

Marquette Area Public Schools
BOARD OF EDUCATION
1201 W. Fair Avenue
Marquette, MI 49855
(906) 225-4200 - www.mapsnet.org

Regular Meeting
Monday, September 22, 2008, 6:00 p.m.
MSHS Library
1201 West Fair Avenue

MINUTES

- **Call to Order**

A Regular meeting of the Marquette Area Public Schools Board of Education was held Monday, September 22, 2008 in the MSHS Library. The meeting was called to order by Board President **Alan Hawker** at 6:00 p.m.

- **Roll Call**

Members Present

Alan Hawker	President
Scott Brogan	Secretary-Treasurer
Norman Gruber	Trustee
Tony Retaskie	Trustee
Mark Smith	Trustee
Laura Songer	Trustee

Members Absent

Kellie Holmstrom, DVM	Vice President
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Central Administration Present

Jon Hartwig	Superintendent
Deborah Veiht	Assistant Superintendent
Tim Yeadon	Assistant Superintendent for Finance
Bonnie Jacobson	Accountant / Recording Secretary

Others Present

Auxiliary Services Director John Kurkowski, Mining Journal Reporter Miriam Moeller;
NMU students

- **Approve Agenda**

A motion was made by Scott Brogan and seconded by Mark Smith to approve the Agenda with the following amendments: Item 7 – change Personnel Report date to September 22, 2008; and Item 8.B. – Planning Committee Report will be given by Mark Smith. Motion carried, 6-0.

- **Approve Minutes of August 12, 2008, Special Board Meeting**

A motion was made by Mark Smith and seconded by Tony Retaskie to approve the Minutes of the August 25, 2008 Rescheduled Regular Board Meeting as presented. Motion carried, 6-0.

- **Superintendent's Report**

Superintendent Jon Hartwig's report included the following:

- Welcomed NMU students to the meeting.
- He stated it has been a smooth beginning to the school year with enrollment slightly higher than anticipated.
- Presented the Outstanding MSHS Seniors – Class of 2008 Video segment “What Makes an Outstanding Teacher?”
- Reviewed the online course options for MSHS students including: class taught by Mary Stevenson on the stock market one day in class, four days online; classes taught by Michigan Virtual School for the those students with scheduling conflicts; and Project 61 for non-resident students to be taught by Michigan Virtual School under the umbrella of Marquette Area Public Schools.
- **Deborah Veiht** reviewed the current class sizes after the first week of school, relating to target class sizes and caseloads.

- **Comments from the Public (Agenda Items Only)**

None.

- **Approve Consent Agenda:**

A motion was made by Scott Brogan and seconded by Norman Gruber to approve the consent agenda as presented, including the:

- Personnel Report dated September 22, 2008 (copy attached); and
- Financial Reports:
August 2008 Receipts and Disbursements; and
August 2008 Financial Reports.

Motion carried, 6-0.

- **Board Committee Report: Executive Committee Meeting of September 3, 2008** – Executive Committee Chair **Alan Hawker** reported on September 3rd discussion items, all of which are detailed in the committee meeting minutes. The committee discussed the following topics: Set agendas for Planning and Performance Committee meetings; reported Jon Hartwig, Mark Smith, Dr. Kellie Holmstrom, and Alan Hawker will be attending the MASB Fall Conference in Traverse City; discussed reducing the summer retreat from three days to two; discussed the addition of students as non-voting members of the Board of Education.
- **Board Committee Report: Planning Committee Meeting of September 10, 2008** – Planning Committee Member **Mark Smith** reported on September 22nd discussion items, all of which are detailed in the committee meeting minutes. The committee discussed the following topics: 2008-09 MAEA staffing reduced by 8 FTE with an estimated savings of \$450,000; update on Small Learning Communities Grant; policy recommendations; and the process of planning for expenditure reduction for 2009-10. The committee also discussed and recommended approval of the following:

Action Item: Consider Recommendation for Sandy Knoll Custodial Services – A motion was made by Mark Smith and seconded by Norman Gruber to contract with Spiffy Clean to provide afternoon shift custodial services at Sandy Knoll Elementary School through August 2009.

Tony Retaskie expressed concern that privatization might take away jobs for families with students, thus losing potential State Aid. **The motion carried, 5-1.**

Action Item: Consider Recommendation to Award Snow Removal Bids – A motion was made by Mark Smith and seconded by Scott Brogan to award the 2008-09 snow removal bids on a fixed cost basis as follows:

Enright Construction	Superior Hills	\$5,800
O.S. Excavation LLC	Cherry Creek	\$7,510
Smith Paving	Marquette Senior High School	\$8,350
	Bothwell	\$5,880
	Graveraet	\$5,745
	Sandy Knoll	\$3,650
	Vandenboom	\$5,550
	Auxiliary Services/Bus Garage	<u>\$3,850</u>
		\$33,025

The motion carried, 6-0.

Action Item: Consider Recommendation for Powell Township/MAPS Transportation Arrangement – A motion was made by Mark Smith and seconded by Norman Gruber to authorize Administration to enter into a transportation agreement with Powell Township. There was discussion on the cost savings for both districts as a result of eliminating duplication of bussing services. **The motion carried, 6-0.**

First Reading of NEOLA-Proposed New and Revised Board Policies – First reading completed (copies attached).

Board Committee Report: Performance Committee Meeting of September 12, 2008 – Performance Committee Chair **Scott Brogan** reported on September 12th discussion items, all of which are detailed in the committee meeting minutes. Among the committee's discussion items were the following: Second semester Freshmen class testing out results; athletic facility update and change orders; Superintendent's objectives; MHSAA letter of positive recognition of sportsmanship.

Board Committee Report: Executive Committee Meeting of September 19, 2008 – Executive Committee Chair **Alan Hawker** reported on the September 19th meeting concerning the sale of the Toivo Seilo building. He stated after discussion with the District attorney, it was decided to extend the deadline for purchase offers to 3:00 p.m. Monday, September 22, 2008. At that time, there were two offers to purchase the building:

Kiplin M. Hartman	\$301,000	contingent on suitable financing
DC Development LLC	\$240,100	contingent upon a current appraisal of equal or greater value

A motion was made by Scott Brogan and seconded by Mark Smith to authorize the administration to enter into a purchase agreement with Kiplin M. Hartman commensurate with the terms of his offer to purchase the Toivo Seilo Property in the amount of \$301,000 with proceeds to be deposited in the Capital Projects Fund. Motion carried, 6-0.

- **New Business**

2007-08 MAPS Annual Report

Deborah Veiht presented the 2007-08 Annual Report, including enrollment, adequate yearly progress, graduation rates, ACT scores, advanced placement, MEAP, and postgraduate plans.

Certify Delegates for MASB October 30 Delegate Assembly

A motion was made by Scott Brogan and seconded by Norman Gruber to certify Alan Hawker and Kellie Holmstrom as representatives of the Marquette Area Public Schools Board of Education as voting delegates for MASB's October 30 Delegate Assembly. Motion Carried, 6-0.

- **Other Board Committee Reports**

Mark Smith reported on the recent Parent Advisory Committee meeting. He stated that all the PAC offices are filled, however, several parent representatives' positions remain open.

- **Gifts and Bequests**

Alan Hawker proclaimed acceptance of and thanks for the Shiras Institute's generous donation of \$10,000 toward the Kaufman Fountain and Courtyard Project. He stated that \$5,000 has been received and \$5,000 will be contributed in September 2009.

- **Comments from the Public (General)**

None.

- **Board Members' Comments**

Board members' comments covered the following topics:

- Appreciation to those involved in the Powell Township/MAPS Transportation Cooperative Agreement
- Appreciation to Shiras Institute for their donation to the Kaufman Beautification Project
- Best wishes to Administrative Assistant Jackie Winkowski as she recovers from a recent car accident
- Student representation on the Board of Education

- **Board President's Comments**

None.

- **Announcements and Other Meetings**

MSHS Open House	MSHS	Sept. 24	6:00 p.m.
Board Executive Committee Meeting	Board Room	Sept. 29	12:15 p.m.
Board Performance Committee Meeting	Board Room	Oct. 3	12:15 p.m.
Board Planning Committee Meeting	Board Room	Oct. 8	8:15 a.m.
Professional Development Day – no school for students		Oct. 10	
Board of Education Meeting, Regular	MSHS Library	Oct. 20	6:00 p.m.

NOTE: Regular Board meetings taking place in the HS Library currently have delayed telecasts on Charter Communications Channel 8

- **Adjourn**

A motion was made by Mark Smith and seconded by Tony Retaskie to adjourn the meeting. Motion carried; adjourned at 7:37 p.m.

Alan Hawker
President

Scott Brogan
Secretary-Treasurer

Bonnie Jacobson
Accountant / Recording Secretary

Attachments: Personnel Report; NEOLA policies

MEMORANDUM

TO: Jon Hartwig
FROM: Sharon Thum
DATE: September 22, 2008
RE: Personnel Report for the September 22, 2008 Board Meeting

REVISED 9/22/08

The following personnel changes are to be reported to the Board of Education at its September 22, 2008 meeting. These recommendations are contingent upon the successful completion and return of all necessary employment paperwork including the criminal records check and fingerprints.

RESIGNATION

Michael Buchinger has submitted a letter of resignation from the part time position of Teacher Assistant at Vandeenboom Elementary School effective the end of the 2007-08 school year, due to student teaching responsibilities out of state.

Philip Creech has submitted a letter of resignation effective the beginning of the 08-09 school year. Mr. Creech served as a part time Instructional Program Aide since March 2008.

Kathryn Johnson has submitted a letter of resignation effective the beginning of the 08-09 school year. Ms. Johnson served as a part time Learning Center Aide since January 2008.

APPOINTMENT

Helmut (Hank) Fritsch has been recommended as a **Bus Driver**, posting #2027, TR, effective September 2, 2008. This position is vacant due to the retirement of Bruce Paquette.

Sienna Fegan has been recommended as a part time **Noon Hour Supervisor**, posting #2028, SH, effective September 2, 2008. This position is vacant due to the movement of Joan Miron.

The following people have been hired as **Teacher Assistants** effective September 15, 2008:

SH Lisa Ruby
SK Vicki Morin
CC Judy Smith, Lindsay Reszka
VA Shannon Parnell, Sheila Kirk

LEAVE

Alicia Hampton has requested a medical maternity leave of absence from approximately October 6th through November 26, 2008, or when her physician releases her to return to work.

OTHER

Administration is recommending that the pay for **Shawn Robinson-Sobczak**, as Pool Coordinator, be increased from \$9.00 to \$12.75 per hour effective July 1, 2008.

**MARQUETTE SENIOR HIGH SCHOOL
COACHING POSITION RECOMMENDATIONS
2008-2009 WINTER SPORTS**

<u>LEVEL/SPORT</u>	<u>POSITION</u>	<u>RECOMMENDATION</u>
Bowling	Head Coach (Non-Schedule C)	Hope Virch (volunteer)
Bowling	Assistant Coach (Non-Schedule C)	TBD
Boys Basketball	Varsity Head Coach	Brad Nelson
Boys Basketball	JV Head Coach	Ben Olsen (PCMI)
Boys Basketball	Freshman Head Coach	TBD
Girls Basketball	Varsity Head Coach	Ben Smith
Girls Basketball	JV Head Coach	Rich Ledy (PCMI)
Girls Basketball	Freshman Head Coach	Paul Seibert (PCMI)
Competitive Cheer	JV & Varsity Head Coach (Non-Schedule C)	Courtney Beecher (PCMI)
Competitive Cheer	JV & Varsity Assistant Coach (Non-Schedule C)	Lindsay Strzyzkowski (PCMI)
Figure Skating	Head Coach (Non-Schedule C)	Chris Gauthier (volunteer)
Gymnastics	Head Coach	TBD
Gymnastics	Co-Assistant Coach	TBD
Gymnastics	Co-Assistant Coach	Cameron Fuller (PCMI)
Hockey	Head Coach	Joe Papin (PCMI)
Hockey	Assistant Coach	TBD
Skiing	Head Coach	Christy Provost
Skiing	Assistant Coach	John Lawrence (PCMI)
Swimming	Head Coach	James Brooks (PCMI)
Swimming	Co-Assistant Coach	Gus Rydholm (PCMI)
Swimming	Co-Assistant Coach	Kathy Foulks (PCMI)
Wrestling	Head Coach	Charlie Gentz (PCMI)
Wrestling	Assistant Coach	Tony Gentz (PCMI)

PCMI

James Rankin, resigned as JV Football Assistant Coach
Mikal Gunderson, hired as JV Football Assistant Coach
Stephen McLain, hired as MSHS Yearbook Advisor
Kenneth Lancour, resigned as Assistant Hockey Coach

CORRECTION

Jenny Koivisto did not resign from the position of Instructional Program Aide.

VOLUNTEER

Milton Braga, resigned as JV2 Boys Soccer Coach
Brandon Wittman, hired as JV2 Boys Soccer Coach

c: M. Edgell, M. Carne, B. Jacobson, R. Plourde, J. Flath, J. Winkowski

NEOLA-Recommended Policy Revisions

Attachment D

Bylaw 0142.4 - Oath (Revised)

This revision reflects recent changes in statute regarding election procedures. Statutory citations have been updated.

This policy change reflects the current state of the law and should be adopted to have accurate policies.

0142.4 Oath

Each newly-elected Board member shall file an acceptance of office as well as an affidavit of eligibility *within ten (10) days after receiving a certificate of election* and shall take an oath of office *as prescribed by the Constitution of Michigan*.

~~M.C.L.A. 380.1102(2)~~

~~The oath of office may be administered by a notary public.~~

Bylaw 0122 - Board Powers

M.C.L.A. 168.309, 168.310

Bylaw 0151/0152 – Organizational Meeting (Revised)

This revision reflects the recent change and option available in election timelines. The statutory citation is also updated.

This policy change reflects the current state of the law and should be adopted to have accurate policies.

0151 **Organizational Meeting**

The Board of Education shall organize annually not earlier than July 1st *immediately following an election held on a May regular election date; January 1st immediately following an election held on a November regular election date* and not later than the second Monday in July/*January* at a meeting held for that purpose in accordance with the law. The meeting shall be called to order by the ranking officer of the preceding Board who shall serve as presiding officer until the election of a temporary chairperson, who shall in turn serve until the election of a President.

M.C.L.A. ~~380.418(a)~~ **M.C.L.A. 168.302**

0152 **Officers**

The Board shall elect a President and Vice-President as well as a Secretary/Treasurer at the organizational meeting.

Election of officers shall be by a majority of the full Board. Where no such majority exists on the first ballot vote, a second vote shall be cast for the two (2) candidates who received the greatest number of ballot votes.

Except for those appointed to fill a vacancy, officers shall serve for one (1) year or until their respective successors are elected and shall qualify. An officer may be removed for cause by a majority vote of the full Board. The Board shall fill a vacancy in any Board officer position within thirty (30) days of the occurrence of the vacancy.

M.C.L.A. ~~380.1104~~ **380.11a**

Revised 2/26/02

Policy 3430.01/4430.01 - Family & Medical Leaves of Absence (FMLA)
(Revised)

This policy revision is necessary because of the approval of the National Defense Authorization Act (NDAA), effective January 28, 2008. This is the first time FMLA has been modified since it became law in 1993. This change provides a new category of job-protected leave and adds a new qualifying event to FMLA. This provision is effective upon the release by the Department of Labor (DOL) of final regulations defining "qualifying exigency".

This policy, as revised, reflects the current state of the law and should be adopted to have accurate policies.

(See attached)

REVISED POLICY - VOL. 22, NO. 2, FEBRUARY 2008

FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")

In accordance with Federal law, the Board of Education shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible professional staff members for the following reasons:

- A. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth;
- B. the placement of a child with the staff member by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival;
- C. the staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition; or
- D. the staff member's own serious health condition prevents him/her from performing the functions of his/her position.

Employee Entitlement to Service Member FMLA

Leave Entitlement

Service member FMLA provides eligible employees unpaid leave for any one, or for a combination, of the following reasons:

- A. *a "qualifying exigency" arising out of a covered family member's (spouse, son, daughter or parent) active duty or call to active duty in the Armed Forces in support of a contingency plan, as defined by Federal regulations*
- B. *to care for a covered family member, including next of kin, who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating*

Duration of Service Member FMLA

- A. *When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period.*
- B. *When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a one time benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.*
- C. *Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.*

General FMLA Provisions

Professional staff members are "eligible" if they have worked for the Board for at least 12 months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. All full-time professional staff members are deemed to meet the 1,250 hour requirement.

Twelve (12) month period is defined as a fixed twelve (12) month period (i.e. the "leave year" is identical for all staff members -- e.g., a fiscal year or calendar year).

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. Inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or

- B. Continuing treatment by a healthcare provider, including:
1. A period of incapacity of more than three (3) consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either treatment two (2) or more times by a healthcare provider, or treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;
 2. Any incapacity due to pregnancy or for prenatal care;
 3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 4. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
 5. Any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- C. Conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the staff member shall provide the Superintendent with thirty (30) day's notice. If there is insufficient time to provide such notice because of the need for treatment, the staff member shall provide such notice as early as practicable. When planning medical treatment, the staff member must consult with the Superintendent and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the District, subject to the approval of the healthcare provider.

The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child (see A and B on page one).

The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C and D on page one).

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) week period of FMLA leave, the additional weeks of leave to obtain the twelve (12) weeks of FMLA leave the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for unpaid FMLA leave, such leave counts toward the twelve (12) week maximum leave allowance provided by this Policy.

The Superintendent may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A and B on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C and D on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Superintendent may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

- A. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- B. Transfer temporarily to an available alternative position offered by the Superintendent for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

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The Superintendent or his/her designee will notify the staff member when the District intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. (Form 3430.01 F3) In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the Superintendent does not have sufficient information about the reason for an employee's use of paid leave, the Superintendent may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Superintendent learns that a paid leave is for an FMLA leave-qualifying reason, the Superintendent or his/her designee will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child.

When FMLA leave is taken for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C and D on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member. (Form 3430.01 F2) The staff member may either:

- A. submit the completed medical certification to the Superintendent or his/her designee; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide medical certification, any leave taken by the employee will not qualify for FMLA leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

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

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare if applicable, to the Superintendent or his/her designee; or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the Superintendent with a statement from his/her healthcare provider that s/he is able to resume work. (Form 3430.01 F4)

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The Superintendent shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

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

29 U.S.C. 2601 et seq.
29 C.F.R. part 825

Revised 2/26/02
Revised 12/29/04

policy

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REVISED POLICY - VOL. 22, NO. 2, FEBRUARY 2008

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Employee Entitlement to Service Member FMLA

Leave Entitlement

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- A. *a "qualifying exigency" arising out of a covered family member's (spouse, son, daughter or parent) active duty or call to active duty in the Armed Forces in support of a contingency plan, as defined by Federal regulations*
- B. *to care for a covered family member, including next of kin, who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating*

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Duration of Service Member FMLA

- A. *When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period.*
- B. *When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a one time benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.*
- C. *Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.*

General FMLA Provisions

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Twelve (12) month period is defined as a fixed twelve (12) month period (i.e. the "leave year" is identical for all staff members -- e.g., a fiscal year or calendar year).

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. *Inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or*

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- B. Continuing treatment by a healthcare provider, including:
1. A period of incapacity of more than three (3) consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either treatment two (2) or more times by a healthcare provider, or treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;
 2. Any incapacity due to pregnancy or for prenatal care;
 3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 4. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
 5. Any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- C. Conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the staff member shall provide the Superintendent with thirty (30) day's notice. If there is insufficient time to provide such notice because of the need for treatment, the staff member shall provide such notice as early as practicable. When planning medical treatment, the staff member must consult with the Superintendent and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the District, subject to the approval of the healthcare provider.

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The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child (see A and B on page one).

The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C and D on page one).

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) week period of FMLA leave, the additional weeks of leave to obtain the twelve (12) weeks of FMLA leave the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for unpaid FMLA leave, such leave counts toward the twelve (12) week maximum leave allowance provided by this Policy.

The Superintendent may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A and B on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C and D on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Superintendent may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties.

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The Superintendent or his/her designee will notify the staff member when the District intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. (Form 4430.01 F3) In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the Superintendent does not have sufficient information about the reason for an employee's use of paid leave, the Superintendent may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Superintendent learns that a paid leave is for an FMLA leave-qualifying reason, the Superintendent or his/her designee will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child.

When FMLA leave is taken for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C and D on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member. (Form 4430.01 F2) The staff member may either:

- A. submit the completed medical certification to the Superintendent or his/her designee; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide medical certification, any leave taken by the employee will not qualify for FMLA leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

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

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare if applicable, to the Superintendent or his/her designee; or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event that the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the Superintendent with a statement from his/her healthcare provider that s/he is able to resume work. (Form 4430.01 F4)

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

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The Superintendent shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

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

29 U.S.C. 2601 et seq.
29 C.F.R. part 825

Revised 2/26/02
Revised 2/5/03
Revised 12/29/04

Policy 5460 – Graduation Requirements (Revised)

This policy revision reflects the provisions of Public Act 141 (October 2007) regarding graduation requirements, credits earned through mastery without enrollment, and the personal curriculum.

This policy change reflects the current state of the law and should be adopted to have accurate policies.

GRADUATION REQUIREMENTS

It shall be the policy of the Board of Education to acknowledge each student's successful completion of the instructional program *or a personal curriculum* appropriate to the achievement of District goals and objectives as well as personal proficiency, by the awarding of a diploma at graduation ceremonies.

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board, *the Michigan Department of Education (MDE), and* as provided by State law.

Special education students who properly complete the programs specified in their I.E.P., *or in a personal curriculum, and meet the requirements for a high school diploma*, and have received the recommendation of the I.E.P.C. may participate in graduation activities as recommended by the student's I.E.P.C. Reasonable accommodation shall be made for students with disabilities State or Federal law, to assist them in taking the MEAP and other any required tests or assessments for graduation.

The Board shall grant credit to any high school student who has exhibited a reasonable level of mastery of the subject matter of the course, regardless of enrollment in the course. Mastery includes achieving C+ or better in the final exam for the course, or, if there is no final exam, through the basic assessment used for the course, which may consist of a portfolio, paper, project, presentation or other established means.

Credit earned through mastery without enrollment in the course shall be based on a "pass" grade and shall not be included in the computation of grade point average for any purpose. Such credit shall be counted toward graduation. Mastery credits shall be counted toward any subject area requirement and any course sequence requirement. Once mastery credit is earned in a subject area, a student may not receive further credit for a lower sequence course in the same subject area.

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Commencement exercises will include only those students who have successfully completed requirements as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation, however, when personal conduct so warrants.

M.C.L.A. 380.1166, ~~380.1278a(1)~~, ~~380.1278a(2)~~, ~~380.1278a(4)(c)~~, 380.1278b

M.C.L.A. 380.1279

20 U.S.C. 1400 et seq. (~~Individuals with Disabilities Act~~)

20 U.S.C. 1401 et seq.

29 U.S.C. 794 (~~Section 504 of Title V of the Rehabilitation Act of 1973~~)

42 U.S.C. 12131 et seq.

Revised 1/22/01

Revised 6/11/07

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REVISED POLICY - VOL. 22, NO. 2, FEBRUARY 2008

PAYROLL DEDUCTIONS

The Board of Education authorizes in accordance with the provisions of law or upon proper authorization on the appropriate form that various deductions can be made from an employee's paycheck for deduction such as:

- A. Federal and State income tax
- B. Social Security
- C. ~~m~~Municipal income tax
- D. Public School Employees Retirement System
- E. Michigan Public School Employment Retirement System (MPSERS)
Tax Deferred Payment (TDP) plan
- F. Section 125 deductions (cafeteria plans)
- G. U.S. Savings Bonds
- H. political contributions
- I. direct deposit in financial institutions and/or banks
- J. contributions to charitable corporations not-for-profit and
community fund organizations
- K. payment of dues to labor or other organizations (*not to include
PACs*)
- L. payment of group insurance premiums for a plan in which at least
ten (10) of the District employees participate
- M. payment for benefits of part-time employees who elect to participate
in benefits provided to full-time staff
- N. and other similar deductions
- O. court ordered ~~judgements~~ *judgments*

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To the extent permitted by law and in accordance with the procedures set forth below, The the Board declares its willingness to enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the Board's agreement to use a corresponding amount to purchase an annuity for such employee (or group of employees desiring the same annuity company) from any company authorized to transact the business as specified in law in accordance with Section 403(b) of the Internal Revenue Code, and in accordance with the District's administrative guidelines. However, it shall be clearly understood that the Board's only function, subject to the paragraph below, shall be the deduction and remittance of employee funds.

In any case where the employee designates the agent, broker or company through whom the Board shall arrange for the placement or purchase of the tax-sheltered annuity, the agent, broker or company must execute a reasonable service agreement, an information sharing agreement, and/or other similar agreements as determined at the discretion of the District. The service agreement shall include a provision that protects, indemnifies, and holds the District harmless from any liability attendant to procuring the annuity in accordance with provisions of the Internal Revenue Code and other applicable Federal or State law.

The Board may limit the number of participating providers and select approved providers.

The Board, by providing employees with payroll deduction services for annuities, is not providing any financial advice to employees, and is not vouching for the suitability of any investment or any annuity provider. The District assumes no responsibility or liability for any investment decisions or losses with respect to employee annuity purchases.

Said agreement shall comply with all of the provisions of law and may be terminated as said law provides upon notice in writing by either party. Employees shall notify the Superintendent's Office in writing if they wish to participate in such a program.

M.C.L.A. 380.1224, 408.477
Mich. OAG 7187 (2006)

Revised 6/24/02
Revised 6/11/07

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REVISED POLICY - VOL. 22, NO. 2, FEBRUARY 2008

SCHOOL CALENDAR

The Board of Education, *in agreement with the Marquette-Alger R.E.S.A., shall adopt a common calendar. This calendar shall be posted on the District's web site and distributed to the District's constituents.* ~~recognizes that the preparation of a calendar~~ *Approved annually for a five (5) year period, the calendar shall provide* for the instructional program of the schools, ~~is necessary~~ for orderly educational planning, and for the efficient operation of the District.

The Board shall determine annually the total number of days and hours when the schools will be in session for instructional purposes consistent with State Law. The Board shall ensure that school is not in session before Labor Day.

The Board shall adopt annually a five (5) year District calendar that identifies dates for each school year when school will not be in session for at least a winter holiday break, a spring break, and professional development days. The calendar will identify these dates specifically for at least the next five (5) school years, and could further describe them more generally for subsequent school years as long as the dates can be readily determined.

A school session shall not be held on the following public holidays in Michigan Public Schools: January 1st, New Year's Day; the last Monday of May, Memorial or Decoration Day; July 4th, **Independence Day**; the first Monday in September, Labor Day; the fourth Thursday of November, Thanksgiving Day; and December 25th, Christmas Day.

If one (1) of these days falls on Sunday, the Monday following shall be a public holiday in the public schools.

No more than thirty (30) hours of student instruction lost due to conditions not within the control of the District ~~such as~~ (e.g., severe storms, fires, epidemics, and health conditions), can be counted as a part of the required minimum days of instruction. All subsequent hours lost for instruction cannot be counted for State school aid, unless they occur after April 1st, are due to unusual and extenuating occurrences resulting from conditions not within the control of the school authorities (such as those conditions described above), and are approved by the State Superintendent of Instruction. Hours lost due to strikes by District staff or to teacher conferences shall not be counted as hours of instruction.

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The Superintendent shall certify to the Department of Education by no later than August 1st of each year, the number of hours of student instruction during the previous school year.

M.C.L.A. 380.1284, ~~380.1384a~~, 380.1284(b), ~~(as amended August 29, 2005)~~

M.C.L.A. 380.1175, 388.1701

A.C. Rule R340.10 et seq.

Revised 6/24/02

Revised 12/29/04

Revised 12/12/05

Revised 11/13/06

Revised 3/28/07

Policy 9500 - Relations with Educational Institutions and Organizations
(Revised)

Public Act 63 requires that each intermediate school district shall conduct a study of opportunities for its constituent school districts to share services in order to achieve cost savings. This revision reflects the District's intent to cooperate with such a study.

This policy change reflects the current state of the law and should be adopted to have accurate policies.

RELATIONS WITH EDUCATIONAL INSTITUTIONS AND ORGANIZATIONS

It is the policy of the Board of Education that strong lines of communication be maintained by the District with other districts and with institutions and organizations which provide District students with programs, training, or services not available in the District.

The Superintendent may enter into such cooperative ventures with institutions or organization for the purpose of providing programs which correlate to the District's curriculum and help students better accomplish the educational outcomes established by the Board. *The District shall cooperate with the Intermediate School District in the study of opportunities to share services with other school districts and the Intermediate School District.*

Before entering into any agreements, the Superintendent shall keep the Board advised of any arrangements that would affect the use of District resources or require any additional resources of the District.

In order to maintain cordial and constructive relationships with private and parochial schools, the Superintendent shall maintain liaison with the administration of all such schools that enroll significant numbers of students resident in this School District in order to be aware of any program changes that may be planned that could affect this District; and to cooperate fully in the implementation of all State and Federal programs administered by this District that benefit, in whole or in part, eligible students attending private or parochial school.

M.C.L.A. 380.1296

M.C.L.A. 380.761

NEOLA-Recommended
New Policies

Attachment E

Policy 1411 - Whistleblower Protection (New)

This new policy is provided in response to heightened attention to workplace issues, recent focus of audit inquiry, and in accordance with M.C.L.A. 15.361. The policy and administrative guidelines set forth procedures for the reporting of violations and protect employees from disciplinary action or retaliation for reporting violations in good faith. The policy also covers reports of violations by employees that do not involve criminal offenses and are not likely to cause an imminent risk of harm.

This policy reflects the current state of law; it is recommended but not required.

NEW POLICY - VOL. 22, NO. 2, FEBRUARY 2008

WHISTLEBLOWER PROTECTION

The Board of Education expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages and requires staff to report possible violations of these Board expectations. Parents, volunteers, contractors and concerned citizens are encouraged to report possible violations, when done in good faith belief.

It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent. If the reported conduct relates to the Superintendent, the report may be filed directly with the Board President.

After such a report is made, the employee will be asked to put the report in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee had a good faith belief as to the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for knowingly making a false report under this policy. Employees may also be subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law involving or relating to the business of the District and they do not make a report confirmed in writing to a supervisor in accordance with this policy.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

Policy 3211/4211 - Whistleblower Protection (New)

These policies are provided in response to heightened attention to workplace issues, recent focus of audit inquiry, and in accordance with M.C.L.A. 15.361. The policies and administrative guidelines set forth procedures for the reporting of violations and protect employees from disciplinary action or retaliation for reporting violations in good faith. The policies also cover reports of violations by employees that do not involve criminal offenses and are not likely to cause an imminent risk of harm.

These policies reflect the current state of law; they are recommended but not required.

(See attached)

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NEW POLICY - VOL. 22, NO. 2, FEBRUARY 2008

WHISTLEBLOWER PROTECTION

The Board of Education expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages and requires staff to report possible violations of these Board expectations. Parents, volunteers, contractors and concerned citizens are encouraged to report possible violations, when done in good faith belief.

It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent. If the reported conduct relates to the Superintendent, the report may be filed directly with the Board President.

After such a report is made, the employee will be asked to put the report in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee had a good faith belief as to the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for knowingly making a false report under this policy. Employees may also be subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law involving or relating to the business of the District and they do not make a report confirmed in writing to a supervisor in accordance with this policy.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

M.C.L.A. 15.361 et seq.

NEW POLICY - VOL. 22, NO. 2, FEBRUARY 2008

WHISTLEBLOWER PROTECTION

The Board of Education expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages and requires staff to report possible violations of these Board expectations. Parents, volunteers, contractors and concerned citizens are encouraged to report possible violations, when done in good faith belief.

It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent. If the reported conduct relates to the Superintendent, the report may be filed directly with the Board President.

After such a report is made, the employee will be asked to put the report in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee had a good faith belief as to the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for knowingly making a false report under this policy. Employees may also be subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law involving or relating to the business of the District and they do not make a report confirmed in writing to a supervisor in accordance with this policy.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

M.C.L.A. 15.361 et seq.

Policy 8900 - Anti-Fraud (New)

This policy is provided in concert with Policies/Administrative Guidelines 1411/3211/4211.

This policy is recommended but not required.

(See attached)

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NEW POLICY - VOL. 22, NO. 2, FEBRUARY 2008

ANTI-FRAUD

This policy is implemented to advise employees about activities which may be fraudulent, illegal or otherwise unethical. The District will not tolerate such activities and disciplinary measures will be implemented as appropriate.

Scope

This policy applies to any fraud, or suspected fraud, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and any other parties with a business relationship with the District.

Policy

Fraud and fraudulent activity is strictly prohibited.

Each employee or agent of the District shall be responsible for reporting any observed or suspected fraud or fraudulent activity to the Business Office, the Superintendent or the Board President.

All administrators shall be vigilant for any conduct that may appear to constitute fraud within the areas of their responsibility.

All reporting and investigation shall be done in accordance with the District's Whistleblower's Guideline. (AG 1411).

Fraud - Definitions

Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon his/her injury.

The following are examples of prohibited acts:

- A. falsification of any District record with the intent to conceal information to the District's detriment or the individual's advantage, particularly financial records
- B. forgery of a check, bank draft, wire transfer or any other District financial document

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- C. unauthorized alteration of a financial document or account belonging to the District
- D. misappropriation of funds, supplies or other assets of the District
- E. impropriety in the handling or reporting of money or financial transactions
- F. disclosing confidential and proprietary information to outside parties for personal gain (either directly or indirectly)
- G. asking for or accepting anything of material value from contractors, vendors or persons providing services or materials to the District, except as provided in gift policies
- H. unauthorized destruction, removal, or use of records, furniture, fixtures and/or equipment for personal gain (either directly or indirectly)
- I. misuse of State or Federal funds for other than their designated purposes

This list is meant to illustrate the types of activities that are prohibited. It is not comprehensive. Other misconduct of a similar nature is similarly prohibited.

Confidentiality

The District will maintain confidentiality with regard to the reports of suspected misconduct and the investigation, to the extent consistent with the conduct of an appropriate investigation and its obligations under the Freedom of Information Act. However, absolute confidentiality for reporting witnesses and investigation results cannot be guaranteed.

Except as authorized by the Superintendent or his/her designee, the reporting witness and others interviewed are not to discuss the allegations or investigation with other District employees or officials, vendors or contractors. Such discussions may interfere with the investigation. Further, because of the nature of the alleged misconduct, unsubstantiated allegations which are not privileged could harm an innocent individual's reputation and result in potential civil liability.

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Non-Retaliation

Those who, in good faith, report suspected fraudulent activity will not be subject to any retaliation as a result of bringing the suspected misconduct forward. They will be subject to protection of the District's Whistleblower's Policy 1411.