

# HANDBOOK

## 2011-2012

Welcome to the Alpena-Montmorency-Alcona Educational Service District! This Handbook is provided to respond in a general way to common topics that are important to all employees of the ESD. It is intended as an information piece and does not replace any other agreement, contractual obligation, or board policy. Any questions regarding this Handbook or any further details on the topics contained within should be addressed to your immediate supervisor.

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**Website Address:** [www.amaesd.org](http://www.amaesd.org)

## **1. PAYROLL DATES**

During the 2011-2012 year, all personnel shall be paid on a biweekly basis, commencing with Friday, September 9, 2011, and continuing every other Friday for the duration of their individual contract or working agreement:

Payroll Dates are as follows:

September 9, 2011	March 9, 2012
September 23, 2011	March 23, 2012
October 7, 2011	April 6, 2012
October 21, 2011	April 20, 2012
November 4, 2011	May 4, 2012
November 18, 2011	May 18, 2012
December 2, 2011	June 1, 2012
December 16, 2011	June 15, 2012
December 30, 2011	June 29, 2012
January 13, 2012	July 13, 2012
January 27, 2012	July 27, 2012
February 10, 2012	August 10, 2012
February 24, 2012	August 24, 2012

Supervisors approve daily time and attendance records which are transmitted to the business office by noon on the Monday following payroll ending date. Subject to administrative guidelines, any changes or additions to hours worked or leave time requested must be reported to your supervisor prior to payroll.

## **2. DIRECT DEPOSIT**

Employees are required to participate in Payroll Direct Deposit. With Direct Deposit, each payday your pay is automatically transferred to one or two financial institutions of your choice. Your pay is always deposited on payday and is available as soon as your financial institution opens that day whether you are at work, sick, on vacation, holiday or out of town. It is convenient, secure, and confidential. See the Business Office for a direct deposit form. Your payroll voucher will be emailed to your district email address. If you have questions, please see the Business Office.

### **3. PAYROLL DEDUCTIONS**

Subject to the terms of employees' collective bargaining agreements, the ESD allows payroll deductions for such items as tax sheltered annuities, United Way, life insurance and tax deferred retirement (TDP) payments. Questions regarding payroll deductions should be directed to the Business Office.

### **4. TAX SHELTERED ANNUITY PLAN**

As a District Employee, you may at any time authorize pre-tax salary reduction contributions under the District's 403(b) Retirement Plan. You may obtain a copy of the Plan document, a salary reduction agreement and a list of the District's approved agents and vendors by accessing information about the District's 403b Plan on the AMA ESD Website.

### **5. INSURANCE-GROUP PLANS**

Each full-time staff member shall have available such group insurance plans as specified in Master Agreements or individual working agreements. Please refer to your group Master Agreement for further information.

### **6. RETIREMENT CONTRIBUTION**

Each employee of the Alpena-Montmorency-Alcona Educational Service District is a member of the Michigan Public Schools Employees Retirement System, except where participation is expressly prohibited by law. The Michigan Public School Employees Retirement System is a state-wide retirement plan. All members participate in the Basic Plan, the Member Investment Plan (MIP), or the Hybrid Plan. The Basic Plan was the only plan available until 1985. In late 1986 the Member Investment Plan (MIP) was introduced. New members hired after January 1, 1990 but before July 1, 2010 are in the Member Investment Plan. On July 1, 2010 the Hybrid Plan was introduced. The Hybrid Plan combines a defined benefit plan and a defined contribution plan. A non-refundable employer and a yearly legislative appropriation are also provided to fund benefits. Effective July 1, 2010 through June 30, 2011 all members of the retirement system contributed an additional 3% or 1.5% of pay into a fund for retiree health care. After July 1, 2011 all employees will contribute 3% to the Health Care Fund.

Members are vested with ten years credited Michigan Public Employee service. This means that if you leave public school employment and have at least 10 years of credited service you will be eligible for a pension and insurance at age 60 or before depending on whether you are a member of the Basic Plan, Member Investment Plan, or Hybrid Plan. Additional information regarding the retirement

plan and contribution rates is available on-line at the Michigan Public Schools Employees Retirement System at [www.michigan.gov/ors](http://www.michigan.gov/ors).

Questions regarding the retirement system and/or benefits should be directed to the Business Office.

## **7. TRAVEL PAYMENT**

Effective August 1, 2011, ESD staff members using their personal vehicles for ESD authorized business shall be reimbursed at a rate of 55 1/2 cents per mile in 2011-2012. This rate will follow the IRS approved rate and will be reviewed on January 1, 2012.

Approved miles shall include:

- a. All mileage between work stations if a staff car is not available.
- b. All mileage to and from conferences, seminars and in-services, if approved by the immediate supervisor and if a staff car is not available.

Travel expense vouchers are to be turned in monthly to your immediate supervisor for approval. Staff must turn in travel requests no later than 15 days after the end of the month or they may not be reimbursed. Only exceptions would be approval by his/her supervisor.

## **8. STAFF VEHICLES**

Staff members are encouraged to use staff vehicles whenever possible for work related travel. Reserve a vehicle in Microsoft Office Calendar under "AMA ESD Vehicles in Public Folder". If you have questions, see the Special Education Secretary at AMA and the Secretary at Pied Piper to sign out vehicles. Regulations for the use of staff vehicles are the responsibility of the Director of Special Education and the Assistant Superintendent for Non-instructional Services.

Due care is mandatory for those using staff vehicles. Routine inspection of fluid levels (oil, antifreeze, etc.) is required each time the vehicle is filled with gasoline. Vouchers for car washes are available from the Business Office or the Special Education secretary. Staff are required to return the vehicle to the office with at least one half of a tank of gas. Vendors include Shell at Diamonds Point in Alpena or Forwards in Standish or Grayling. Also available is Blarney Castle in Alpena at BP on Chisholm St., Marathon on M-32 and Harry's Oil on US 23.

Additional locations are available throughout the state. See the list located in staff vehicles.

Michigan Public Laws require all front passengers and drivers to use seat belts/shoulder harnesses while using a motor vehicle. The ESD encourages compliance with the law and requires all passengers in ESD passenger vehicles to wear seat belts. Smoking is prohibited in ESD vehicles.

## **9. IN-DISTRICT TRAVEL**

The use of ESD staff vehicles for travel within the ESD boundaries is encouraged. Individuals shall be reimbursed for the actual and necessary miles driven using private vehicles at the prevailing reimbursement rate set by the Board of Education only when a staff vehicle is not available for such travel.

Private vehicle mileage shall be paid for those actual and necessary miles traveled from the first assigned work station each day to other work assignments. No exceptions shall be granted without prior approval by the immediate supervisor.

Reimbursement for in-district meals, lodging, and parking fees shall require prior approval of the ESD Superintendent.

## **10. OUT-OF-DISTRICT TRAVEL**

Any staff member desiring to attend a meeting outside the geographical boundaries of the Educational Service District which occurs during the regular work day and/or amounts to a reimbursable expense must receive prior written authorization from their immediate supervisor and the Superintendent. Requests should be made a minimum of a week in advance. A form for this request is available on the ESD website. Upon return, all employees must complete an Actual Expenses Conference/Travel Form to be approved by their immediate supervisor and the Superintendent. This form will include all hotel, food and other receipts.

Purchase cards are available to make hotel reservations and payments. Cards are also available to pay for registration fees. See the Business Office to check out a purchase card.

Trips which necessitate travel outside of the AMA boundaries require the least expensive mode of travel available and that usually means the scheduling of a staff car. If a staff car is not available for district business, then the mileage reimbursement will be paid.

Staff cars are used exclusively and solely for district business. With prior approval of the immediate supervisor and in the event that a staff member desires to combine ESD business and personal business, a staff member may be eligible for the use of their own personal vehicle for which travel reimbursement will be granted at 20 miles per gallon times Blarney Castle pump price for unleaded regular gasoline, using the map mileage from Alpena to location of ESD business meeting and return to Alpena.

Professional Staff should refer to the current Master Agreement for expense reimbursement policy. All other staff shall use the following policy. Other reimbursable expenses for out-of-district travel include:

1. Actual cost for overnight accommodations with the following limitations:
  - a. Staff members of the same gender or husband and wife employees attending the same meeting shall be reimbursed at one half the daily room rate per day.
  - b. Reimbursement for those sharing rooms with non-employees who also incur reimbursable expenses shall be based on a prorated share of room charges based on the number of room occupants.
  - c. Rooms shared with non-employees who do not incur reimbursable expenses (e.g., spouse) shall be reimbursed the single rate of the room.
  - d. Tax exempt certificates are available in the Business Office and sales tax will not be reimbursed.
2. Meal allowances are not to exceed \$40 per day for full day activities outside the ESD boundaries.

For trips that will not require a full day's meal allowance, the following rates will apply:

\$ 8 for breakfast (Leave prior to 7:00 a.m.)  
\$12 for lunch  
\$20 for dinner (Arrive home after 7:00 p.m.)

Exceptions to the above limitations shall be when meal costs are included in a conference or banquet registration fee.

3. Other necessary expenses including cab fare, tips for meals (up to 20%), parking fees, tolls, registration fees and business related telephone calls shall be reimbursed upon submission of appropriate receipts with monthly travel vouchers.
4. Alcoholic beverages and/or recreational activities are not reimbursable expenses.
5. Any exceptions to the above policy limitations must be approved in writing by the ESD Superintendent prior to incurring the expense.

Receipts for expenses other than meals must be presented with an Actual Expenses Conference/Travel form before consideration will be given for reimbursement.

Any claims for travel reimbursement, both in-district and out-of-district, shall be submitted to your immediate supervisor for approval.

Any monthly expense vouchers not submitted by the last day of the month may be held by the Business Office until the following month. Any expenses not submitted at the end of the fiscal year by July 15 will not be reimbursed.

## **11. WORK DAY**

The Central Office will maintain working hours from 8:00 a.m. to 4:30 p.m. Monday through Thursday, 8:00 a.m. to 4:00 p.m. on Fridays and on a day prior to a holiday when the office is closed. If you are working in the local school buildings, it will be necessary to build a schedule for the Central Office use. It is imperative that the Central Office staff know your whereabouts in case of a regular or emergency phone call or contacts. Any schedule deviations must be cleared in advance with your immediate supervisor and the department secretary should be notified. All staff housed at the Central Office are required to sign out with the receptionist.

Pied Piper Center will maintain regular office hours from 7:30 a.m. to 4:00 p.m. Monday through Friday. All staff at Pied Piper are required to sign out with the secretary.

## **12. PURCHASES**

All requests for materials, supplies, and equipment must be made in writing to the immediate supervisor. The supervisor will review and, if approved, authorize the requisition. Requisitions in excess of \$1,000 may be signed only by the

Superintendent. Upon approval of requisitions, a purchase card can be checked out from the Business Office or Building Secretary at Pied Piper.

Any goods or services received without an authorized requisition may be returned to the vendor. Sales tax will not be reimbursed for any purchase.

### **13. UTILIZATION OF BOOKS, MATERIALS AND EQUIPMENT**

Library materials, not otherwise used, are available on temporary loan for bonafide educational purposes. Subject to administrative regulations, equipment may be available on a loan basis to ESD employees. All materials and equipment must be signed out prior to leaving the office. For further information, contact the Special Education Secretary at the ESD Central Office. The use of equipment and materials owned by the ESD for outside employment situations or personal gain is prohibited. Use of district copy machines and fax machines for private/personal use is governed by current administrative guidelines that call for reimbursement of \$.10 per page for copies, \$.25 per page for color copies and \$1.00 per page for incoming and outgoing faxes.

### **14. TELEPHONES**

To place a local call, simply dial (9) and the number. Do not use the (1) or the area code for local calls. Long distance calls (even within the 989 area) require dialing "9" first, followed by 1 and the area code. (Example: to call Saginaw, dial 1-989+number).

### **15. CONFERENCE ROOMS**

Conference rooms are available to use for meetings with parents, staff, or with large groups based on availability of the room needed. The calendar for conference rooms can be accessed through Gmail under Calendar - AMA Conference Rooms. If you need to schedule a room, please check the calendar for availability. See your supervisor or department secretary to schedule the room.

### **16. SUGGESTIONS**

Ideas for the improvement of our facility and services are always needed and welcomed. Please feel free to turn in any suggestions to your immediate supervisor or the Superintendent. Your signature is optional.

## **17. OUTSIDE EMPLOYMENT**

Any outside employment by full-time ESD staff must be outlined in writing to your immediate supervisor. The following guidelines will be adhered to:

1. No outside employment will take place within normal working hours.
2. Equipment, materials, and secretarial staff will not be used in the fulfillment of outside obligations.
3. Any outside employment which may interfere or impede any employee's effectiveness on the job is not in the best interest of the ESD. Problems arising from outside employment will be dealt with by the immediate supervisor.

## **18. ILLNESS**

If you find that you are unable to work because of illness or other reasons, notify the Central Office by 8 a.m. Leave names of the schools and/or individuals you were to meet or contact. Pied Piper employees should notify Pied Piper School. The department secretary will contact those people with whom you were scheduled to meet.

## **19. DELIVERY SERVICE**

When signing out of the Central Office building or Pied Piper School, check with the receptionist to see if any materials or equipment will be going your direction. Many times faster and more economical service can be given if everyone pitches in on delivery.

## **20. WORK RELATED INJURIES**

It is absolutely imperative that any and all work related injuries, no matter how minor, be reported to your supervisor IMMEDIATELY. State Law requires the ESD, as an employer, to report all injuries at once to our insurance carrier. Employees are responsible for reporting any work related injuries as soon as the injury occurs. Emergency treatment and/or first aid, as necessary with written approval from the supervisor, should be sought from the District's authorized physicians, Dr. David Dargis at Alpena Express Care and Family Practice (on 13<sup>th</sup> avenue behind LeFave Pharmacy) or at Alpena Regional Medical Center. After 10 calendar days, the employee may also have his/her physician give treatment or medical diagnosis with written approval from their immediate supervisor. Employees are responsible for keeping their Supervisor and the

Business Office informed on the medical diagnoses and any required work restrictions. Failure to follow this policy can mean loss of benefits from both worker's compensation and the health insurance provider.

## **21. TOTAL STAFF CALENDAR – 2011-2012**

July 1	First Day of Calendar Year
July 4	Independence Day Holiday
September 5	Labor Day Holiday
November 24 & 25	Thanksgiving Holiday
December 23 & 26	Winter Holiday
December 30 & January 2	New Year's Holiday
April 6	Spring Holiday
May 28	Memorial Day Holiday
June 30	Last Day of ESD Calendar Year

## **22. BOARD OF EDUCATION -REGULAR MEETING SCHEDULE–2011-2012**

Thursday, July 14, 2011	Thursday, January 12, 2012
Tuesday, August 16, 2011	Thursday, February 9, 2012
Thursday, September 8, 2011	Thursday, March 8, 2012
Thursday, October 13, 2011	Thursday, April 12, 2012
Thursday, November 10, 2011	Thursday, May 10, 2012
Thursday, December 8, 2011	Thursday, June 14, 2012

Meetings will be held at the ESD Office Building unless otherwise legally posted with the exception of the December meeting which will be held at Pied Piper Opportunity Center. All scheduled meetings start at 6:00 p.m.

Special Board of Education Meetings are always posted as to the time and location, at least 18 hours prior to the Board meeting. Agendas are available at Board of Education meetings for review. Board Exhibits may be reviewed after the Board meetings by contacting your immediate supervisor.

## **23. PROCEDURE FOR NON-GRIEVABLE ISSUES**

- A. The staff member(s) will discuss the problem with their immediate supervisor so that the matter may be settled informally.
- B. Within seven (7) calendar days of the informal discussion, should the staff member(s) feel the problem has not been resolved; the staff member(s) shall state the problem in writing and request an informal hearing with the

immediate supervisor. The informal hearing shall be held within seven (7) calendar days unless an extension is agreed upon by both parties. The immediate supervisor shall respond in writing within fourteen (14) calendar days of informal hearing or by another mutually agreeable date.

- C. Within fourteen (14) calendar days of receipt of the decision by the immediate supervisor, should the staff member(s) feel the problem is still unresolved, the aggrieved may request a hearing with the Superintendent or the Superintendent's designee. All prior written correspondence should be forwarded to the Superintendent. The Superintendent or his/her designee shall call in parties that have been involved in Steps A and B, review the written materials and within fourteen (14) calendar days reply in writing to all parties.

## **24. PROCEDURE FOR TITLE IX GRIEVANCES - Equal Access**

- A. The aggrieved individual will discuss the problem with the appropriate immediate supervisor so that the matter may be settled informally.
- B. Within seven (7) calendar days of the informal discussion, should the aggrieved individual feel the problem has not been resolved, the aggrieved individual shall state the problem in writing and request a hearing with the immediate supervisor. The informal hearing shall be held within seven (7) calendar days of the receipt of the written problem unless an extension is agreed upon by both parties. The immediate supervisor shall respond in writing within fourteen (14) calendar days of the hearing or by another mutually agreeable date.
- C. Within fourteen (14) calendar days of the receipt of the decision by the immediate supervisor, should the aggrieved individual feel the problem is still unresolved following the hearing, the aggrieved may request a hearing with the Superintendent or the Superintendent's designee. All prior written correspondence should be forwarded to the Superintendent. The Superintendent or his/her designee shall call in parties that have been involved in Steps A and B (above), review the written materials and within fourteen (14) calendar days reply in writing to all parties. In the event the aggrieved party feels the grievance still exists, he/she may file a request for review with the proper enforcement agency on both the state and federal government levels.

## **25. PROCEDURE ON SECTION 504 GRIEVANCES/ADA COMPLAINTS**

- A. The aggrieved individual will discuss the problem with the appropriate immediate supervisor so that the matter may be settled informally.
- B. Within seven (7) calendar days of the informal discussion, should the aggrieved individual feel the problem has not been resolved, the aggrieved individual shall state the problem in writing and request an informal hearing with the immediate supervisor. The informal hearing shall be held within seven (7) calendar days of the receipt of the written grievance unless an extension is agreed upon by both parties. The immediate supervisor shall respond in writing within fourteen (14) calendar days of the hearing or by another mutually agreeable date.
- C. Within fourteen (14) calendar days of the receipt of the decision by the immediate supervisor, should the aggrieved individual feel the problem is still unresolved following the hearing, the aggrieved may request a hearing with the Superintendent or the Superintendent's designee. All prior written correspondence should be forwarded to the Superintendent. The Superintendent or his/her designee shall call in parties that have been involved in Steps A and B (above), review the written materials and within fourteen (14) calendar days reply in writing to all parties.
- D. In the event the aggrieved party feels the grievance still exists, he/she may file a request for review with the proper enforcement agency on both the state and federal government levels.

Section 504 Compliance Coordinator for 2011-2012:

Brian Wilmot, Superintendent  
Alpena-Montmorency-Alcona  
Educational Service District  
2118 U.S. 23 South  
Alpena, Michigan 49707

The ADA Compliance Officer for 2011-2012 is:

Susan Grulke, Director of Special Education  
Alpena-Montmorency-Alcona  
Educational Service District  
2118 U.S. 23 South  
Alpena, Michigan 49707

## **26. HIPPA Notice of Privacy Practices**

We realize how important it is to you that we keep your personal medical information confidential. We have always worked hard to protect your information from misuse, and will continue to work even harder to protect it in the future.

To that end, we are implementing all of the privacy protections granted to you through the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Our Notice of Privacy Practices lays out your rights under HIPAA as well as the types of uses and disclosures that our health plan may make with your health information.

You can learn more about your rights under HIPAA, including how to file a complaint, from the website at [www.hhs.gov/ocr/hipaa/](http://www.hhs.gov/ocr/hipaa/) or by calling 1-866-627-7748.

HIPAA Privacy Officer for 2011-2012:

Brian Wilmot, Superintendent  
Alpena-Montmorency-Alcona  
Educational Service District  
2118 U.S. 23 South  
Alpena, Michigan 49707

## **27. SMOKING POLICY - Policy #7434**

All public school districts, including the Alpena-Montmorency-Alcona Educational Service District, are tobacco-free as of September 1, 1993, as mandated by Public Act 459 of 1993. This law was enacted to protect children, school employees, and visitors from the dangerous effects of secondhand smoke.

The Tobacco-Free Schools Act bans the use of tobacco products - AT ALL TIMES - in all buildings owned or operated by school districts. Additionally, the use of tobacco products on school grounds is prohibited by district policy.

The law is to be enforced by local law enforcement agencies, and infractions carry a fine.

The Environmental Protection Agency recently classified secondhand smoke as a Group A carcinogen. Tobacco smoke is now considered as lethal as asbestos, benzene, and radon gas. Further, chewing tobacco and snuff are more addictive than smoking and contain higher amounts of nicotine. Additionally, "chew" and snuff are known to cause various types of cancer.

Thus, eliminating the use of tobacco products by persons on school property is expected to do the following: provide a healthier environment in which children can learn, limit the possibility of seeing adults smoke or chew - adults who may be their role models, and promote healthier behaviors.

## **28. EMPLOYEES' RIGHT TO KNOW - Policy #8431**

The district has established a hazard communication program to meet the requirements of the hazard communication standard of the Michigan Department of Labor. The purpose of this program is to insure that employees are made aware of the hazards of chemicals found in their work environment. A copy of the written hazard communication program is available at the district's business office, the principal's office at Pied Piper Opportunity Center and in the facility manager's office at Sprinkler Lake Education Center. The Right To Know Training required is available via the web at [www.learnport.org](http://www.learnport.org).

## **29. AHERA - Policy #8431**

The Asbestos Hazard Emergency Response Act (AHERA) requires school districts to provide inspections and to develop management plans for each facility. Such inspections and management plans must identify asbestos containing materials found in district owned or operated facilities and address the district's program for monitoring and removal of asbestos containing materials. A copy of the ESD's management plans and inspection reports for both Pied Piper Opportunity Center and the ESD Central Office Facility are available at both facilities for public review.

Any questions regarding AHERA regulations should be addressed to the ESD's designated person, Anthony A. Suszek.

## **30. DRUG-FREE WORKPLACE REGULATION**

As a condition of employment with the Alpena-Montmorency-Alcona Educational Service District, you are expected to comply with the following administrative regulation:

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in any workplace (site) operated, owned, controlled or otherwise used by the Alpena-Montmorency-Alcona Educational Service District in any of its operations or functions is prohibited.

Employees, in addition to the above, are required to notify the Superintendent of Schools of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Employees who violate this regulation are subject to disciplinary action, including termination of all employment rights.

### **31. COPYRIGHTED WORKS – Policy #2531**

The Board of Education directs its staff to use copyrighted works only to the extent that the law permits. The Board recognizes that Federal law applies to public school districts and the staff must, therefore, avoid acts of copyright infringement under penalty of law.

In order to help the staff abide by the laws set forth in Title 17 of the United States Code, the Board directs the Superintendent to provide administrative guidelines regarding the copying and distribution of copyrighted materials for instructional purposes. These guidelines are available upon request to the Superintendent's Office.

### **32. NON-DISCRIMINATION - POLICY #4122**

The Alpena-Montmorency-Alcona Educational Service District hereby agrees to comply with federal laws prohibiting discrimination and with all requirements imposed by and pursuant to regulations of the U.S. Department of Health, Education and Welfare. Therefore, it shall be the policy of the Alpena-Montmorency-Alcona Educational Service District Board of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, or marital status shall be discriminated against; excluded from participation in; be denied the benefits of; or be otherwise subjected to discrimination under any federally funded program or activity for which the Alpena-Montmorency-Alcona Educational Service District Board of Education is responsible or for which it receives federal financial assistance from any federal agency. This policy on non-discrimination shall also apply to otherwise qualified handicapped individuals.

### **33. ADA POLICY STATEMENT - American Disabilities Act**

Upon request to the Alpena-Montmorency-Alcona Educational Service District, the District shall make reasonable accommodation for a disabled person to be able to participate in any ESD sponsored meeting.

Should such accommodation be necessary, requests for assistance should be made at least 48 hours (when possible) in advance to the designated ADA Compliance officer for the ESD.

The Compliance Officer for 2011-2012 is:  
Susan Grulke, Director of Special Education  
Alpena-Montmorency-Alcona  
Educational Service District  
2118 U.S. 23 South  
Alpena, Michigan 49707

### **34. PUBLIC ACT 68 OF 1993 - Criminal Records Check - Policy #3121 and #4121**

The School Code mandates criminal history record checks of newly hired employees. School districts must conduct criminal history record checks as part of the initial screen of job applicants. The law required that both private and public schools request a criminal record check for all newly hired staff.

This information will be used only for the purpose of evaluating an applicant's qualifications for the position for which he/she has applied. The information contained in the report cannot be disclosed without written permission.

### **35. SEXUAL HARASSMENT – Policy # 3362, 5517 & 4362**

Employers are encouraged to alert employees and students about sexual harassment. Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission's 1980 Guidelines define sexual harassment: "Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment."

The Alpena-Montmorency-Alcona Educational Service District expresses strong disapproval of any sexual harassment and wish to sensitize all concerned. Upon knowledge of a sexual harassment situation, the Alpena-Montmorency-Alcona Educational Service District will promptly investigate. Appropriate corrective action will be taken whenever a situation arises. Students and employees should contact their immediate supervisor or another supervisor if there is a complaint of sexual harassment.

### **36. BLOOD BORNE PATHOGENS - Policy #8453.01**

The AMA ESD shall ensure that all employees with occupational exposure to blood borne pathogens participate in a training program developed to control exposure. This training program shall be of no cost to employees and offered during working hours. Training shall be provided at the time of initial assignment

to tasks when occupational exposure may take place and at least annually thereafter. For employees who have received training on bloodborne pathogens in the year preceding the effective date of this standard, only training with respect to the provisions of the standard which were NOT included need be provided. Annual training for all employees with occupational exposure shall be provided within one year of their previous training. Training shall be provided via website at [www.learnport.org](http://www.learnport.org).

The AMA ESD shall provide additional training when changes such as modifications of tasks or procedures affect the employees occupational exposure. The additional training may be limited to addressing the new exposures created.

Material appropriate in content and vocabulary to educational level, literacy, and language of employees shall be used. The person conducting the training shall be knowledgeable in the subject matter covered by the elements contained in the training program, as it relates to the school workplace.

A copy of the full Blood Borne Exposure Control Plan is available for review at Pied Piper Opportunity Center and the ESD office.

### **37. CORPORAL PUNISHMENT - Policy #5630**

All employees are required to comply with the provisions of P.A. 6 of 1992, Corporal Punishment. A full text copy of P.A. 6 is attached as *Attachment A*.

### **38. FAMILY MEDICAL LEAVE ACT (FMLA) - Policy #3430.01 and #4430.01**

1. In compliance with the Family and Medical Leave Act (FMLA), qualified staff are entitled to up to twelve (12) weeks of leave (paid and unpaid combined), in the following cases:
  - a. The birth and care of a child (during 12 months following the placement date).
  - b. The adoption or foster care placement of a child with the employee (during 12 months following the placement date).
  - c. In order to care for employee's spouse, son daughter or parent (as defined in the Act) if any of those individuals has a "serious health condition (as defined in the Act).

- d. Because of a "serious health condition" (as defined in the act) that does not allow the employee to perform the functions of his/her position.
2. It is understood that no loss of accrued benefits (those earned prior to the leave) will be suffered by a staff member as a result of granting leave under this section. However, such benefits shall not continue to accrue during such leave periods.
3. Health Benefits: premium payments for group health insurance shall be maintained by the Board of Education for the duration of the leave as if the staff member continued in employment.

In the event a staff member fails to return to work after an unpaid leave when it expired, the Board of Education reserves the right to recover health premiums paid for such unpaid leave periods.

4. Leaves granted under FMLA may be full time leaves, or may be intermittent, or on a reduced scheduled basis, based upon medical certification substantiating the need for intermittent leave and by approval of the Superintendent. All sick days used by a staff member will be charged to the twelve week total during the course of the calendar year.
5. Staff members may be requested to transfer to another position to better accommodate scheduling.
6. Any FMLA required leave of absence shall be coordinated with other leaves available to staff members with all paid leaves, scheduled days off and/or unused vacation days substituted for any unpaid leave required under this act.
7. Advance notice of not less than 30 days must be given if the requested leave is for birth, adoption or foster care placement. It is expected that for other leaves as may be requested under the FMLA, the employee must make "reasonable effort" to schedule treatments so as to not disrupt the operations of the district, subject to the approval of the involved health care provider. Such leaves shall also be requested 30 days in advance, or as soon as such notice is practicable.
8. The Board of Education reserves the right to request and receive verification from the employee's health care provider that the employee is able to resume work.

9. Upon return from a leave granted under this section, staff members shall be returned to his/her position held at time of leave, or at the Board's discretion, an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

### **39. Board Policies**

The ESD Board of Education adopted board policies January 12, 1995. The Board policies were developed from guidelines provided by the NEOLA Company. These policies are available for staff to examine by requesting them from the Superintendent's Office. These policies are also available on the web at [www.neola.com/ama-MI](http://www.neola.com/ama-MI).

### **40. Handicapped Parking Regulations**

In accordance with the Americans with Disabilities Act, the AMA ESD Board of Education has designated the required number of parking spaces at each of its facilities as reserved for use by individuals with handicaps. The following enforcement procedures will be used to assure appropriate use:

1. Vehicles must have a valid Handicapper Permit, sticker, or license plate for legal use of designated parking spaces.
2. Should individuals be observed using such a designated parking space without the required permit they will be requested to move their vehicle to another open parking space immediately by a building administrator.
3. Should the individual not move the vehicle within a reasonable time, the appropriate law enforcement officials will be notified by district staff.
4. Employees violating this regulation may, subject to respective collective bargaining agreements, be subject to further disciplinary actions

### **41. Media Communications - Policy #9120**

Effective media relations are important for the AMA ESD. Communicating with the media is an opportunity to share information, clarify a misunderstanding, explain a situation or promote the AMA ESD.

The communications representative for the AMA ESD is the Superintendent. This person is responsible for coordinating the district's media relations; you are

responsible for coordinating with him. Please keep your immediate supervisor informed when you have done an interview or had other media contact.

## **42. Internet Access Policy - #7540.04**

### Internet Terms and Conditions

1. Staff members are encouraged to use the district's computers/network and Internet connection for educational purposes. Use of such resources is a privilege, not a right. Staff members must conduct themselves in a responsible, efficient, ethical, and legal manner. Unauthorized or inappropriate use, including any violation of these guidelines, may result in cancellation of the privilege, disciplinary action consistent with the applicable collective bargaining agreement and Board policy, and/or civil criminal liability. Prior to accessing the Internet at school, staff members must sign the Staff Network and Internet Acceptable Use and Safety Agreement.

Smooth operation of the district's networks relies upon users adhering to the following guidelines. The guidelines outlined below are provided so that users are aware of their responsibilities.

Staff members are responsible for their behavior and communication on the Internet.

Staff members may only access the Internet by using their assigned Internet/E-mail account. Use of another person's account/address/password is prohibited. Staff members may not allow other users to utilize their passwords. Staff members may not intentionally seek information on, obtain copies of, or modify files, data or passwords belonging to other users, or misrepresent other users on the network. Staff members may not use the Internet to engage in "hacking" or other unlawful activities.

Transmission of any material in violation of any State or Federal law or regulation, or Board policy is prohibited.

Any use of the Internet for commercial purposes, advertising, or political lobbying is prohibited.

Staff members are expected to abide by the following generally accepted rules of network etiquette:

- Be polite, courteous, and respectful in your messages to others. Use language appropriate to school situations in any communications made

through the Board's computers/network. Refrain from using obscene, profane, vulgar, sexually explicit, defamatory, or abusive language in your messages.

- Never reveal names, addresses, phone numbers, or passwords of students while communicating on the Internet.
- Diligently delete old mail on a regular basis from the personal mail directory to avoid excessive use of the electronic mail disk space.

Use of the Internet to access, process, distribute, display or print child pornography and other material which is obscene, objectionable, inappropriate or harmful to minors is prohibited. As such, the following material is prohibited: material that appeals to a prurient interest in nudity, sex and excretion; material that depicts, describes or represents in a patently offensive way with respect to what is suitable for minors an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals, and material that lacks serious literary, artistic, political or scientific value as to minors. Offensive messages and pictures, inappropriate text files, or files dangerous to the integrity of the district's computers/networks (e.g., viruses) are also prohibited.

Malicious use of the district's computers/networks to develop programs that harass other users or infiltrate a computer or computer system and/or damage the software components of a computer or computing system is prohibited. Staff members may not use the Board's computers/network in such a way that would disrupt their use by others. Staff members should refrain from intentionally wasting limited resources.

All communications and information accessible via the Internet should be assumed to be private property (i.e., copyrighted and/or trademarked). All copyright issues regarding software, information, and attributions of authorship must be respected.

Downloading of information onto the district's network hard drives is prohibited. If a staff member transfers files from information services and electronic bulletin board services, the staff member must check the file with a virus-detection program before opening the file for use. Only public domain software may be downloaded. If a staff member knowingly transfers a file or software program that infects the networks with a virus and causes damage, the staff member will be liable for any and all repair costs to make the networks once again fully operational.

Privacy in communication over the Internet and the networks is not guaranteed. To ensure compliance with these guidelines, the Board

reserves the right to monitor, review and inspect any directories, files and/or messages residing on or sent using the district's computers/networks. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

Use of the Internet and any information procured from the Internet is at the staff member's own risk. The Board is not responsible for any damage a user suffers, including loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions. The Board is not responsible for the accuracy or quality of information obtained through its services. Information (including text, graphics, audio, video, etc.) from Internet sources used in class should be cited the same as references to printed materials.

Disclosure, use and/or dissemination of personal identification information of minors via the Internet is prohibited, except as expressly authorized by the minor student's parent/guardian on the "Student Network and Internet Acceptable Use and Safety Agreement Form."

Proprietary rights in the design of web sites hosted on the Board's servers remains at all times with the Board without prior written authorization.

Staff members are reminded that personally identifiable student information is confidential and may not be disclosed without prior written parental permission.

2. AMA ESD makes absolutely no warranties of any kind, neither expressed nor implied, for the services it is providing. AMA ESD will not be responsible for any damages you suffer. This includes (but is not limited to) any loss of data which results from delays, nondeliveries, mis-deliveries or services interruptions caused whether by its own negligence or your own errors and/or at your own risk. AMA ESD specifically denies any responsibility for the accuracy and/or quality of any information obtained through its Internet services. The user (or parent/guardian, if applicable) agrees to indemnify and hold harmless AMA ESD, the Board of Education, individual trustees, agents and employees of AMA ESD from and against any claim, lawsuit, cause of action, damage judgement, or administrative complaint arising out of the use of AMA ESD hardware, software, and network facilities under this agreement.
3. Security – Security on any networked computer system has an extremely high priority, especially when the system involves a variety of users. If you feel that you can identify a security problem that is in any way associated

with AMA ESD's connection to the Internet, you should notify the system immediately. In addition, do not demonstrate the problem to any other users. Moreover, you shall not use another individual's account without specific written permission from that user. Finally, any unauthorized attempt to log into the network as a system administrator will result in immediate cancellation of all user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to AMA ESD's connection to the Internet.

4. Vandalism – Vandalism will result in the cancellation of ALL system privileges. Vandalism is defined as any malicious attempt to harm or destroy the hardware, software, or the data of any other user on this system, on the Internet as a whole, or at any of the agencies or other computer networks that are affiliated with or connected to the AMA -Net Internet backbone. This includes, but is not limited to, the uploading and/or creation of computer viruses.

### **43. Student Abuse and Neglect – Policy #8462**

The Board of Education is concerned with the physical and mental well-being of the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Each professional staff member employed by this District who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The professional staff member shall immediately call the local office of the Family Independence Agency and shall secure prompt medical attention to any such injuries reported.

S/He shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect.

Any support staff member who has reasonable cause to suspect child abuse or neglect shall immediately report any such case to his/her supervisor who shall, in turn, immediately notify the Department of Social Services.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting staff member shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

#### **44. Dress Code**

It is the policy of the AMA ESD that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation and represent the district in a professional manner.

Employees are expected to dress in a manner that is normally acceptable in business establishments. Employees should not wear suggestive attire, jeans, athletic clothing, shorts, T-shirts, novelty buttons, baseball hats, and similar items of casual attire that do not present a businesslike appearance. Appropriate footwear must be worn at all times.

All employees must comply with the above guidelines unless prior approval is given by their immediate supervisor.

#### **45. Confidentiality**

It is the policy of the Board of Education that when the District receives in trust from a public agency information identified to be confidential or exempt from disclosure under the Freedom of Information Act, Common Law, Privilege, Case Law, or Federal Law, the Board will maintain the confidentiality of said information to the maximum extent permitted by the law.

Further, employees must not divulge confidential information contained in any records and files of this Board.

Employees must not divulge confidential information contained in the records and files of this Board, except to other employees who may need such information in connection with their duties and to authorized parties in accordance with proper departmental procedures.

Neither the Board nor its employee's shall permit the release of the social security number of an employee, student, or other individual except as authorized by law. Documents containing social security numbers shall be restricted to those employees who have a need to know that information or a need to access those documents. When documents containing social security numbers are no longer needed, they shall be shredded by an employee who has authorized access to such records.

Freedom of Information Act requests shall only be responded to in accordance with the District's Policy.

If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information in accordance with

applicable procedures, and should refer the requestor to the employee's immediate supervisor.

Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures.

In order to prohibit the unauthorized disclosure of information identified as confidential by the sending public agency, the Board may seek to obtain court protection by:

- denying requests for release of such information absent subpoena or court order;
- pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Board will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

Employees who intentionally violate this policy are subject to discipline, up to and including discharge.

**ATTACHMENT A**

**SCHOOL CODE -- BOARD EMPLOYEES, CORPORAL  
PUNISHMENT -- CODE OF STUDENT CONDUCT,  
MODEL LIST OF ALTERNATIVES**

**PUBLIC ACT NO. 6**

**S.B. No. 338**

**Corporal Punishment**

M.C.L.A. 380.1312

Sec. 1312

- (1) As used in this section, "corporal punishment" means the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline.
- (2) Corporal punishment does not include physical pain caused by reasonable physical activities associated with athletic training.
- (3) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board shall not **inflict** or cause to be inflicted corporal punishment upon any pupil under any circumstances.
- (4) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board may use reasonable physical force upon a pupil as necessary to maintain order and control in a school or school-related setting for the purpose of providing an environment conducive to safety and learning. In maintaining that order and control, the person may use physical force upon a pupil as may be necessary.
  - (a) To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district functions within a school or at a school-related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts.
  - (b) For self-defense or the defense of another.
  - (c) To prevent a pupil from inflicting harm on himself or herself.
  - (d) To quell a disturbance that threatens physical injury to any person

- (e) To obtain possession of a weapon or other dangerous object upon or within the control of a pupil.
  - (f) To protect property.
- (5) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board who exercises necessary reasonable physical force upon a pupil or upon another person of school age in a school-related setting, as described in subsection (4) is not liable in a civil action for damages arising from the use of that physical force as provided in Act No. 170 of the Public Acts of 1964, being sections 691.1401 to 691.1415 of the Michigan Compiled Laws.
- (6) A person who violated subsection (3) or (4) may be appropriately disciplined by his or her school board.
- (7) In determining whether an employee, volunteer, or contractor has acted in accordance with subsection (4), deference shall be given to reasonable good-faith judgments made by that person.
- (8) A local or intermediate school district shall develop and implement a code of student conduct and shall enforce its provisions with regard to pupil misconduct in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school sponsored activity or event whether or not it is held on school premises.
- (9) Not later than January 1, 1993, the department shall develop a model list of alternatives to the use of corporal punishment. This model list shall be developed in consultation with organizations that represent the interests of teachers, school employees, school boards, school administrators, pupils, parents, and child advocates, plus any other organization that the state board of education may wish to consult. The department shall send this model list to each school district and intermediate school district in the state and to each nonpublic school in the state that requests it. A local or intermediate school board shall approve and cause to be distributed to each employee, volunteer, and contractor a list of alternatives to the use of corporal punishment. Upon request, the department of education shall provide assistance to schools in the development of programs and materials to implement this section.
- (10) Any resolution, bylaw, rule, policy, ordinance, or other authority permitting corporal punishment is void.

## **SUGGESTED ALTERNATIVES FOR CORPORAL PUNISHMENT**

Following are several suggestions for teachers, counselors and others for alternatives to corporal punishment:

1. Deny the student participation in school activities;
2. Assign detention and provide 24 hour notice to parents;
3. Establish communication and require conferences with parents;
4. Assign out-of-school suspension;
5. Establish contractual agreements with disruptive students and their parents to commit students to self-controlling behavior;
6. Refer the recidivistic student to a counselor, social worker and/or psychologist on the local or intermediate level and coordinate services with other units of state government, e.g., Public Health, Social Services, Mental Health. Seek assistance from private institutions or agencies with appropriate services;
7. Evaluate and arrange proper placement of students who need academic acceleration, special education, alternative education and services for achieving English proficiency;
8. Consider and take appropriate action, in accordance with due process of law, when disruptive behavior warrants the suspension or expulsion of a student;
9. Incorporate the code of student conduct, Public Act 521, and the district's alternatives to corporal punishment with strategies for effective discipline;
10. Consider methods of teaching students appropriate and expected behavior;
11. Involve students in the development of positively stated classroom rules, which relate to clear educational purposes;
12. Provide clear instruction on rules of student conduct, post a list of these rules in a conspicuous area of the classroom and implement methods of teaching students positive expectations and appropriate behavior;

13. Send a letter containing a list of classroom rules to parents, and request that parents acknowledge receipt of rules by returning an attached confirmation slip. Communicate on a regular basis with parents of students who tend to be disruptive;
14. Provide positive recognition, when students act in accordance with classroom rules, and implement appropriate consequences when student behavior is disruptive;
15. Avoid disrupting the class, if possible, when implementing consequences for student misconduct and select private moments to advise a student about his or her punishment;
16. Enforce rules in a pleasant and firm manner with consideration for students rights and responsibilities;
17. Use rewards frequently and positively reinforce students who behave well without rewarding students excessively, so that they expect a reward for every act of good behavior;
18. Help youngsters see cause and effect relationships between inappropriate behavior and the need to respect the rights of others, in order to avoid negative consequences;
19. Create positive methods of handling insubordinate students, in accordance with Public Act 521 of 1988, and seek administrative approval.