thereof, nor shall he represent either party in the transaction; except as provided in section 3.

Section 4000 – Business Management

Should you have inadvertently omitted a company in your statement and later there is a transaction involving that company to come before the Board, you have a clear obligation to make your interest in that company known. If after the statement is signed you acquire an interest in a company doing business with the Board, that interest should be made public at or before such time as a transaction involving that company comes before the Board.” Failure to reveal a conflict of interest as outlined in this policy and in the law, may subject you to disciplinary action up to and including dismissal.

1. At any time since January 1, _____, have you, or to your knowledge and belief has any NEAR RELATIVE of yours had any direct or indirect FINANCIAL INTEREST in any SUPPLIER of the District?

Yes _____ No _____

If the answer is “yes,” attach a statement giving full details.

2. At any time since January 1, _____, have you or any member of your household had a direct or indirect ownership of any business in which your ownership in such business exceeds 10% of the business' capital or the income from which represents more than 10% of your gross income?

Yes _____ No _____

If the answer is “yes,” attach a statement giving full details.

3. At any time, since January 1, _____, have you been a Director, officer, sole proprietor, partner, agent, representative, employee, or the paid consultant or advisor to, or the recipient of any fee or commission from any business enterprise other than your principle employer?

Yes _____ No _____

If the answer is “yes,” attach a statement giving full details.

Section 4000 – Business Management

4005-R Employee Conflict of Interest - Purchases

4005-R-4

It is important to the District that you make accurate and complete answers to the above questions. It is not satisfactory to answer questions “same as last report”, instead, any questions that cannot be answered “yes” or “no” should be completed in whatever detail is necessary wither elsewhere on this form or by attachment.

Please sign and date below.

I declare that to the best of my knowledge and belief, the answers I have given and the statements attached are true and correct.

(Legal Signature) _____

Please Type or Print Full Name here

Date

Section 4000 – Business Management

4010 Buildings and Grounds Management

4010

All buildings and surrounding property shall be maintained and inspected by the Superintendent on a regular basis. The Superintendent shall develop a comprehensive program, which will ensure proper maintenance of all District-owned real property.

Approved: February 8, 2010

Section 4000 – Business Management

4010-R Building and Grounds Management

4010-R

Within each school, the Principal and the Superintendent shall be responsible for the care and upkeep of the building and for the supervision of custodial services. Needs which cannot be handled by the building custodial staff shall be immediately reported to the Superintendent.

It is the duty and responsibility of all District employees to safeguard and protect all property owned and operated by the District. Teachers shall be responsible for seeing that their classroom doors and windows are properly secured before leaving the building at the close of the school day. Students shall be instructed to use school owned equipment in the proper way and shall be encouraged to show respect for public and private property at all times.

Community groups such as PTO's and other interested parties are encouraged to participate in the beautification of school grounds in accordance with the master plan of the school District.

The Superintendent will make annual recommendations to the Board for approval of a priority list of maintenance projects to be carried out within funds so allocated in the budget. Upon Board approval, the Superintendent shall proceed to implement said projects within any specific dollar limitation imposed by the Board.

Section 4000 – Business Management

4015 Insurance Program (Cf. 1190, 1220, 8460)

4015

The Board shall insure District property unless otherwise directed by the District electors. Such insurance may be obtained from companies licensed to do business in the state of Michigan. The status of the insurance program in its entirety shall be reviewed annually by the Superintendent with specific reference to adequacy of coverage, placement of insurance, and services provided by insurance agents, their representatives, associates, or companies. Any recommended changes or improvements shall be brought to Board for action.

Liability Insurance

Liability insurance shall be provided to cover Board members and members of the administrative staff in performance of duties relating to District business and operation.

Worker's Compensation

Worker's Compensation insurance shall be carried for all employees as provided by law.

Except in unusual circumstances, all insurance shall be purchased based on bids, taking into consideration cost, service, potential dividends, and any other factors that may be of benefit to the District.

The Superintendent shall be responsible to develop specifications for all forms of insurance and make recommendations to the Board.

The Board shall establish a reserve fund for meeting the obligations incurred because of laws covering unemployment insurance. The amount of such funds shall be reviewed annually in relationship to obligations experienced over past years and anticipated obligations for the ensuing year.

Approved: February 8, 2010

LEGAL REF: MCL 380.1269; 380.1332; 691.1405-1409

Section 4000 – Business Management

4040 Safety (Cf. 8590)

4040

The Board and its administrative staff shall make every effort to provide a safe environment for students to study and play and for all employees to fulfill their employment duties and responsibilities. Safety rules and practices shall be developed by the District's administrative staff. These rules shall be reviewed annually with all employees and students.

Fire Prevention

The District's employees shall be constantly on the alert for potential fire hazards.

Warning Systems

The Board shall seek to cooperate with local government officials, emergency preparedness authorities and other related state agencies to ensure that adequate warning systems in the event of disasters are available for use in the District.

Building Lockdowns

Annual Practice

A building lockdown practice shall be implemented at least once during each school year. As directed by the Superintendent, the Principal or other building supervisor shall document that the practice has occurred.

Safety Inspections

The Superintendent, building Principals and maintenance personnel shall inspect each attendance center, playgrounds, and playground equipment, boilers, bleachers and other such areas to determine whether said facilities or play areas are in adequate repair and free of harmful defects under a schedule developed by the Superintendent.

Approved: February 8, 2010
LEGAL REF: MCL 29.19; 380.1288; R 340.1301-1305

Section 4000 – Business Management

4040-R Safety

4040-R

Safety Inspections

If, upon proper investigation, defects are found to exist, the individual conducting the investigation shall immediately inform the building Principal, Superintendent or immediate supervisor in writing. Necessary steps either to repair or to remove the defect shall be taken as soon as possible. Defects, which will require expenditure of money, shall be reported to the Board in compliance with rules regulating such circumstances. Any defects not immediately removed, repaired, or otherwise eliminated shall be blocked off with fences or other restraining devices.

Heating and Lighting

All furnaces, boilers, and lighting fixtures shall be periodically inspected to ensure maximum safety for students, District employees, and patrons. All such devices shall meet minimum standards as regulated by state and federal agencies governing such items.

Weather Hazards

Insofar as possible, walkways should be kept clean of snow and ice and be maintained in a safe condition for pedestrian traffic.

Safety Glasses

Student and employee's eyes shall be protected at all times in shop classes and science classes with the use of safety glasses. Glasses for visitors shall be available at the building office.

Accident Reports

All accidents on District grounds shall be reported to the Superintendent by any District employee.

Emergency Drills

Fire drills and building lockdown drills shall be conducted as outlined in current law. Other emergency drills, such as tornado and disaster drills, may be conducted at the direction of the Superintendent.

Section 4000 – Business Management

4040-R Safety

4040-R-2

The building Principal shall establish procedures to perform a building lockdown, including protective measures to be taken during and immediately following the lockdown. Each school year, the school shall provide appropriate notice of building lockdown procedures to students, parents, guardians, certified staff, and classified staff.

Section 4000 – Business Management

4050 Environmental Health and Safety - Employee Indemnification

4050

Toxic Hazards and Asbestos

The Board is concerned for the safety of students, staff, and the general public and shall attempt to comply with all federal and state statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of District officials, from the presence of asbestos materials used in previous construction, and from hazardous materials present in the District.

The Board shall appoint a District employee to serve as the designated person who shall carry out the requirements of the Asbestos Hazard Emergency Response Act (AHERA), the Michigan Occupational Safety and Health Act, and the Michigan Right-To-Know Rules and Regulations.

The Superintendent may appoint a person(s) to develop and implement the District's approved asbestos management plan and shall develop a specific job description, which shall ensure proper compliance with federal and state laws and the appropriate instruction and in-service of staff and students.

The Board shall, through either a separate contract, a sub clause to an existing contract, or as a part of a negotiated master contract, defend, hold harmless, and indemnify current and former District employees who have been assigned the responsibilities related to the AHERA regulations from any and all demands, claims, suits, actions, and proceedings brought against those individuals as agents and/or employees of the Board, provided that any such incidents arose while those individuals were acting within the scope of their respective employment contracts and were not intentional, negligent, or criminal acts.

The Board shall attempt to maintain a secure liability insurance to help serve as a means of implementing this policy.

Approved: February 8, 2010

LEGAL REF: MCL 380.623b; 380.1256(1) (2); 380.1274b (Mercury in the schools);
388.864; 408.1001 (Michigan Occupational Safety and Health Act)

Section 4000 – Business Management

4060 Energy Policy

4060

The Superintendent shall develop and implement both short and long-range plans designed to conserve energy resources of the District.

Progress reports on the implementation of energy conservation measures shall be made as needed to the Board.

Members of the District staff and student body are encouraged to make suggestions to the Superintendent and building Principals, which might aid in the conservation of energy.

Approved: February 8, 2010

Section 4000 – Business Management

4080 Emergency Closings

4080

The Superintendent is authorized to close the schools in case of inclement weather or other emergency, which makes it unsafe for students to attend school. The Superintendent may delay the opening of school in cases of fog or ice until such hour as it is anticipated conditions are safe for transportation. The Superintendent shall develop a process to make appropriate information available on which to base the decision.

Approved: February 8, 2010

Section 4000 – Business Management

4080-R Emergency Closings

4080-R

As soon as the decision to close school is made, radio and TV stations shall be informed. Parent(s)/Guardian(s) shall be informed of the station over which the announcements will be made prior to the start of school and periodically throughout the school year.

In case schools are closed for emergencies, all administrative personnel, secretaries and custodians shall report for duty at their regular assigned time unless special instructions are otherwise given by the Superintendent. If certain groups of employees are not to report, the Superintendent shall include such information in his/her school-closing announcement. Pay for days schools are closed for emergency conditions shall be according to collective bargaining agreements with the association representing the given employee.

If it is necessary to dismiss school early, employees shall remain until their regular dismissal time unless authorized otherwise by the Superintendent.

Except in extreme emergency where there is no doubt about the ability to hold school, announcement of closing shall be made in the morning of the day of closing.

The Superintendent, in consultation with building administrators, may use his/her prerogative in scheduling activities on days schools are closed for emergency and the cancellation of activities already scheduled.

Section 4000 – Business Management

4090 Traffic and Parking Controls (Cf. 8640)

4090

The building Principal shall develop plans for accommodating the flow of traffic on school roadways, issue traffic regulations, and have responsibility for the assignment of parking areas to staff, students, and visitors to the schools. Convenient parking spaces shall be designated for handicapped persons.

No motorcycles, motor-driven bicycles or scooters, snowmobiles, all terrain vehicles, skateboards – manual or motorized, or motor carts may be operated on school grounds. The Superintendent may specifically authorize exceptions to this policy if such vehicles are used in connection with the District's educational program or are deemed necessary for service and maintenance of the schools.

Approved: February 8, 2010

LEGAL REF: OAG, 1989-1990, No 6657, p 372 (August 21, 1990)

Section 4000 – Business Management

4100 Environment

4100

In order to establish sound environmental and ecological oriented attitudes throughout the District, the Board recognizes its obligation to consider environmental values in any decision-making or action the Board proposes to take.

The Board shall cooperate with governmental and community agencies in order to increase the awareness and knowledge of environmental problems and possible solutions.

To the extent practical, the Superintendent shall develop administrative procedures relative to purchasing and use of materials, which shall consider the environmental and ecological impact of such purchases and uses. The development of bid specifications for material used by the District shall consider generally recognized and accepted environmental and ecological concepts and principles.

Approved: February 8, 2010

Section 4000 – Business Management

4110 Security

4110

The Board shall attempt, through the entire staff, to ensure that staff members, students, patrons and all property owned by the District are protected at all times from possible damage or injury, outside intrusion or disturbances occurring on school grounds or in school buildings. Security devices and measures, such as, but not limited to, video cameras, motion detectors, metal detectors (stationary or portable) and alarms, may be installed in any or all District buildings, or in District vehicles to protect District personnel, students and property.

Outside lighting and/or video surveillance devices may be installed and maintained at each attendance center to provide illumination and observation of the immediate grounds. An adequate key control system shall be established which will limit access to buildings to authorized personnel and will safeguard against the potential entrance to buildings by unauthorized persons. The District shall cooperate with all law enforcement agencies in enforcing security measures. (See 4120)

Approved: February 8, 2010

LEGAL REF: MCL 380.1291; 1997 National Fire Protection Association 101, Life Safety Code: 5-2.1.5.1

Section 4000 – Business Management

4110-R Security

4110-R

Access to Buildings

Access to school buildings and grounds outside of regular school hours shall be limited to personnel whose work requires it.

Keys shall not be loaned to anyone. Under no circumstances shall school employees have extra keys made unless specifically authorized to do so by the Superintendent or building Principal.

Students, no matter what their status, shall not be loaned (even for a short period) or given keys to any building doors or storage facilities, whether indoors or outdoors. Any student found to be in possession of such keys shall be immediately suspended for 10 school days with the possibility of a long-term suspension or expulsion. Any employee found to have loaned or given students such keys will be subject to disciplinary action up to and including discharge.

Combinations to school vaults and safes shall be changed each time there are changes in personnel who have had the combinations.

All equipment shall be stored in as safe a place as possible and employees must avoid leaving equipment and supplies where they are readily accessible to others.

Classroom windows and doors are to be locked when the teacher leaves the building.

Any employee using the building in the evening or on weekends must be certain doors are locked after entering and upon leaving.

Chaining of Doors

No exit doors shall be chained at any time whether or not the building is occupied. Principals, custodians and other responsible persons must be certain that all accessible exits are operable whenever a building or portion of a building is in use. However, approved security bars or devices may be used to secure outside doors when school is not in session.

Section 4000 – Business Management

4110-R Security

4110-R-2

Videotapes- Retention as Evidence

In the event a videotape from a video surveillance device contains evidence of wrongdoing, be it a crime or a violation of the student code of conduct or bus conduct code that could result in discipline, suspension or expulsion of a pupil, the actual, original videotape will be pulled from service and not re-used or taped over for a period of not less than 3 years following the incident in question. Should the tape be confiscated by prosecutorial authorities as evidence in a crime, the District shall take all steps possible to arrange for a certified copy of the tape to be retained by the District.

Section 4000 – Business Management

4120 Thefts and Vandalism (Cf. 8350)

4120

The Board shall institute an on-going program designed to prevent thefts and vandalism. The costs of thefts and vandalism shall be made known to the student body and the public on a regular basis.

Any known or suspected damage to, or unauthorized removal from, school property, equipment or supplies, shall be promptly reported to the Superintendent, along with any information which may assist in its recovery or replacement.

Approved: February 8, 2010
LEGAL REF: MCL 600.2913

Section 4000 – Business Management

4120-R Thefts and Vandalism

4120-R

Students found guilty of and/or responsible for, any form of theft or vandalism shall be disciplined in accordance with the Board's discipline policy, including possible suspension or expulsion from school.

In the case of malicious or wanton destruction of property, causing damage of \$2,500 or more, the student(s) will be suspended from regular classes and barred from District property and from all District activities for not less than 30 school days and up to 180 days. For other less serious acts of vandalism, the student(s) may be suspended for up to 10 days.

Recovery of damage and/or losses shall be sought from the person or persons involved. In the case of minors, restitution from their parent(s)/guardian(s) under the laws that hold parent(s)/guardian(s) liable up to \$2,500 for any loss or damage, may be sought.¹

Upon Board approval, the Superintendent shall sign a criminal complaint in the name of the District to bring charges against perpetrators of theft or vandalism.

If arrangements for restitution for damage or losses, as established by the Board and permitted by law, are to be made by the person or persons involved within a reasonable period of time, the Superintendent, with the approval of the Board, may direct the Board attorney to commence a legal action to recover all damages, costs and legal fees associated with the incident.

¹ 600.2913 Minor maliciously or willfully destroying property or causing bodily harm or injury to person; recovery of damages from parents.

Sec. 2913. A municipal corporation, county, township, village, school district, department of the state, person, partnership, corporation, association, or an incorporated or unincorporated religious organization may recover damages in an amount not to exceed \$2,500.00 in a civil action in a court of competent jurisdiction against the parents or parent of an unemancipated minor, living with his or her parents or parent, who has maliciously or willfully destroyed real, personal, or mixed property which belongs to the municipal corporation, county, township, village, school district, department of the state, person, partnership, corporation, association, or religious organization incorporated or unincorporated or who has maliciously or willfully caused bodily harm or injury to a person.

Section 4000 – Business Management

4170 Records

4170

All records pertaining to District-wide maintenance costs shall be filed in the central office. To the extent possible, a cost analysis of existing and proposed maintenance program shall be developed by the Superintendent.

Approved: February 8, 2010

LEGAL REF: MCL 15.231 *et seq.*

Section 4000 – Business Management

4250 Printing and Duplicating Service - Copyright

4250

The Board shall make duplicating equipment available for administrative and instructional use to the extent that is economically feasible and practical according to the needs of the District.

The extent of production of instructional materials by clerical staff shall be determined by the building Principal, who shall develop guidelines for requesting such services.

The copyright laws of the United States make it illegal for anyone to duplicate copyrighted materials without permission. Severe penalties are provided for unauthorized copying of all materials covered by the act unless the copying falls within the bounds of the “fair use,” as set forth in 4250-R.

Employee Produced Material

The Board has certain proprietary right to publications, devices, and instructional materials produced by District employees during their regular and normal workdays while in the employment of the District. All items prepared by District employees on District time, including data processing programs, shall become the property of the District. The Board may elect to copyright or patent such materials, devices or programs in the name of the District. All earnings or profits from such original materials, devices, or programs shall become assets of the District.

The Superintendent shall inform staff, through regulations, of the guidelines for use of copyright materials.

Copyright Compliance and Computer Software Copyright

The Board shall adhere to the provisions of the U.S. copyright laws regarding the duplication of computer software programs. The Superintendent shall develop appropriate procedures for staff to follow in this area.

Approved: February 8, 2010
LEGAL REF: 17 USCA §101, et seq. (Copyright Act of 1976)

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R

In accordance with Board policy 4250, the following regulations will be observed to comply with the copyright laws of the United States.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship, or research. If duplicating or altering a product is to fall within the bounds of fair use, these four standards must be met for any of the purposes:

THE PURPOSE AND CHARACTER OF THE USE: The use must be for such purposes as teaching or scholarship and must be non-profit. Fair use would probably allow teachers acting independently to copy small portions of work for the classroom but would not allow a school system or an institution to do so.

THE NATURE OF THE COPYRIGHTED WORK: Copying portions of a news article may fall under fair use but not copying from a workbook designed for a course of study.

THE AMOUNT AND SUBSTANTIALITY OF THE PORTION USED: Copying the whole of a work cannot be considered fair use; copying a small portion may be. At the same time, however, extracting a short sequence from a 16mm film or videotape may be far different from a short excerpt from a textbook, because two or three minutes out of a 20-minute film might be the very essence of that production and thus outside fair use. Under normal circumstances, extracting small amounts out of an entire work would be fair use, but a quantitative test alone does not suffice.

THE EFFECT OF THE USE UPON THE POTENTIAL MARKET FOR, OR VALUE OF, THE COPYRIGHTED WORK: If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials is an infringement, and making multiple copies presents the danger of greater penalties.

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R-2

Prohibited Practice

A teacher may not make multiple copies of a work for classroom use if it has already been copied for another class in the same institution; make multiple copies of a short poem, article, story, or essay from the same author more than once in a class term or make multiple copies from the same collective work or periodical issue more than three times a term; make multiple copies of works more than nine times in the same class term; make a copy of works to take the place of an anthology; and may not make a copy of “consumable” materials, such as workbooks.

Permitted Practice

A teacher may make—for use in scholarly research, in teaching or in preparation for teaching a class—a single copy of the following: a chapter from a book; an article from a periodical or newspaper; a short story, short essay or short poem (whether or not from a collected work); a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper; may make (for classroom use only and not to exceed one per student in a class) multiple copies of the following: a complete poem (if it has fewer than 250 words and is printed on not more than two pages), an excerpt from a longer poem (if the excerpt has fewer than 250 words), an excerpt from a prose work (if the excerpt has fewer than 1,000 words or 10 percent of the work, whichever is less) and one chart, graph, diagram, cartoon or picture per book or periodical.

A library may, for interlibrary-loan purposes, make up to six copies a year of a periodical published within the last five years, make up to six copies a year of small excerpts from longer works, make copies of unpublished works for purposes of preservation and security and make copies of out-of-print works that cannot be obtained at a fair price.

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R-3

Guidelines for Off-Air Recording of Broadcast

Programming for Education Purposes

A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable re-transmission) and retained for a period not to exceed the first 45 consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately.

Off-air recordings may be used once by individual teachers in the course of relevant teaching activities and repeated once, only when instructional reinforcement is necessary, in classrooms and similar places devoted to instruction within a single building, cluster or campus, as well as in the homes of students receiving formalized home instruction, during the first 10 consecutive school days in the 45 day calendar day retention period. “School days” are school session days—not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions—within the 45-calendar day retention period.

Off-air recordings may be made only at the request of, and use by, individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recordings.

After the first 10 consecutive school days, off-air recordings may be used up to the end of the 45-calendar day retention period only for evaluation purposes by the teacher, i.e., to determine whether to include the broadcast program in the teaching curriculum. They may not be used for student exhibition or any other non-evaluation purpose without authorization.

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R-4

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast programs as recorded.

Software

Software developed by District employees shall conform to the copyright and patent provisions prescribed in Board policy. District employees shall adhere to ethical practices when using commercially developed software for developing individualized programs to meet the District's needs.

Software Royalties

Software marketed with private organizations or other educational agencies may produce royalties in the form of financial remuneration, equipment or other material or devices. The allocation and deposit of all royalties shall be determined by the Superintendent.

Employee Produced Material

The Superintendent shall maintain full use, rights, and privileges on all software, manuals, devices, documents and programs and related materials developed by staff during work periods for which they are compensated.

Computer Software Copyright

It shall be a violation of Board policy and the copyright laws of the U. S. to use “pirated” or otherwise illegally obtained computer software for use on District owned equipment, whether for instructional, administrative, or any other purpose. The use of District equipment to make unauthorized copies of District owned, privately owned, or illegally obtained computer software is prohibited.

Section 4000 – Business Management

In an effort to discourage violations of copyright laws and to prevent illegal uses of the District's computer system:

(a) The proper use of computers will be taught through planned computer curriculum and computer related instruction for students, and staff will address the ethical and practical problems caused by software piracy.

(b) District employees shall adhere to all provisions of the U.S. copyright laws, which allow for the making of back-up copies of computer programs.

“ . . . it is not an infringement of the owner of a copy of a computer program to make or authorize the making of the copy or adaptation of that computer program provided: that such a new copy of adaptation is created as an essential step in the utilization of the computer program in conjunction with the machine and that it is used in no other manner, or that such a new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.”

(c) When software is being used on a disk sharing system, efforts will be made to secure the software from copying.

(d) Illegal copies of copyrighted programs may not be made or used on District equipment.

(e) The Superintendent is the only individual who may sign license agreements for software. Each school using the software should have a copy of the signed software duplication agreement.

(f) No District employee will illegally access any database or electronic bulletin board.

(g) No District employee will encourage or allow any student to illegally duplicate computer software or access any database or electronic bulletin board.

(h) Each Principal is responsible for establishing practices, which will enforce the Board's policy at the school level. A copyright warning may be placed on computer equipment.

Section 4000 – Business Management

4260 Fax Machines

4260

Fax transmissions may be considered public documents and as such must be treated accordingly. Verification of authenticity, security of handling, time, and place of receipt and use of such documents are of utmost concern to the Board and Superintendent.

The Superintendent shall designate the employee(s) responsible for sending and receiving Fax transmissions in order to ensure that the information reaches its intended destination and remains confidential.

Approved: February 8, 2010

Section 4000 – Business Management

4260-R Fax Machines

4260-R

All Fax messages received shall be properly logged and stored.

All Fax messages shall be accompanied by a transmittal sheet, which includes the District's name, cautions of “Confidential Notice” that it is intended to be privileged and confidential, and is intended for the use of the individual or entity named on the transmittal sheet.

Section 4000 – Business Management

4270 District Telephones

4270

District telephones are for official school use only. Personal calls are to be limited to emergencies. When personal long distance calls are made, they must be recorded on the call record or charged to a personal credit card.

Approved: February 8, 2010

LEGAL REF: MCL 380.11a

Section 4000 – Business Management

4300 Student Transportation Management (Cf. 4350)

4300

The Board shall provide safe, economical transportation to the students of the District. The use of buses by the District shall conform to state law. School bus routes shall be established by the Superintendent.

Bus transportation will be provided students to and from school for those students who qualify. Transportation will be provided by the District for all extra-class activities. Students are prohibited from driving personal automobiles to District-sponsored activities held during the school day unless student self-transportation is approved as per policy 4350.

Students must observe the rules and regulations developed by the administration governing student transportation. Students will also be subject to the school's behavior code while riding school buses. The Superintendent may suspend or revoke the transportation privilege or entitlement of any student who violates any administrative rules or regulations.

All such rules shall be published in the student handbook or copies given to students and parent(s)/guardian(s) at the beginning of the school year.

Bus drivers shall report any violation of said rules to the appropriate administrator who shall take the necessary steps to discipline students according to Board policy. As a disciplinary action for violation of District rules, a student may be refused school bus transportation but required to attend school.

Approved: February 8, 2010

LEGAL REF: MCL 257.1801; 380.1321-1322; 380.1333; R 340.1702; R 340.281-282;
Michigan Department of Education Transportation Handbook (Bulletin
431)

Section 4000 – Business Management

4300-R Student Transportation Management

4300-R

District transportation equipment shall be used only for the transportation of students to and from school and school-sponsored activities. The equipment may be used to furnish transportation to senior citizen groups when this does not conflict with school activities. Upon authorization of the Superintendent, adults may be permitted to ride school buses to school sponsored activities.

Student transportation shall be considered a privilege to be enjoyed by a student only as long as he/she accepts responsibility for his/her own conduct, carefully follows all rules and regulations, and positively responds to the directions and requests of the bus driver.

Bus Routes

Careful consideration shall be given to such conditions as safety and hazards, number and ages of students, kind and condition of roads, safe and convenient bus stops, economy of operation, and estimated time necessary to cover the routes. Routes are to be planned to keep individual riding distance and time to a practical minimum.

Distance Eligibility

Students who live 1-1/2 miles from the school that they attend shall be eligible to be transported to school. Under normal conditions, elementary students shall be expected to walk up to 1/2 mile and secondary students up to 1 mile to a bus stop. The Superintendent is authorized to make exceptions to these distances if safety conditions warrant.

Section 4000 – Business Management

4300-R Student Transportation Management

4300-R-2

Handicapped Students

A person identified by an educational planning and placement (EPPC) committee to be a “handicapped person” in accordance with R340.1702, who would otherwise be unable to participate in an appropriate special education program or service operated or contracted by the Intermediate School District, shall be eligible for only that additional transportation determined by the committee to be necessary for the person to participate.

Non-Public School Students

A student enrolled in a non-public school shall be eligible for transportation to the public school that the student would otherwise attend. This transportation shall be along the regular routes according to the same eligibility provisions and schedules in effect for public school students, except that the non-public school student shall then be eligible for transportation from the public school to the closest non-public school located in the District that the student is eligible to attend or to a point within the District from which he/she may have available transportation to the non-public school in accordance with state law.

When the District provides transportation to public school students of a given grade classification (other than for special education) attending public schools outside the District, non-public school students of the same grade classification shall then be eligible for transportation in the same general direction for approximately the same distance to non-public schools located outside the District.

Riding a Different Bus

Students who wish to ride a different bus for a specific purpose on a particular day may do so providing they present written permission from their parent(s)/guardian(s) to the Principal and receive approval. Students shall not be transported to different stops for birthday parties, social events or any program not sponsored by the District. The same policy shall apply to a non-bus student who on a specific occasion has a justifiable reason for riding a school bus to a specific destination.

Section 4000 – Business Management

4300-R Student Transportation Management

4300-R-3

Bus Driver Responsibilities

Bus drivers shall have such duties and responsibilities as prescribed by the Superintendent.

Unavailability of Buses

The transportation supervisor shall notify each building Principal any time it is necessary to reduce the number of buses transporting students home. The Principal shall then notify the necessary staff members and shall then insure that the school telephones be monitored for at least 45 minutes after the last bus departs.

Section 4000 – Business Management

4320 School Vehicles

4320

School buses or other District owned or leased vehicles shall not be loaned, leased, or subcontracted to any person, groups of persons or organizations except as allowed by law and subject to Board approval.

No public funds shall be spent by the Board to hire, rent, or lease any form of transportation to be used by any student, school employee, patron, or any organization to transport anyone to or from a religious activity.

Liability

All school vehicles shall be adequately insured.

Safety

Every bus driver shall have authority and responsibility for the passengers riding in school buses.

Safety Inspection

All school vehicles shall be inspected annually prior to the opening of school.

End of Route Vehicle Inspection

At the end of every route driven, every bus driver shall do a thorough inspection of the bus, van, or any vehicle used for transporting students for any reason, to be certain that no students or any other passengers remain in the vehicle. It shall be the responsibility of the administration to develop appropriate rules, forms, or records to ensure that this policy is implemented. Any driver failing to adhere to this policy or to the rules established by the administration shall be subject to disciplinary action as determined by the Superintendent.

Records

Every bus or other vehicle driver of school vehicles shall keep accurate records pertaining to each vehicle assigned to him/her. The types of records shall be developed by the Superintendent.

Section 4000 – Business Management

4320 School Vehicles

4320-2

Licensing of Drivers

Michigan laws and regulations of the Michigan Department of Education set standards for the physical fitness, competence, experience, training, and proper licensing of school bus drivers. The Board directs the Superintendent to ensure that these legal requirements and regulations are complied with strictly.

Revocation of license, inability to secure a proper license, or accumulation of traffic violation points shall serve as sufficient cause for immediate dismissal from employment.

School Bus Safety Program

The Superintendent and building Principal shall develop and publish school bus safety rules for bus drivers and students.

Approved: February 8, 2010

LEGAL REF: MCL 15.231 *et seq.*; 257.314; 380.1333; Michigan Department of Education, “Pupil Transportation Best Practices Bulletin”, August 10, 2006

Section 4000 – Business Management

4320-R School Vehicles

4320-R

Safety

Any student or other person riding in school buses who violates the rules of the District concerning such passengers shall be reported to the proper administrative official. Violations of said rules by students or other such persons may result in disciplinary action by school officials.

Safety Inspection

Any defect found in a school vehicle shall be repaired as soon as possible. The Superintendent shall be responsible for keeping school vehicles in good operating condition.

End of Route Vehicle Inspection

At the end of each route driven, every bus driver shall inspect the bus, van, or any other vehicle used to transport students to be certain that no students or other passengers remain in the vehicle. This requirement extends to mean that an inspection will occur any time a route has been run, be it a partial route interruption where the driver is “waiting” for students to return to the vehicle (such as on a field trip,) or the final run of the day or evening. In addition, an inspection of the vehicle will be done any time that the driver is to be absent from the vehicle for 10 minutes or more before the driver exits the bus whether at the end of the route or during an interruption in the route.

An “End of Route Inspection Form,” to be provided by the administration, shall be completed and submitted to the transportation office as soon as possible after the inspection but in no case later than the normal end of the driver’s shift or assignment.

Records

Any record developed by the District for monitoring vehicle use may include but will not be limited to the following information: miles driven each trip, gas and oil usage, purpose of the trip, destination, time departing, and time of return. Such records shall be signed by each driver at the conclusion of each trip and submitted to the person responsible for collection of said records.

Section 4000 – Business Management

4320-R School Vehicles

4320-R-2

An annual report tabulating such data in the record shall be used in the compilation of the District's budget. A copy of said annual report may be given to the Board upon request.

Housing of School Vehicles

All school vehicles shall be housed in areas designated by the Superintendent. Buses may be housed in the District's central storage area or assigned to a designated driver who may then house the bus at his/her private residence.

District cars or vans shall be assigned to a designated employee who shall then be responsible for the proper care, maintenance, and housing of the vehicle either at a District-owned site or at the employee's private residence.

Section 4000 – Business Management

4350 Student Transportation in Private Vehicles

4350

Field Trips

In scheduling transportation for field trips, the Superintendent may approve the use of private vehicles in situations in which budget or schedule restrictions make it prohibitive or impractical to use school buses.

Use of Personal Vehicles

The use of personal vehicles to transport District students involved in field trips is discouraged. However, in scheduling transportation for field trips, the Superintendent may approve the use of private vehicles in situations in which budget or schedule restrictions make it prohibitive or impractical to use school buses.

Student Self-Transportation

In cases where a student is enrolled in a Board approved, shared time program, or District sponsored activity, at another school or program site (Example: An area career center, gifted and talented program, or dual enrollment program with an area junior college, college or university) parent(s)/guardian(s) of the student may request permission for their child to self-transport him/herself to and from that site, subject to rules and regulations established by the administration.

Approved: February 8, 2010

Section 4000 – Business Management

4350-R Student Transportation in Private Vehicles

4350-R

Field Trips

When private vehicles are used for field trips, the following requirements shall be met:

1. Only an adult (non-high school student) licensed driver shall be allowed to drive the vehicle. The health and driving quality of the driver shall also be taken into consideration.
2. The vehicle shall be equipped with seatbelts and the number of passengers limited to the number of seatbelts available. Seatbelts shall be used at all times by all passengers when the vehicle is in operation.
3. The vehicle shall be generally in good condition, particularly as it pertains to safety equipment such as brakes, horn, tires, lights, etc.
4. Vehicle and driver shall be insured.
5. No open-type vehicle, such as a pickup or truck, shall be used for transporting students other than in the cab of the vehicle where proper seat belts can be used.
6. Non-ownership insurance as a secondary coverage may be carried by the District either on a permanent or temporary basis as determined by the Superintendent.
7. A form verifying certain desired information to be signed by the driver of the vehicle shall be kept on file.

Student Self-Transportation

Parent(s)/Guardian(s) who seek permission for their son/daughter to provide their own transportation to other Board approved schools, District sponsored activities, or program sites shall file their request, in writing, with the Superintendent stating, specifically, the nature of their request. A separate form may be developed by the administration to facilitate the request.

Section 4000 – Business Management

4350-R Student Transportation in Private Vehicles

4350-R-2

In all cases, parent(s)/guardian(s) requesting permission for their son/daughter to self-transport shall be required to affirm and verify that:

1. The vehicle to be used is equipped with seatbelts that are operable and in good repair. Seatbelts shall be used at all times when the vehicle is in operation.
2. The vehicle shall be generally in good condition, particularly as it pertains to safety equipment such as brakes, horn, tires, lights, etc.
3. Vehicle and driver shall be insured and proof of insurance, along with a valid Michigan Driver's License, shall be presented prior to permission being given for student self-transport.
4. No other student "passengers" may be carried by the student under this policy and these rules without specific permission of the Superintendent. Permission slips must be obtained. Students found to be transporting other students, without having permission to do so, will have their permission for self-transportation revoked immediately.
5. The student shall maintain a driving record free of violations or infractions of the Michigan Vehicle Code. Violations such as tickets for speeding, reckless or careless driving, driving while intoxicated or the like, shall result in immediate suspension of the permission to self-transport.
6. The Board of Education shall be held harmless from any claims, suits, liabilities, causes of action or responsibility of any type for any accidents, injuries or death connected with the permission for student self-transport, it being specifically understood that the parent(s)/guardian(s) and student involved assume total and complete responsibility for all liabilities connected to the permission for student self-transport.
7. A form verifying certain desired information to be signed by the driver of the vehicle shall be kept on file.

Section 4000 – Business Management

4365 Special Use of Transportation Services

4365

Transportation service equipment and personnel shall be used primarily to transport to and from school during the day those public and non-public school students eligible for such transportation.

Transportation service equipment and personnel may be used secondarily to provide transportation for field trips for curricular and extracurricular activities, which are part of the educational program.

Transportation equipment and personnel shall not be used for any purpose or activity that is not directly connected with and a part of the regular educational programs within the District. Exceptions may be granted to governmental agencies sponsoring approved programs for youth in the community as approved by the Board. “For profit” organizations are prohibited from using school transportation equipment by law (MCL 380.1333.)

The Superintendent shall be authorized to approve the use of buses for field trips for curricular and extracurricular activities upon submission of requests from building administrators, classroom teachers, or faculty sponsors of extracurricular activities.

No fees shall be charged for transportation for field trips which are mandatory or which are a part of the regular classroom or curricular program of the schools.

Fees to cover expenses of non-mandatory and non-credit extracurricular field trips may be charged according to rules promulgated by the State Board of Education or as set by the Board.

Only students enrolled in the District and chaperones authorized by the school shall be allowed to ride buses on curricular or extracurricular field trips. The Superintendent may authorize parent(s)/guardian(s) and/or other residents of the community to ride buses to school sponsored activities if sufficient space is available. In all cases, students shall come first.

Section 4000 – Business Management

4365 Special Use of Transportation Services

4365-2

Use of transportation by governmental agencies sponsoring approved programs for youth in the community may be granted upon the approval of the Board.

Approved: February 8, 2010

LEGAL REF: MCL 257.1865; 257.1867; 380.1332-1333

Section 4000 – Business Management

4430 Personal and Business Transportation Services

4430

The Board recognizes the needs of the District to own or lease vehicles to carry out the instructional program and the business of operating the schools. The Superintendent is authorized to determine the extent to which District owned vehicles might be used for official school business. Such vehicles shall not be used for personal travel unless expressly approved by the Board. Drivers of school owned vehicles shall be properly licensed.

Approved: February 8, 2010

Section 4000 – Business Management

4430-R Personal and Business Transportation Services

4430-R

The use of privately owned vehicles for school business must be approved in writing by the Superintendent. The permission may be a standing permit for those who use their own cars regularly for school purposes.

Employees who use their privately owned vehicles for school business shall be required to maintain minimum insurance coverage for liability and property damage, which shall be the primary coverage. The school non-ownership insurance shall provide the secondary coverage. School non-ownership coverage shall not apply unless the employee has been given the authorization described above.

Reimbursable mileage shall be according to a rate approved by the Board and the driver shall possess a valid Michigan driver's license before any reimbursement shall be made. In no instance shall mileage reimbursement be claimed for travel for any purpose other than for District business.

Employees are forbidden to transport students for school purposes without authorization by the Superintendent.

A student shall not be sent on school errands with his/her motor vehicle, an employee's motor vehicle, or a District-owned motor vehicle.

No teacher or other employee shall be authorized to drive a van or bus to transport students unless properly licensed and qualified to drive a bus as determined by the Michigan Department of Education.

When District-owned vehicles, which are equipped with seatbelts, are used to transport students, it is required; that the number of passengers is limited to the number of seatbelts available and that seatbelts shall be used when the vehicle is operative.

Section 4000 – Business Management

4440 District Vehicle Idling Policy (Cf. 4050)

4440

This policy applies to the operation of all district-owned and/or contracted/leased school buses, delivery, or maintenance vehicles.

Exhaust from idling vehicles, especially those that burn diesel fuel, can accumulate in and around the vehicle and pose a health risk, to both children and drivers. Exposure to diesel exhaust can cause lung damage and respiratory problems. Diesel exhaust also exacerbates asthma and existing allergies, and long-term exposure is thought to increase the risk of lung cancer. Idling buses also waste fuel and financial resources.

It is the intent of the Board to eliminate unnecessary idling by District vehicles so that idling time is minimized in all aspects of school bus and other District vehicle operation. The Superintendent shall develop appropriate administrative rules to enforce this policy.

Approved: February 8, 2010

Section 4000 – Business Management

4440-R District Vehicle Idling Policy (Cf. 4050)

4440-R

Transportation, delivery, and maintenance staffs are to follow these rules when operating any District school bus, delivery, or maintenance vehicles:

- 1) When school bus drivers arrive at loading or unloading areas to drop off or pick up passengers, they should turn off their buses as soon as possible to eliminate idling time and reduce harmful emissions. The school bus should not be restarted until it is ready to depart and there is a clear path to exit the pick-up area. Exceptions include conditions that would compromise passenger safety, such as:
 - A. Extreme weather conditions – meaning an outside temperature of less than 30 degrees Fahrenheit.
 - B. Idling while standing in traffic.
- 2) At the bus garage or other vehicle storage areas, idling time during early morning warm-up is to be limited to what is recommended by the manufacturer (generally 3-5 minutes) in all but the coldest weather (meaning 30 degrees Fahrenheit or less.)
- 3) Buses should not idle while waiting for students during field trips, extracurricular activities or other events where students are transported off school grounds.
- 4) In colder weather (less than 30 degrees Fahrenheit,) schools are directed to provide a space inside the school where bus drivers who arrive early can wait.
- 5) In colder weather (30 degrees or less,) if the warmth of the bus is an issue, idling is to be at a very minimum and occur outside the school zone. The “warmed” bus is to enter the school zone as close to pick-up time as possible to maintain warmth and then shut down.
- 6) All District service or delivery vehicles shall turn off the engines after arriving to make deliveries to, or perform maintenance of, school buildings.
- 7) Transportation staff are directed to revise bus schedules so that school bus caravanning can be avoided and the cleanest buses are assigned to the longest routes.

Section 4000 – Business Management

4440-R District Vehicle Idling Policy (Cf. 4050)

4440-R-2

- 8) All transportation, delivery and maintenance staff, and building Principals shall be reminded of these rules at the beginning of every school year.
- 9) A copy of these rules shall be posted in a prominent place in District facilities so that all transportation, delivery, and maintenance staff can view them with ease.

Section 4000 – Business Management

4450 Food Service Management (Cf. 3660, 8453)

4450

A school breakfast, lunch, or supplemental milk program shall be made available to all full time students enrolled and in regular attendance in the school District.

A food service supervisor will be hired by the Board to oversee the District's lunch services.

The Board shall participate in the surplus foods program operated under the U.S. Department of Agriculture. The Superintendent shall determine the extent of participation based upon need and economic feasibility.

A system of accounts shall be designed and be operative which sets forth separately all revenues and disbursements of the food service operation as required by law and for management information purposes.

It should be the financial objective of the food service program to maintain fiscal operations on a break-even basis. Daily breakfast and lunch fees shall be set by the Board to cover actual costs of providing meals, milk, and accessories, including supervision, less the amount of food and financial assistance received from federal, state, and other sources for meals and milk.

Free and reduced price breakfasts and lunches shall be provided to eligible students according to standards as prescribed by the U.S. Department of Agriculture. The Superintendent shall make provisions to ensure that information contained in the application for eligibility is kept confidential, and that students receiving free or reduced price breakfasts, lunches or milk are not discriminated against.

Students eligible for free or reduced price breakfasts and lunches shall not be required to work in the lunch program to an extent more than other students in the school.

The Superintendent shall provide avenues for parent(s)/guardian(s) and student participation in the planning and evaluating of school breakfasts, lunches and other foods dispensed upon school premises. The control of students using the cafeteria shall be the responsibility of the building Principal.

Section 4000 – Business Management

4450 Food Service Management (Cf. 3660, 8453)

4450-2

Procurement of Items for Food Service

The provisions of the United States Department of Agriculture shall normally apply to the acquisition of food items, supplies, and equipment, regardless of the source of funds. However, when deemed to be in the best interest of the District from the standpoint of savings to be made, availability of items, or limitations of time, the Superintendent or his/her designee is authorized to deviate from these policies in the procurement of perishable food items and to take whatever steps necessary to bring the greatest benefit to the Food Service Department and District. Such action shall be periodically reported to the Board for informational purposes.

Charges to Food Service Account

Administration will adhere to generally accepted accounting practices in order to accurately reflect the financial state of the District's operation. The following, to the extent possible, will be paid from the Food Service Fund:

- a. All food, labor, routine maintenance, and supply costs.
- b. All expendable items, such as dishes, silverware, cooking utensils, and some small equipment.
- c. All equipment for new installation and replacement of equipment in existing facilities.
- d. Capital outlay equipment, such as large cookers, mixers, stoves, tables, chairs, dishwashers, cash registers, serving counters, food transportation vehicles, and all component parts, unless otherwise authorized by the Superintendent or his/her designee.
- e. Major equipment repair costs (if the cafeteria fund is unable to cover major equipment or capital outlay costs, the Board may authorize general fund payments).

Section 4000 – Business Management

4450 Food Service Management (Cf. 3660, 8453)

4450-3

Cost of Meals – School Employees

School employees will pay the total cost for all meals, unless it is part of a regularly adopted salary agreement for employees working in the Food Service Program. The Board will ensure that the District complies with USDA regulations as they pertain to competitive food services and the sale of Foods of Minimal Nutritional Value (FMNV).

Approved: February 8, 2010

LEGAL REF: MCL 380.1272-1272d; 42 USC 1779(b); 7 CFR 210.11; 7 CFR 220.12

Section 4000 – Business Management

4450-R Food Service Management (Cf. 3660, 8453)

4450-R

Administration

Building Principals shall be responsible for developing rules and regulations in their buildings in order to administer the food service program effectively. Procedures for collection of money, controlling students, and reporting shall be established on a building level in accordance with requirements established by the Superintendent.

Development of Menus

The food service Director is responsible for preparing a nutritionally adequate menu in compliance with state and federal regulations at least one week in advance. The menu for each day must be served as published except in extreme emergencies.

Food Purchasing

Since food service purchasing is a daily operation, the person in charge of the food service program shall be permitted to order on a predetermined basis as needed.

Bids will be taken on all items possible in compliance with Board policy and administrative regulations on purchasing. Bids shall be taken annually on milk and bread. (Cf. 3660)

The food service Director shall be responsible for supplying the business office with minimum quantities for all items to be bid and for developing specifications for each item.

An inventory of food and supplies shall be taken by the 30th of each month and sent to the business office within the first two days of the following month.

Once the provision of an item has been awarded to a vendor for a specific period, all purchases of that item shall be made from that vendor unless said vendor cannot supply the item.

Section 4000 – Business Management

4450-R Food Service Management (Cf. 3660, 8453)

4450-R-2

The Superintendent will ensure that materials that have been declared by the USDA to be Foods of Minimal Nutritional Value (FMNV); such as but not limited to, soft drinks, hard candies, gum, non-juice popsicles, during school breakfast and lunch periods are inaccessible to students in the identified school food service areas, during school breakfast and lunch periods. Machines that dispense FMNV shall be located away from the identified school food services areas. FMNV are not to be included as part of the reimbursable breakfast or lunch unit.

District funds may be used from the school food service account (SFSA) to purchase FMNV for sale outside a meal period or outside a food service area during meal periods, however, such purchases must be self-sustaining.

Section 4000 – Business Management

4460 Food Allergies (Cf. 8453)

4460

Dealing with Food Allergic Students

The Bridgeport-Spaulding Community School District takes food allergies seriously. We understand that food allergies can be life threatening. Recognizing that the risk of accidental exposure to foods can be reduced in the school setting, we are committed to working with students, parent(s)/guardian(s), and physicians to minimize risks and provide a safe educational environment for food-allergic students.

Accordingly, the Superintendent shall direct the person in charge of food service programs to act affirmatively and work closely with parent(s)/guardian(s) to assure that the dietary needs of food-allergic students are taken into consideration in menu planning for the District's food service programs.

Approved: February 8, 2010

LEGAL REF: The Food Allergy & Anaphylaxis Network's (FAAN) School Food Allergy Program.

Section 4000 – Business Management

4460-R Food Allergies (Cf. 8453)

4460-R

Administrative Regulations

In order to help assure that the needs of food-allergic students are met in the District's food service programs, the Superintendent and person in charge of the District's food service programs shall:

1. NOTIFY PARENT(S)/GUARDIAN(S) OF THEIR RESPONSIBILITY TO:
 - Notify the school of their child's allergies.
 - Provide written medical documentation, instructions, and medication as directed by a physician. Include a photo of the child on written form.
 - Work with the school team to develop a plan to accommodate the child's needs to include time in the classroom and cafeteria, as well as an emergency action plan.
 - Replace medications after use or upon expiration.
 - Educate the child in the self-management of their food allergy including:
 1. Safe and unsafe foods
 2. Strategies for avoidance of exposure to unsafe foods
 3. Symptoms of allergic reactions
 4. How and when to tell an adult they may be having an allergy-related problem
 5. How to read food labels (if age appropriate)
 - Review policies after a reaction has occurred.
2. ASSURE THAT THE DISTRICT HAS TAKEN ALL NECESSARY STEPS TO:
 - Review the health records submitted by parent(s)/guardian(s) and physicians.
 - Not exclude students from school activities solely based on child's food allergy.

Section 4000 – Business Management

4460-R Food Allergies (Cf. 8453)

4460-R-2

- Identify a core team of, but not limited to, school nurse*, teacher, Principal, cafeteria manager, and counselor* to work with parent(s)/guardian(s) to establish prevention policies. All policy decisions about food allergy management should be made with core team participation. (*If available)
- See to it that everyone who interacts with the student on a regular basis understands food allergies, can recognize common symptoms, knows what to do in an emergency, and works with other District personnel to work toward eliminating the use of food allergens in the allergic student's classroom as educational tools, arts and crafts projects, or incentives.
- Cooperate with the school nurse* to be sure medications are appropriately stored, see that an emergency kit is available, that contains a physician's standing order and epinephrine, and that medications are kept easily accessible to designated staff. (*If available)
- Designate school personnel who can administer medications.
- Always be prepared to handle a reaction and ensure that a staff member is available who can administer medications during the school day regardless of time or location.
- Review policies after a reaction has occurred.
- Work with the administrator in charge of transportation to see that school bus driver training includes symptoms awareness and what to do if a reaction occurs.
- Recommend that all buses have communication devices in case of an emergency.
- Enforce no eating on school buses.
- Discuss field trips with family to decide how to handle them.
- Follow State/District guidelines regarding sharing medical information about the student.

Section 4000 – Business Management

4460-R Food Allergies (Cf. 8453)

4460-R-3

3. SHALL INFORM PARENT(S)/GUARDIAN(S) AND DISTRICT STAFF THAT:

- Parent(s)/Guardian(s) are discouraged (*or, in the alternative, disallowed*) from bringing or offering “homemade” or “home baked” foods for classroom parties or school/classroom fund raising events. Parent(s)/Guardian(s) shall be encouraged to bring or offer non-food “treats” or “prizes” such as may be purchased at a Dollar Store” for children's birthday celebrations in lieu of offering or bringing “food” treats to the school. The danger of complications with food allergies, discrimination against students with a diabetic condition, and the general requirement that students be served only those foods that are commercially prepared and packaged and/or that are prepared in an “approved and licensed kitchen” makes this rule necessary.
- Teachers are to avoid using food items such as candy, cookies, or other snack items as a “reward” for classroom behavior or accomplishments. Reward items other than food are to be used in such instances.
- To get suggestions that are more detailed for implementing these objectives and creating a specific plan for each individual student in order to address his or her particular needs, they should refer to The Food Allergy & Anaphylaxis Network’s (FAAN) School Food Allergy Program.
- The School Food Allergy Program has been endorsed and/or supported by the Anaphylaxis Committee of the American Academy of Allergy Asthma and Immunology, the National Association of School Nurses, and the Executive Committee of the Section on Allergy and Immunology of the American Academy of Pediatrics.
- Inform parent(s)/guardian(s) and staff that FAAN can be reached at: 800/929-4040.

Section 4000 – Business Management

4470 Bidding the Food Service Program (Cf. 3660)

4470

The Board shall contract with a reputable food service supplier(s) to provide food supplies within the District.

Said service shall be advertised for bid at least every three years. The agreement with the successful bidder shall continue for one year with options for the yearly renewal of the contract not to exceed two additional years.

Awards shall be made by the Board and shall be based upon the fees charged, experience, reputation, and financial stability of the bidder as well as compliance with the format, terms and conditions of the Invitation to Bid. The procedure for bids shall be the same as outlined in policy 3660.

Approved: February 8, 2010

LEGAL REF: MCL 380.1272

Section 4000 – Business Management

4500 Technology (Cf. 8940, 2810)

4500

The Board encourages the application of technology to any District function where efficiency, reliability, or student learning will be improved.

New Programs

New technologies or new applications of technology within the District shall be implemented only after careful and thorough planning on the part of administrative staff. Whenever possible, the administrative staff should establish pilot project(s) and evaluate their effectiveness prior to implementing a new technological program on a school-wide or District-wide level. District support shall be given only to those new technologies that substantively improve efficiency, reliability, or learning beyond current or “traditional” practice.

Whenever the Board or a District administrator allocates funds for the purchase of new technological hardware or software, an appropriate portion of the funds allocated shall be designated for the training of staff and the development of necessary supplementary materials and documentation.

Upgrades

The Board recognizes the need for ongoing upgrading of technological resources within the District, and shall implement a plan and a budgeting process that ensures the regular replacement of aging equipment and software.

The Superintendent shall develop and submit to the Board annually a plan for upgrading the District's technology resources based on a replacement cycle of 5 years or less. The plan shall include recommendations for expansion of resources where appropriate, based on the evaluation of pilot programs, and shall include provisions for staff training and curriculum/materials development. The plan shall be considered by the Board as a part of the annual budgeting process.

Section 4000 – Business Management

4500 Technology (Cf. 8940, 2810)

4500-2

Data Management

The Superintendent shall provide for the orderly acquisition of data base software, information processing equipment, networks, and support materials to best use computer technology in support of District administrative functions. A student database shall be maintained which contains student administrative and instructional information.

The Superintendent shall establish procedures, which ensure the security, safety, and confidentiality of District or Personally Identifiable Information (PII) data. Access to District or PII data in any form, including use of the database by students, staff, and volunteers, shall be limited in accord with the Board policies on District and student records. District databases shall be implemented in such a way as to facilitate access to subsets or aggregates of the data, which are not confidential.

Education and Instruction

The Superintendent shall ensure that all staff and students are informed and instructed on the ethical uses of data and computer technology.

Approved: February 8, 2010
LEGAL REF: MCL 15.231 *et seq.*

Section 4000 – Business Management

4500-R Technology

4500-R

New Programs

Pilot technology programs may be generated by students, teachers, administrative staff, Board members, or members of the community at large. Prior to consideration of a pilot project, the person(s) desiring to lead the project must submit to the Superintendent or building Principal a detailed project proposal and plan, which must include the following:

- The need for the project, its rationale, and goals.
- A description of the project, including participants and anticipated benefits or outcomes.
- An itemized list of District support required (financial and otherwise), including hardware and software needs, classroom requirements, staffing, parent(s)/guardian(s) support, in-service and training expenses.
- A list of other Districts, schools, or business that have implemented a similar project successfully and who may be used as a resource.
- A plan for evaluation and monitoring of the project.
- A preliminary plan for expanding the pilot project into a regular District program or offering, including “ballpark” cost estimates.

Upon submission of a pilot proposal, the administrator shall review the proposal and its alignment with District goals and objectives, suggest modifications, and make a recommendation to the Superintendent, who may in turn make a recommendation to the Board.

Section 4000 – Business Management

4500-R Technology

4500-R-2

In establishing pilot programs, cooperation with outside agencies, especially local universities, is encouraged. Project leaders should consider the cost-effectiveness of using outside consultants for in-service training and support.

When a project is substantially in place and has been demonstrated successful at another school or District, the Superintendent may choose to recommend the implementation of the program without an in-District pilot, provided substantive and complete materials from the other school or District are available along with consultation and support.

Upgrades

District computer equipment shall be depreciated over no longer than a 5-year schedule. Each year, the District shall replace at least one-fifth of its computer hardware by installing new equipment in critical areas requiring current hardware, and moving older equipment to other applications in the District as appropriate. Additional funds may be allocated to expand computer resources in accord with pilot studies.

District computer software shall be depreciated over no longer than a 3-year schedule. Each year, the District shall order upgrades of software as appropriate and necessary for school operations, and shall allocate funds for the purchase of new software in line with District objectives.

Generally, a third of the funds allocated to technology upgrades and improvement should go to hardware and a third to software; the remainder should be allocated for training and development of curriculum and support materials.

The Superintendent shall develop a process for preparing the annual technology plan to present it to the Board in advance of the preparation of the general budget. The process shall consider the recommendations of District system administrators, administrative and support staff, students, and community members. The technology plan for the current year must provide flexibility to deal with rapid changes in the field, and should project District needs for 3-5 years into the future.

Section 4000 – Business Management

4500-R Technology

4500-R-3

Data Management (Cf. 2810, 8940)

The acquisition, upgrade, and necessary support of District data management facilities shall be included in the development of the annual technology plan submitted to the Board. Any new database software or hardware must provide for appropriate security, and must offer a simple mechanism for the export of subsets and summaries of the data in a text format, in accord with Board policies on records. Where possible, the person(s) setting up a database should offer preset forms for excising confidential information fields from records during export, to facilitate District responses to requests for records. Student records database(s) maintained by the District shall include record fields that allow for the recording of non-District personnel requesting access to a student's records, in accord with Board policy on student records and Michigan law.

The system or database administrator at each site is designated custodian for electronic records. All District database records shall be secured by a multi-level password system or equivalent, which allows the system administrator to control who has read-only, read-write, and full control over records and/or features in the database. Persons authorized to access a database shall be informed of proper security procedures with regard to passwords, and shall be required to change their password on a regular basis. Requests by a staff member, for access to specific data outside of what is required for that staff member's day-to-day job must be directed to the system administrator. At no time shall a person who is not a regular employee of the District be given a password or otherwise allowed to access any District database directly. Persons who knowingly allow non-employees, including volunteers or students, to use their password for database access may be subject to discipline.

Each custodian for electronic records shall secure the records by making and maintaining back-up copies of the data on an ongoing basis.

Section 4000 – Business Management

4500-R Technology

4500-R-4

Data, which is updated frequently, should be backed up at the end of each day, and the daily backups made should be retained for two weeks before being re-used to insure against data corruption, that is not detected immediately. In addition to the daily backups, two full backups should be made on a weekly or biweekly basis, with one backup stored off-site to guard against fire or theft loss. Automatic server-based backup systems are encouraged where practical.

Education and Instruction

All District introductory computer classes, media center computer orientations, and classroom computer orientations shall include instruction on the ethics of computer use as an integral part of the curriculum or orientation. Such instruction shall include explanation and familiarization with the District's policy on computer and network use, and may include a computer code of ethics or other statement of ethical expectations of students. Examples or ethical case studies are highly recommended to help students develop good judgment when confronted by choices during their use of District technology.

Personal Equipment and Software

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using District technology equipment, students and employees are expected to exercise care, notify technology staff of the need to perform required maintenance, and follow all operating instructions, safety standards, and guidelines. The District employs technology staff to purchase, install, support, and maintain all aspects of technology relating to the business function of the District. The District prohibits students or employees from installing personal equipment in or on the network, computer desktops, laptops, or communication lines. If technology related equipment is needed to perform a job duty, a request should be made along with written approval from a technology manager or other appropriate supervisor and submitted to authorized technology staff.

Section 4000 – Business Management

4500-R Technology

4500-R-5

All technology equipment shall be purchased and installed by authorized technology staff only. Students or employees are not permitted to install or configure hardware, software, or peripherals without proper permission and approval. All technology purchases shall fit within the District's technology guidelines and plan. Equipment installed that does not fit these guidelines will be removed. The District prohibits the use of District equipment and facilities by any student or employee for private, personal gain or commercial use without written authorization from the Superintendent that states the limited purpose and timeframe of using the District's equipment and facilities. Authorization will not be granted for any use that is contrary to the purposes, goals, policies, or administrative rules of the District. The use of the District's equipment and facilities by a student or employee contrary to these rules can result in disciplinary action, up to and including long-term suspension from school for students or discharge for employees.

Games

Commercial arcade-style games where success is substantially related to physical skill, coordination, and reaction time are not permitted on school computer equipment. Students who as a personal or class programming assignment write an arcade-style game, however, may use school equipment for programming, testing, and debugging at the discretion of the system administrator. Games written by students, or commercial games that are substantially dependent on reasoning skills, problem solving, strategy, critical thinking, or knowledge may be allowed on school equipment as long as their use is not disruptive to the learning environment.

At all times, students and staff who have need of school technology for work related to a class assignment or other curricular project shall have priority over all other users. Staff, and students who are pursuing personal academic research, shall have priority over persons using games.

Section 4000 – Business Management

4500-R Technology

4500-R-6

A Technology Code of Ethics

1. I shall never copy and use software, videos, music, or anyone else's work, which is normally sold for money unless it has justly been paid for. I shall never copy or use anyone else's work (including software, videos, etc.) without his or her permission.
2. I shall never use technology to distort the truth, to lie, or to misrepresent someone else.
3. I shall never use technology intentionally to harm or harass anyone.
4. All of my chats, my e-mail, my newsgroup and forum postings, my electronic drawings, photographs, videos and music, and everything I publish on the web will be things to which I am proud to sign my name and show to my parent(s)/guardian(s) and teachers.
5. I shall never use my skills for unjust personal gain, to access the private files of others, or to illegally access or damage any computer system.
6. I shall abide by the rules of those whose systems and equipment I use.
7. When I discover an error, a bug, or a weakness in any system, I will report it to someone so that it may be corrected.
8. I shall be patient and helpful toward those who do not understand a technology as well as I do, and I shall never take advantage of their lack of understanding.
9. I shall work diligently to guard the rights and freedoms of all technology users, and shall report and attempt to stop anyone who would use technology unjustly.
10. I shall be mindful of the needs of other users, and refrain from monopolizing equipment, bandwidth, storage space, or any other shared resource.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510

The Board authorizes the Superintendent to develop services linking computers within and between buildings in the District, and to provide access to the international computer network (Internet) for students, staff and, if requested, members of the Board of Education. All computer network implementation shall be in line with the Board policy on technology and the District's educational goals.

Use of the computer network(s) as a part of any class or school assignment shall be consistent with the curriculum adopted by the District. The District's general rules for behavior and communications shall apply when using any computer equipment.

Personal Accounts

The Board authorizes the Superintendent to provide personal accounts for students, staff, and, if requested, members of the Board, access to the District computer network and the Internet, including electronic mail and file server space for developing and publishing material on the world wide web or other networked computer media. Such access shall be provided in furtherance of the District's educational mission, to enhance student knowledge and familiarity with technology, and to facilitate communication, innovation, and sharing of resources. To ensure the integrity of the educational process and to guard the reputation of the District, student and staff expression in public electronic media provided by the school may be subject to review, comment, editing, and/or removal by school officials.

Personal accounts and all use of District computer resources are considered a privilege, not a right, and are subject to the District's rules and policies. Electronic communications and stored material may be monitored or read by school officials. Electronic mail in personal accounts will not generally be inspected by school officials without the consent of the sender or a recipient, except as required to investigate complaints, which allege a violation of the District's rules and policies.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510-2

Student electronic mail and electronic storage space, which does not contain material made public by the student, shall be subject to the District's policy and rules on student records.

A fee may be charged by the District to defray the cost of personal accounts. However, if use of personal accounts is required for a core curricular class, no fees may be charged of a student for the duration of that class.

Privacy

The School District may collect and store Personally Identifiable Information (PII). In the event PII is collected, all information shall be secured in accordance with Board policies 5180 - Unauthorized Release of Information and 8940 - Student Records.

System Integrity

The Superintendent shall designate person(s) trained in computer technology (“system administrators”) at the building and/or District level to implement the District's rules and regulations and to provide computer support for students, staff and Board members. The Superintendent in concert with the system administrators shall employ hardware and software security to ensure the integrity of the system and to prevent unauthorized access to District and school records.

Network Use

The Superintendent shall develop rules and procedures for computer and network use, and shall see to it that rules are published annually for students, parent(s)/guardian(s), staff, and Board members.

The District's computer and network use rules shall be consistent with the following requirements:

- Users may not use District equipment to perform or solicit the performance of any activity that is prohibited by law.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510-3

- Users may not use the system to transmit or publish information that violates or infringes upon the rights of any other person, or information that is abusive, obscene, or sexually offensive.
- District computer equipment shall not be used for commercial purposes by any user, or for advertisement or solicitation without prior written approval from the Superintendent.
- Except with prior authorization from a system administrator or the owner of the record in question, users may not access or attempt to access the records or files of other users, or of the District, nor delete, alter, or otherwise interfere with the integrity of computer-based information or resources.
- Users may not use the electronic mail facility to send unsolicited, bulk, chain, harassing, anonymous, or other messages which are an annoyance to the recipient or which may cause a degradation of system performance.
- Users may not use the network facility to access or bring into the school environment material that is inconsistent with the educational goals of the District, including but not limited to material which is defamatory, abusive, obscene, profane, sexually explicit, threatening, racially offensive, illegal, or which aids or advocates illegal activity other than non-violent civil disobedience.

District Web Page(s)

Any and all Web pages representing the District shall be carried and posted only on the District's server and shall be designed and published in accordance with rules promulgated by the Superintendent.

Limiting Access

The administration may make use of technology, which attempts to block access by individual users to networked computers, data, or services that provide content, which, in the opinion of the administration, is not in keeping with the educational aims of the District pursuant to state statute.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510-4

The administration is encouraged to pursue such technology for the personal accounts of elementary school children where practical.

Complaints about content of networked information or access to blocked sites shall be handled in accord with the District's policy and procedures for complaints about library and instructional materials.

Use of Computers in a School District Library

The Board, pursuant to state statute, requires when a school District library offers use of the Internet or a computer, computer program, computer network, or computer system to the public, that access to minors be restricted in the following manner:

Utilize a system or method that is designed to prevent a minor from viewing obscene matter or sexually explicit matter that is harmful to minors. To accomplish this, a library may use passwords and/or filters that restrict Internet access for those less than 18 years of age.

The Superintendent will develop rules concerning library Internet access in compliance with state law.

Approved: February 8, 2010
LEGAL REF: MCL 397.606

Section 4000 – Business Management

4510-R Computer Network

4510-R

Planning and funding for computer networking in the District shall be handled in accord with the District's policy and rules on technology.

Supervised Use

Teachers are encouraged to use the District network in researching material for classes, collaborating with colleagues, developing innovative approaches, or otherwise enhancing their background, skills and teaching. Teachers are encouraged to make use of the District network in their classes when the use of the network enhances the students' education, is appropriately supervised, and is consistent with District goals and objectives. School administrators shall monitor technology use in the curriculum to ensure its effectiveness and develop ideas for further in-service instruction of staff.

School libraries and media centers will provide networked computers for students and staff to use for research purposes. Library/Media center staff shall make every attempt to assist users in the operation of the network and to monitor the content of material being accessed. Academic assignments have priority over personal research.

Any staff member who becomes aware of student network use in violation of the District's acceptable use rules shall refer the incident to the system administrator for action, and may remove the student from the computer.

Personal Accounts

No student, staff, or Board member network account shall be activated until the individual has submitted a District request for network access contract and been notified of the District rules for acceptable use of the network. Upon receipt of the contract, the system administrator will provide account, password, and other log-on information and instruction, including an initial disk space allocation where appropriate. Users may request additional disk space, which may be provided by the system administrator according to availability and priority of the use.

Section 4000 – Business Management

4510-R Computer Network

4510-R-2

Violations of Conditions

Upon receiving notification of a violation of District rules or policies, the system administrator may suspend or terminate a staff member or student's personal account. The system administrator may access all relevant files of the user in attempting to determine the veracity and/or the extent of the violation.

Prior to a suspension or termination, or as soon after as is practicable, the system administrator will inform the student or staff member user of the suspected violation and provide an opportunity for explanation. If the alleged violation should involve a member of the Board of Education, the system administrator shall relay that information to the Superintendent who shall relay the complaint to the President of the Board, or, in the case of a complaint against the President, to the Vice-President of the Board. A Board member's personal account shall not be terminated unless by a majority vote of the Board. Student or staff users may request a review hearing with the building Principal and/or a different system administrator than the one who imposed the suspension or termination within seven days of the action, if the user feels the action was unjust.

System Integrity and Security

Computer file servers containing student records, employee records, or other sensitive administrative documents shall be maintained on an independent network separated by an electronic “firewall” from unauthorized access by outside entities, including student users. If dial-in access is permitted to this equipment, that number will not be published.

Section 4000 – Business Management

4510-R Computer Network

4510-R-3

All users, particularly staff, shall be instructed in password security. Passwords in general should not be (solely) English words available in common electronic dictionaries, nor should they be based on information, which is readily associated with the user (addresses, phone number, favorite flower, etc.). The system administrator may require a user to change a password if it fails to meet these criteria, or may issue randomly generated passwords to all users. Staff passwords should be changed every three months.

No user in a District building should leave a computer that is logged on to the network unattended, and all users should promptly report any suspected breach of security or data integrity to the system administrator.

District Web Page(s)

Guidelines for Construction of Bridgeport-Spaulding Community Schools WWW pages:

Purpose: District web pages should promote a positive image of the District and its programs. Web pages should facilitate and enhance the communication and educational goals of the District in a timely and professional manner.

Responsibility: The administrator in charge of technology is responsible for overseeing the content and design of all District web pages. The building Principals and/or their designees are responsible for developing web pages and content for their buildings and programs. The building Principals and/or their designees are responsible for entering data and uploading web pages.

Section 4000 – Business Management

4510-R Computer Network

4510-R-4

A Web Page Committee with a membership selected by the administrator in charge of technology and the building Principal(s) is/are responsible for developing guidelines and acting in an advisory capacity regarding all aspects of web page design and content.

Guidelines: These guidelines have been developed to ensure consistent quality and appropriate content of Bridgeport-Spaulding Community Schools' web pages.

1. District web pages will be posted only on the District's server providing Internet access to the District as negotiated by the administrator in charge of technology. No "personal" or private web pages representing the District shall be allowed. (Example: A school "club" or individual classroom that might wish to post a web page via twisted pair telephone lines or through a "private/personal" home page would be disallowed.) Any staff member or students violating this rule shall be subject to disciplinary action under the student code of conduct or applicable collective bargaining agreements.
2. The home page of each school and/or school program will present a consistent appearance. Contents, menus, background colors, heading styles, fonts, point sizes, buttons, icons, page sizes, and other graphic, and design elements should create unity within the array of the District's building and program pages.
3. Web pages will strive for high standards of professionalism with current and accurate information; correct grammar and spelling; and with no inappropriate reference to; race, gender, religion, politics, alcohol, drugs, firearms, or sex.
4. District web pages shall be free of all advertising and/or promotion of causes inappropriate to a public school educational setting.
5. No copyrighted text, graphics, or sound files will be used on District web pages without the express consent of the originator. It must be assumed that everything is copyrighted unless otherwise stated.

Section 4000 – Business Management

4510-R Computer Network

4510-R-5

6. All updated and new pages must be proofread by someone other than the author/typist prior to uploading. Making sure the information is proofread is the responsibility of the person doing the uploading.
7. All links must be verified by someone other than the author/typist prior to uploading. This verification is the responsibility of the person doing the uploading.
8. Web pages linked from District web pages must have educational or school related value and be free of inappropriate references as stated in 3 and 4 above.
9. Permission of the parent(s)/guardian(s) must be on file prior to using a student's photo, name, and/or original work on the Internet (See attached form). Directory information of students (address, telephone number, and other personal information) will not be indicated on District web pages or used, in any form, on any District web page.
10. District pages that provide links to off-site web sites will include a disclaimer:

"The Bridgeport-Spaulling Community Schools make every effort to provide a high quality web site with information and links that facilitate the accomplishment of our educational mission. Because of the unpredictable nature of the Internet however, we cannot be responsible for the content of pages not directly linked to this web site."

Section 4000 – Business Management

4510-R Computer Network

4510-R-6

Bridgeport-Spaulling Community Schools
TECHNOLOGY USE AGREEMENT

This form must be signed and returned to the school office before any school technology can be used.

I have read and hereby agree to comply with the Bridgeport-Spaulling Community Schools Technology Use Policy. I further understand that any violation of the policy is unethical and may constitute a criminal offense. Should I commit any violation of the policy, my access privileges may be revoked, and school disciplinary action and/or appropriate legal action may be taken.

USER FULL NAME

First _____ Middle In. _____ Last _____

BUILDING _____ TODAY'S DATE _____

USER SIGNATURE _____

STUDENTS MUST COMPLETE THE FOLLOWING:

GRADE _____ ANTICIPATED YEAR OF GRADUATION _____

PARENT(S)/GUARDIAN(S) (Must be signed if applicant is under 18 years of age)

As parent(s)/guardian(s) of the student signing above, I have read and agree to the conditions set forth in the Bridgeport-Spaulling Community Schools Technology Use Policy. I understand that this access is designed for educational purposes. I also recognize it is impossible for the Bridgeport-Spaulling Community Schools to restrict access to all controversial materials and I will not hold them responsible for materials acquired on the network. Further, I accept full responsibility for supervision if/when my child's use is not in a school setting. I hereby give permission for my child to access school technology and certify that the information contained on this form is correct.

I hereby _____ Give _____ Expressly withhold (Parent(s)/Guardian(s): Check one) permission for my child's photo, or any personal or Directory information to be published on District Web pages or the Internet. I _____ Do _____ Do Not (Parent(s)/Guardian(s) check one) give permission for my child's photo and name to be published on District Web pages or on the Internet as part of a "team" or other large group photo.

PARENT(S)/GUARDIAN(S) NAME (Please Print) _____

SIGNATURE _____

DATE _____

DISTRICT COORDINATOR AUTHORIZATION _____

Account Name: _____ Password: _____

Section 4000 – Business Management

4510-R Computer Network

4510-R-7

Limiting Access

School servers may incorporate blocking and filtering software. Sites, which are rated above 1 may be blocked from access by high school students. Sites, which are rated above 0 may be blocked from access by middle school students and sites rated above 0 may be blocked from access by elementary school students.² Additional sites may be blocked by the system administrator in response to a complaint by a student, staff member, Board member, or parent(s)/guardian(s) in accord with the District's procedures on controversial material.

E-mail sites, which deposit unsolicited, bulk, chain, or offensive messages on the District server, will be blocked. System administrators may also block e-mail following a complaint from any user. Time permitting; an effort will be made by the system administrator to notify the offending system operator of the violation and the District's desire not to be contacted in the future. The system administrator shall refer repeated violators, along with any case of solicitation for child abuse or other illegal act, to the Superintendent for action in concert with law enforcement authorities.

² Based on the ratings as established by the Internet Content Rating Association (ICRA).
<http://www.icra.org>

Section 4000 – Business Management

4510-R Computer Network

4510-R-8

BOARD MEMBER REQUEST FOR COMPUTER NETWORK ACCESS

The District provides access to our computer network to members of the Board of Education to promote and enhance the work of the Board as a public body through communication, innovation, and sharing of resources. Access to the network is a privilege, not a right, and the Board, by majority vote, may restrict, suspend, or terminate any Board member user's account for proven violations of Board policy or these rules. In requesting an account for access to the network, the Board member agrees to the following terms and conditions.

1. Use of the network must be for the purpose of legitimate Board business consistent with the goals of the District and the laws of the State of Michigan.
2. All use of the network must be in accord with the District's rules on acceptable use of network resources, as updated from time to time by the District.
3. The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers, including but not limited to the loss of data, delays, non-deliveries, or service interruptions caused by its negligence or the users' errors or omissions.
4. The network provides access to third-party data and information over which the District has no control. Though the District may make efforts to block inappropriate material, users may be exposed to defamatory, inaccurate, or otherwise offensive material. Use of the network or any information obtained via the network is at the user's own risk. The District specifically denies any responsibility for the accuracy or content of information obtained through its services.

Section 4000 – Business Management

4510-R Computer Network

4510-R-9

5. The user is solely responsible for all charges and fees, including outside telephone, printing, and merchandise purchases made through the network. The District is not a party to such transactions and shall not be liable for any costs or damages, whether direct or indirect, arising out of network transactions by the user.
6. The user agrees to indemnify the District for any losses, costs, or damages, including reasonable attorney’s fees, incurred by the District relating to or arising out of any breach of the terms of this request for network access.
7. The user acknowledges that the District's computer network belongs solely to the District and that any files, records, electronic mail, or other communication may be examined, edited, or deleted by the District at any time, in accord with District policy or regulations. In general, electronic mail in personal accounts will not be inspected without the consent of the sender or a recipient, except as necessary to investigate a complaint.
8. The User acknowledges that the school district may collect and store Personally Identifiable Information (PII).
9. The user acknowledges and understands that correspondence sent or received over the District's network may be subject to retrieval under the State of Michigan Freedom of Information Act, MCL 15.231 - 246.

I, as a member of the Board of Education, understand and agree to abide by the terms of this request for network access, and the District rules for acceptable use of network resources. I further understand that should I commit any violation, my access privileges may be revoked by majority vote of the Board. In consideration for using the District's network connection and having access to public networks, I hereby release the school District and its Board members, employees, and agents from any claims and damages arising from my use, or inability to use, the network.

Board Member's Signature

Date

Section 4000 – Business Management

4520 Filtering Software (Cf. 4510)

4520

The Superintendent shall be responsible for directing appropriate District technology staff, or technology consultant staff, to bring all computers used by children into full compliance with all federal requirements regarding Internet filtering software to assure that District discounts under the federal e-rate program are not jeopardized.

Student Internet activities will be monitored by the District to ensure that students are not accessing inappropriate sites. Each District computer with Internet access shall have a filtering device or software program that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors.

Approved: February 8, 2010

LEGAL REF: H.R. 4577, December 2000 Omnibus Spending Bill; 47 U.S.C. Section 254(h)

Section 4000 – Business Management

4520-R Filtering Software

4520-R

Any District computer used by students shall have Internet filtering software in place either on the computer itself, or on the server through which the computer accesses the Internet.

District staff shall not allow students to use any computer in the District with Internet capability that does not have Internet filtering software. This includes any computer, laptop, or desktop, in the District's Libraries or media centers, classrooms, laboratories, or offices where students are, for any reason, allowed to use a computer, or any other such device, with Internet access.

Staff members violating these rules are subject to disciplinary action up to and including discharge.

Section 4000 – Business Management

4601 Facilities Development Goals

4601

The Board shall provide the best facilities possible within financial resources available to meet the educational needs of the students in the District. Such efforts shall not only encompass new construction and expansion when deemed necessary, but also renovation and remodeling of existing facilities to serve specific educational needs of specific groups of students. It is also necessary, in declining enrollment periods, to determine how facilities may be used and/or the interim use of facilities not needed at a given time.

Decisions pertaining to the planning, construction, renovation, and elimination of educational facilities shall be made only after sufficient attempts have been made to consider the viewpoints and needs of students, teachers, parent(s)/guardian(s), taxpayers, and appropriate members of the administrative staff.

In determining facility needs and/or elimination of facilities, priority shall be given to plans that benefit the largest number of students in the District but consider important matters such as safety, equal opportunity for students enrolled and the economic implications to the District.

Approved: February 8, 2010

Section 4000 – Business Management

4650 Planning - Long Range (Cf. 4601)

4650

The Board and the Superintendent shall, at all times, keep in mind the future building needs of the District and give due consideration to the acquisition of school sites well in advance of need.

Approved: February 8, 2010

Section 4000 – Business Management

4650-R Planning - Long Range

4650-R

The Superintendent shall submit an annual report to the Board, which sets forth building and facilities use, needs for the ensuing school year as well as long-term projections of potential use and needs as part of the state of the school message.

The report shall consider needs and use based upon new programs, enrollment changes, and worn out facilities. Not only shall the report include projected needs for new facilities or renovations to provide improved educational services and/or programs, but also the closing of facilities and the possible alternate use or disposal of such facilities. The report shall also include enrollment projections to support recommendations based upon the best information available that may affect enrollment changes in the District.

In completing this responsibility, the Superintendent may, with Board approval, engage the services of educational or architect/engineer/construction manager consultants and confer with citizens of the community and members of the District staff.

Section 4000 – Business Management

4700 Retirement of Facilities

4700

Obsolescence/Continued Use Determination

The administration is responsible for assessing the use of school facilities and other resources to identify schools that might be discontinued as attendance centers for educational programs either due to the age and/or condition of the facility, or as a result of lack of use because of changing attendance or enrollment patterns.

Once a school that can be closed is identified, an appropriate recommendation will be made to the Board for action.

Approved: February 8, 2010

Section 4000 – Business Management

4700-R Retirement of Facilities

4700-R

Procedures

1. Alternatives to closing a school shall be considered. These may include:
 - a. Changing of boundaries, effect upon enrollments in schools affected by changes,
 - b. Shifting of programs from one building to another, and
 - c. Housing of new program(s) in building under consideration.
2. Factors that shall be examined when considering a school for closing include the following:
 - a. Enrollment and program
 - 1) Enrollment size in relation to that needed to provide quality of educational programs and services,
 - 2) Enrollment projections indicative of continued small student population, taking into account both neighborhood students and others,
 - 3) Effect upon programs for students in all schools affected by the closing,
 - 4) Relationship to integration efforts,
 - 5) Proximity of the school to community resources, and
 - 6) Relationship to sector plan for special education and feeder plan for regular attendance centers.
 - b. Community considerations
 - 1) Attitudes toward reducing the number of attendance units and reducing costs,
 - 2) Hardships and/or benefits to parent(s)/guardian(s) and/or students resulting from closure; distance from where students reside to schools where assignments would be made,
 - 3) Reactions on the part of parent(s)/guardian(s) and other school patrons, and

Section 4000 – Business Management

4700-R Retirement of Facilities

4700-R-2

- 4) Effect upon the neighborhood in the event of closure.
- c. Building characteristics
 - 1) Age and condition of building including whether or not building is energy efficient,
 - 2) Adequacy of building for programs; existence of a multi-purpose room and/or other special areas; feasibility of replacement or additions, if needed,
 - 3) Suitability of the building for other uses, and
 - 4) Capacity of buildings in adjacent attendance areas; space to house additional students.
- d. Environmental factors
 - 1) Adequacy of the building in terms of student health and safety,
 - 2) Frequency of vandalism and amount of damage,
 - 3) Location and size of site, and
 - 4) Traffic hazards and/or serious deterrents to learning in the surrounding community.
- e. Financial considerations
 - 1) Staffing requirements,
 - 2) Food service and student transportation requirements and expenses resulting from closure,
 - 3) Comparative per student operating costs related to *status quo*,
 - 4) Value of property for other uses, and
 - 5) Saving which might accrue by reducing the number of attendance units.
3. Parent(s)/Guardian(s) and other school patrons shall be involved early in discussions pertaining to possible school closings and program relocation.
4. Use may be made of outside consultants when considering school closings.

Section 4000 – Business Management

4700-R Retirement of Facilities

4700-R-3

5. An orderly procedure, including the provision of information to all who will be affected, shall be used when closing a school. Parent(s)/Guardian(s) shall be informed in advance regarding recommendations and possible Board action.
6. Boundaries shall be realigned when a school is to be closed, taking into account distances from other schools, traffic patterns, building capacities, enrollments, and programs.
7. Time shall be provided for adequate preparation for closing and reassignment of students and staff members.
8. Alternate use of the building or disposition of the property shall be considered in light of current and projected needs.

Section 4000 – Business Management

4750 Naming of Facilities

4750

Whenever a new District facility is approved by the Board, immediate steps shall be taken to name the facility. The Board may name existing facilities after staff or community members after one year following the person's leaving the District through retirement or the person's death.

Approved: February 8, 2010

Section 4000 – Business Management

4760 Responsible/Qualified Contractor Policy (Cf. 3660, 4770)

4760

In order to be selected as the successful bidder to construct or renovate buildings in the Bridgeport-Spaulling Community School District, construction firms must be exemplary in their construction techniques and business practices. The purpose of this policy is to assure the Board that the District's construction and renovation projects utilize the specified materials and equipment, and employ qualified team members. The Board can refuse to hire any contractor who does not meet the requirements of this policy.

The Board may reject any bid proposals that, in the Board's opinion or findings, contain inaccurate information.

The Board's criteria in selecting a contractor(s) for school construction projects shall be determined from the lowest qualified bid(s) on the construction project(s) that meet the requirements of law, this policy, and the administrative rules for this policy developed by the Superintendent. The School Board reserves the right to accept or reject a bid or combination of bids.³ The criteria and procedures for rejecting a bid or combination of bids shall be included in the construction bid documents, as appropriate to the type of work for which bids are solicited, and, as permitted by law, by the school Board's construction manager, and/or design professionals.

Suspension or Revocation

The Board may, for good cause, suspend a contractor for a specified period or revoke the contract according to rules and criteria developed by the Superintendent. A contractor whose contract with the Board has been suspended or revoked shall be given the benefit of reconsideration and appeal.

³ School districts have significant discretion in awarding contracts, even when they are required to seek competitive bids, and this discretion allows school district to award a contract to a bidder other than the lowest monetary bidder so long as they have a reasonable and rational basis for such an award.

Michigan Courts have held that only the public, and not the disappointed bidders, has standing to object to the awarding of a contract. *Heaney General Contracting, Inc. v Clinton Community Schools Board of Education*, 2000 Mich App Lexis 405 (unpublished); *G.P. Graham Construction Co. v Chesaning Union Schools*, 2002 Mich App Lexis 695 (unpublished); *Malan Construction Corp. v Board of County Road Commissioners*, 187 F Supp 937 (ED Mich 1960). The reservation of the right to reject any and all bids, as contained in the competitive bid statutes for school districts, gives the public authority power to award the contract to any bidder and to reject the others, even though the one securing the contract is not the lowest bidder, provided the public authority acted in good faith in the exercise of an honest discretion. *Leavy v City of Jackson*, 247 Mich 447 (1929.)

Section 4000 – Business Management

4760 Responsible/Qualified Contractor Policy (Cf. 3660, 4770)

4760-2

The Superintendent shall promulgate appropriate administrative rules to implement this policy.

Approved: February 8, 2010

LEGAL REF: MCL 129.201 – 212; 380.1263; 380.1267; 388.851 – 855a; OAG 6789, 1994.

Section 4000 – Business Management

4760-R Responsible/Qualified Contractor Policy (Cf. 3660, 4770)

4760-R

In order to implement policy 4760, the administration hereby sets forth the following definitions and administrative rules:

Definitions

Construction Project – the labor and material necessary for the construction, renovation, repair, or improvements to real property that requires solicited bids so that the work, when complete, shall be ready for service for its intended purpose and shall require no other work to be a completed system or component.

Lowest Qualified Bid – is defined as a bid or a proposal submitted by a qualified contractor (bidder) that is a responsive bid or proposal, accepted by the Board, that meets requirements and specifications of the construction project(s) from qualified contractors.

Qualified Contractor – If selected by the Board as the lowest qualified bidder for work to be performed, the prime contractor (bidder) shall, upon request by the Board, establish his or her qualifications from the list of criteria outlined below before a contract is let. All required contractor financial and privileged information shall be kept from public disclosure unless otherwise required by law.

Selection Criteria

The District may qualify contractors and subcontractors selected for construction projects in order to construct or renovate schools in accordance with the following guidelines:

Before a contract is let, contractors and subcontractors selected as the companies to provide services may be required to provide:

1. General information about the contractor's company, its principals, and its history, including state and date of incorporation.
2. Trade categories and information regarding the state and local licenses and license numbers, where required by law, held by the applicant.

Section 4000 – Business Management

4760-R Responsible/Qualified Contractor Policy (Cf. 3660, 4770)

4760-R-2

- The successful bidder will certify that all contractors, subcontractors, and employees who will be working on the project maintain current applicable licenses with the Michigan Bureau of Construction Codes and Fire Safety for all occupations and professions required to be licensed.
3. A list of projects completed within the past five (5) years, including dates, clients, approximate dollar value, and size.
 4. Evidence that the selected bidder has financial resources to start up and follow through on the project(s) and to respond to damages in case of default as shown by written verification of bonding capacity equal to not less than 25% of the total project cost from a company with an A.M. Best Company rating of B+ or better.
 5. A warranty statement regarding labor, equipment, and materials.
 6. A disclosure of any litigation resulting in a judgment or decision against the company within the past five (5) years, including an explanation of each and how each was resolved.
 7. Proof of certificates of insurance, confirming current worker's compensation coverage, public liability and property damage insurance according to the scope of the construction project and/or as required by law.
 8. A list of individuals or entities for which the contractor has worked from which references might be sought.
 9. Assurance that the selected bidder will do all in its power to assure that all construction work for the project shall proceed in a timely manner and that the project will be completed as outlined in the contract, plans, and specifications.

Section 4000 – Business Management

4760-R Responsible/Qualified Contractor Policy (Cf. 3660, 4770)

4760-R-3

Substantially Low Bid Review

In the event the amount of the lowest bidder's bid appears disproportionately low when compared with estimates undertaken by or on behalf of the local school District and/or compared to other bids submitted, the school Board reserves the right to inquire further of the apparent lowest bidder to determine whether the bid contains mathematical errors, omissions, and/or erroneous assumptions, and whether the apparent lowest bidder has the capability to perform and complete the contract for the bid amount.

Suspension or Revocation

The school Board may, for good cause, suspend a contractor for a specified period or revoke the contract.

Causes for suspension or revocation shall include, but not be limited to, one or more of the following:

1. Inaccurate or misleading statements on the contractor's qualification statements.
2. Declared to be in default by the Board.
3. Adjudged to be bankrupt.
4. Performance, in connection with contract work, becomes unsatisfactory to the Board, based on the Board asserting and recovering liquidated damages in an action against the contractor.
5. Contractor's license becomes suspended or revoked.

Appeal

A contractor whose contract with the Board has been suspended or revoked shall be given the benefit of reconsideration and appeal as follows:

1. The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of appeal.

Section 4000 – Business Management

4760-R Responsible/Qualified Contractor Policy (Cf. 3660, 4770)

4760-R-4

2. The Board shall act upon the contractor's request within thirty (30) calendar days after the filing and shall notify the contractor of its action to adhere, to modify, or reverse its original action. The Board may require additional information to justify the reconsideration.

Section 4000 – Business Management

4770 Selection of an Architect/Engineer/Construction Manager

4770

The Board shall comply with current law for the selection of an architect/engineer/construction manager for the District's building plans.

Contacts will be made by the Superintendent with qualified architectural, engineering, or construction management firms requesting a submission of information concerning their firms if they wish to be considered.

Approved: February 8, 2010

LEGAL REF: MCL 388.851-855a; OAG, 1991-1992, No 6734, p 185 (October 12, 1992); OAG 1994 – 1995, No 6789 (March 3, 1994)

Section 4000 – Business Management

4770-R Selection of an Architect/Engineer/Construction Manager

4770-R

A committee of not more than three Board members and the Superintendent shall be appointed by the Board President to screen the applicants.

When the list has been reduced to three or four, each remaining candidate shall be invited to make a formal presentation to the Board after which the Board shall make its selection. A contract will be prepared and signed with the architect/engineer/construction manager. The school District legal counsel shall review the contract and give his/her approval before it is signed by the authorized Board representatives.

Among criteria considered in the selection of an architect/engineer/construction manager shall be the following:

1. Training and experience, including that of partners and associates,
2. Planning ability and know how in interpreting educational specifications,
3. Promptness and ability to meet deadlines,
4. Specification writing, accuracy, and sufficiency of detail,
5. Imagination in design, appearance, and utility of work,
6. Adequacy of supervision and inspection of previous jobs,
7. Integrity of firm,
8. Relations with contractors and demand for quality performance,
9. Experience with government agencies,
10. Adequacy of staff for the building to be designed,
11. General business procedures of firm,
12. Examples of previous plans, specifications and construction,
13. Willingness to work with a coordinated construction plan if such is the desire of the Board,
14. Assumption of responsibility to follow up on any problems that surface after construction and during periods, in which performance and material guarantees are in effect,

Section 4000 – Business Management

4770-R Selection of an Architect/Engineer/Construction Manager

4770-R-2

15. Responsibility for correction of faulty or ineffective design, and
16. Economic factors, such as demonstrated ability to design and provide adequate, well-constructed buildings at a reasonable cost.

Section 4000 – Business Management

4800 Educational Specifications

4800

The Superintendent shall assume the responsibility of working with staff to determine educational specifications for all new or renovated construction. These specifications shall be approved by the Board and then discussed in conferences with the architect/engineer/construction manager. Such specifications shall include:

1. Information concerning the plan of the school organization and estimated enrollment in the proposed building,
2. A description of the proposed curriculum and the teaching methods and techniques to be employed,
3. A schedule of space requirements, including the indications of relative locations of various spaces,
4. A desired layout of special areas and the equipment needed for such areas,
5. An outline of mechanical features and special finishes desired,
6. A description of standard codes and regulations (school District, city, county, and state) affecting the particular planning, and
7. Any other details, which may be needed or recommended relative to the specific project.

Approved: February 8, 2010

Section 4000 – Business Management

4890 Supervision of Construction (Cf. 4770)

4890

Supervision of construction projects shall be primarily the responsibility of the architect/engineer/construction manager and the Superintendent, or a staff administrator assigned by the Superintendent as project Director, who shall be responsible to follow closely the progress of the construction project. The architect/engineer/construction manager shall hold periodic, but not less than monthly, progress meetings during which the administrative representative and all contractors concerned should be present. Progress reports shall be issued periodically by the architect/engineer/construction manager and in sufficient quantities to supply each member of the Board.

Change Orders

After a contract is accepted, all change orders shall be brought to the Board for approval, except that the Superintendent is authorized to approve minor changes of an emergency nature of \$10,000.00 or less in which on the spot decisions must be made.

Change orders shall be accompanied by justification by the architect/engineer/construction manager and/or the Superintendent when being presented to the Board.

Approved: February 8, 2010

Section 4000 – Business Management

4900 Fair Employment Clause

4900

It shall be the intent of the Board to award all contracts in excess of the base amount established by the State of Michigan for which competitive bids must be obtained for remodeling, procurement of supplies, materials, or equipment, to qualified contractors and subcontractors who do not discriminate against any employee or applicant for employment because of age, sex, race, color, religion, creed, age, physical handicap, ancestry, national origin, height, weight, or marital status. Compliance with this policy shall be assured by contractual provisions.

Prior to awarding a bid or purchase order for construction, materials, and services, a firm shall comply with all state and federal laws, and verify their compliance. The Superintendent shall review and evaluate all such plans and his/her approval or disapproval shall be subject to review by the Board. A bidder has five working days to appeal the decision of the Superintendent.

The above policy shall not apply to those contractors employing less than five persons.

Approved: February 8, 2010

LEGAL REF: MCL 37.1101-1606 (Person's with Disabilities Civil Rights Act);
37.2101-2804 (Elliott-Larsen Civil Rights Act)

Section 4000 – Business Management

4910 Affidavits and Guarantees (Cf. 4770)

4910

All contractors shall submit proof of their coverage of liability and workers compensation insurance as required by Michigan law to the business office. All bids on construction projects shall stipulate that the contractor shall provide liability coverage, which total at least \$1,000,000.00.

On occasion, and at the Board's discretion, a contractor may be added to the school District's workers compensation insurance and/or liability insurance plan.

The general contractor shall provide a performance bond equal to at least 25 percent of the contract amount to protect the District from the failure of the contractor or contractors to perform the terms and conditions of the contract.

The architect/engineer/construction manager shall assume the responsibility that all product guarantees, warranties, and workmanship guarantees for materials and performance of services are duly executed and that signed documents are delivered to the District.

Approved: February 8, 2010

LEGAL REF: MCL 129.201-212 (Contractor's Bond for Public Buildings or Works);
418.101, *et seq.* (Worker's Disability Compensation Act)

Section 4000 – Business Management

4950 Board Inspection of New or Remodeled Facilities

4950

A building project shall be accepted by the Board only after all details are complete and the architect/engineer/construction manager and project Director have certified to the Board that the project has been completed, along with a written approval by the architect/engineer/construction manager for occupancy certifying the approval of all state and local authorities where required. The architect/engineer/construction manager and representatives of the administrative staff shall complete a preliminary inspection, after which the Board shall inspect the building and give its formal approval and acceptance.

No new or renovated building or addition shall be occupied by students until so authorized by those state and local authorities where approvals for occupancy are required.

Final payments to contractors will be withheld until such a time as the requirements of this policy have been met.

Approved: February 8, 2010

Section 4000 – Business Management

4970 Public Dedication of New Facilities

4970

The Board may sponsor open houses or dedication programs for new facilities appropriate to the nature and type of the facility.

The Superintendent shall assume the responsibility for recommending to the Board appropriate dedication programs or activities. The Superintendent shall work with the appropriate administrator, staff, students and parent(s)/guardian(s) in planning such program or activity, once it has been approved.

Approved: February 8, 2010

Section 4000 – Business Management

4975 Dedication Plaques

4975

A dedication plaque shall be placed in each building. Upon each plaque shall be placed the names of Board members who were holding office at the time the construction contracts were awarded, the name of the Superintendent, the architect/engineer/construction manager, and the major contractors.

Approved: February 8, 2010