

**2000—GENERAL SCHOOL ADMINISTRATION**

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The legal authority of the board shall be transmitted through the **superintendent** to other positions through an approved organizational structure.<sup>1</sup>

The employment and annual evaluation of services of the **superintendent** are primary legal functions of the board. The period of employment may not exceed three years, but may be extended or renewed by the board, the salary to be determined on an annual basis.

The **superintendent** shall be responsible for keeping the administrative structure of the district up-to-date as to the goals, curricula, instructional arrangements, and services change, and shall recommend revisions in the structure to the board.

The **superintendent** may reorganize lines of authority and revise the organizational chart subject to board approval.

**Adopted April 15, 2002**

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<sup>1</sup> MCL 380. 623; 380.1229 The board of each local and intermediate school district, other than a district that operated as a primary district in 1995-96, must employ a superintendent. Employment of additional administrators, such as assistant superintendents, principals, and guidance directors, by local school districts is permissive.

The superintendent shall be the chief administrative head of the district and shall have, under the direction of the board, general supervision of all of the public schools and of all the personnel and various personnel departments of the district. The **superintendent** is responsible for the management of the schools under board policies and is accountable to the board.

The **superintendent**, at his/her discretion, may delegate to other school personnel the exercise of any powers and the discharge of any duties imposed upon the **superintendent** by these policies or by vote of the board. The delegation of power or duty, however, shall not relieve the **superintendent** of responsibility for the action taken under such delegation.

The executive services to be administered by the **superintendent** shall include:

- a. instruction and curriculum;
- b. business, finance, records and auxiliary services;
- c. operation, maintenance and development of school facilities and equipment;
- d. employee relationships;
- e. school interpretation including research and public relations.

The primary object of each area of service shall be to aid instruction and facilitate learning.

**Adopted April 15, 2002**

The superintendent shall have:<sup>3</sup>

Earned at least a master's degree, or North Central Accreditation standard whichever is greater, from an approved institution of learning with graduate study in educational administration (although a doctor's degree is not required, work toward the degree is considered desirable);

Acquired at least three years of successful experience in teaching and in the administration of schools;

Good moral character and repute;

Established himself/herself as an educational leader in the profession through active participation in a variety of areas.

LEGAL REF: MCL 380.1246

**Adopted April 15, 2002**

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<sup>2</sup> The Revised School Code sets no minimum qualifications for an individual to become a superintendent in a local or intermediate school district. But the code does set continuing education requirements, which must be met for a person to continue in the position of superintendent. MCL 380.1246 (2) ("The state board shall promulgate rules establishing continuing education requirements as a condition for continued employment for persons employed in positions described in subsection (1). The rules shall prescribe a minimum amount of continuing education to be completed within a 5-year period.")

<sup>3</sup> A board of education is free to set its own qualifications for administrators in the district, but once the superintendent is hired, he or she must complete the state continuing education requirements to continue the job. MCL 380.1246

Essential Duties

The essential duties and responsibilities of the **superintendent** shall be:

1. To serve as administrative head of the entire district and chief executive officer of the board, in charge of both educational and business functions;
2. To keep the board continually informed on the progress and condition of the schools;
3. To carry out policies and rules of the board;
4. To initiate matters of educational policy and to make definite recommendations thereon;
5. To recommend the number and types of positions required to provide proper personnel for the operation of education programs;
6. To nominate for appointment, assignment, transfer or termination and to define the duties of all personnel, subject to approval of the board;
7. Recommend, in writing, the teachers necessary for the schools; and
8. Suspend a teacher for cause until the board may consider the suspension.

General Duties

The general duties of the **superintendent** shall be:

1. To administer the development and maintenance of a positive educational program designed to meet the needs of the community, to keep abreast of the best educational developments and to advise regarding changes in programs;
2. To supervise the preparation of the annual budget and to recommend it to the board for consideration;
3. To advise and recommend in matters of business administration; to pass upon all proper requests for equipment and supplies, to point out possible economies and to supervise activities of the district;

4. To promote wholesome and cooperative relationships between the schools and community;
5. To conduct a continuous study of the development and needs of the schools and to keep the public adequately informed concerning his/her findings;
6. To assure that district finances are credited with interest earned by tax money on deposit with the county treasurer by executing written agreement with the county treasurer;
7. Put into practice the educational policies of the board;
8. Supervise and direct the work of the teachers and other employees of the board;
9. Recommend an employee for retirement, retention, and promotion;
10. Classify and control the promotion of students;
11. Recommend to the board the best methods of arranging the courses of study;
12. Recommend to the board the proper textbooks to be used;
13. Make written reports to the board;
14. Make written reports to the state; and
15. Assist the board in matters pertaining to the general welfare of the district.
16. To have access to the bank deposit box of the school district for school business when accompanied by the secretary or treasurer of the board, or by the assistant superintendent.
17. To exercise other such powers and duties that will assist the board in fulfilling its responsibilities in an efficient and just manner.
18. The superintendent is authorized by the board to sign on their behalf individual teacher and administrator contracts, payroll vouchers, purchase orders, and activity account vouchers.

LEGAL REF: MCL 380.1246

**Adopted April 15, 2002**

When a vacancy in the superintendency occurs, the board shall aggressively recruit or hire a consultant in an effort to fill the position with the most capable person available. The board shall consider only those candidates who meet both state and local qualifications and who display the ability to successfully carry out the duties of the superintendent.

The board shall solicit applications from qualified members of the staff and may list the vacancy with placement offices at selected educational institutions in Michigan and in neighboring states.

Applications for the superintendency shall be screened, and those candidates who appear to be most promising shall be interviewed.

**Adopted April 15, 2002**

All contract offers of employment, or continued employment, shall be made by the board contingent upon review of the contract by the board's legal counsel and subject to final approval by the board.

The superintendent will be offered a written contract not to exceed 3 years.<sup>4</sup> The board shall not award tenure to the superintendent in said position or in any other administrative position in the district.

The superintendent's contract shall be considered for renewal at a meeting prior to the April board meeting. It is the responsibility of the board president to see that the superintendent's contract is properly executed and signed. A copy of the contract shall be on file at the board office. The contract shall contain a provision excluding the superintendent from attaining tenure in the administrative position.<sup>5</sup>

LEGAL REF: MCL 380.471a; 380.651; 380.1246; 38.91; 15.268(8f)

**Adopted April 15, 2002**

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<sup>4</sup> MCL 380.1229

<sup>5</sup> MCL 38.91 (7) ("If the controlling board provides in a contract of employment of a teacher employed other than as a classroom teacher, including but not limited to, a superintendent, assistant superintendent, principal, department head or director of curriculum, made with the teacher after the completion of the probationary period, that the teacher shall not be considered to be granted continuing tenure in that capacity by virtue of the contract of employment, then the teacher shall not be granted tenure in that other capacity, but shall be considered to have been granted continuing tenure as an active classroom teacher in the school district.")

The board shall evaluate the superintendent, at least annually, using the criteria and an evaluation process mutually agreed upon by the board and superintendent. The process begins each April and ends the following March (See Appendix A). If mutual agreement cannot be reached, the board shall proceed with the superintendent's evaluation using criteria that includes the district's attainment of the goals adopted by the board, the superintendent's completion of personal job goals that have been established, the manner in which day-to-day operations of the district are handled, board-superintendent relations, staff and community relations, and the degree to which the superintendent fulfills the responsibilities set forth in the job description and duties for that position. The criteria and process adopted by the board should be communicated in advance to the superintendent.

An appraisal instrument may be used by the superintendent as a self-evaluation instrument prior to the board's final evaluation. Such self-evaluation can be presented to the board by the superintendent at an evaluation meeting held as allowed under current law.<sup>6</sup>

Prior to the final evaluation meeting, individual board members shall complete their evaluation of the superintendent for discussion purposes. The Committee shall prepare a draft summary evaluation prior to the final evaluation meeting. The board and superintendent may meet in closed session, at the option of the superintendent, for the final evaluation. The superintendent shall have an opportunity to respond to the board's final summary evaluation either orally or in writing at the superintendent's discretion.

After the superintendent's final summary evaluation has been prepared by the board, the board shall adopt, by vote, the final summary evaluation at an open meeting. After the board's adoption, the superintendent's final summary evaluation shall be made available as provided under current law.

### **Adopted April 15, 2002**

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<sup>6</sup> 1990 Mich. Op. Atty. Gen. No. 6668 A board of education may lawfully convene in closed session to review a superintendent's evaluation pursuant to 8(a) of the Open Meetings Act. However, any final decision regarding an employee must be made at a public meeting. In addition, a written evaluation of a superintendent may not be exempt from the Freedom of Information Act (FOIA), MCL 15.231 et. seq.; MSA 4. 1801 (1) et seq.

The superintendent's final summary evaluation and any rebuttal thereto shall be retained in the superintendent's personnel file as a matter of record.

The evaluation procedure shall be on file at the district office.

LEGAL REF: MCL 15.268; 15.243(1)(m); AG Opinion #5262, #5608, #6668

**Adopted April 15, 2002**

## **Superintendent Evaluation Process**

The Superintendent Evaluation Committee shall manage the Evaluation Process to insure that all aspects of the process are completed in a timely manner.

### **April**

1. Board and superintendent develop or review the superintendent's job description.
2. Board and superintendent develop measurable goals for the superintendent.
3. Board and superintendent develop performance criteria for the superintendent in the coming year and evaluate the evaluation process.

### **August – September**

1. Board and superintendent review progress toward achievement of goals.

### **February**

1. Superintendent prepares and presents self-evaluation to the board.
2. Committee presents superintendent evaluation form to the board, with superintendent self-evaluation attached.

### **March**

1. Committee prepares draft summary evaluation and distributes to superintendent and board prior to appraisal meeting.
2. Committee presents draft summary evaluation to the board and superintendent at appraisal meeting.
3. Superintendent has the opportunity to reply to the evaluation as prepared by the Committee and Board.
4. Board approves final summary evaluation.

**RESPONSIBILITY:**

This is a line position to principals and other administrators and is administratively responsible to the Superintendent of Schools.

**DUTIES:** (General) The Assistant Superintendent/Instruction shall :

1. Act in the place of the Superintendent when the Superintendent is not available or is incapacitated.
2. Serves as administrative officer in all matters relating to support staff.
3. Assist in contract negotiations with employee groups, in interpretation of contract provisions, and in administering the negotiated agreements.
4. Receive and act upon matters of personnel upon referral by other administrators or employees or their representatives.
5. Assist in the design and development of a system-wide plan for personnel administration, including procedures for employment, for evaluation of services of all employees, for their suspension and dismissal, and be responsible for its administration.
6. Recommend salary considerations and changes in working conditions or relationships of employees.
7. Act upon all matters of employee relationships in such a way as to improve morale and the effectiveness of the school program.
8. Plan and administer the recruiting program for support staff employees including substitutes; receive applications, and keep records of employment and services rendered.
9. Perform other related duties as directed.

**DUTIES:** (INSTRUCTION)

1. Provides K-12 leadership for the planning, evaluation and implementation of curricula and programs in the District.
2. Advise and direct principals, directors and coordinators.
3. Advise the Superintendent of Schools and the Board of Education on policies and procedures affecting the instructional programs.

4. Direct teachers orientation and in-service programs.
5. Coordinate and direct program evaluation procedures and programs.
6. Develop and implement a schedule of formal and informal monitoring visits to schools to maintain close contract with the instructional program.
7. Oversee the budget for instructional materials and equipment.
8. Review and approve all requests for professional conference attendance.
9. Participate in staff selection process.
10. Be knowledgeable about private, state and federal aid to education programs.

**QUALIFICATIONS:**

1. Have personal and professional qualifications similar to those for the Superintendent of Schools.
2. Be of good character and moral repute.
3. Have academic and professional background including study and/or experiences in personnel management, in employee contract negotiations, and in administering the terms of a negotiated contract.
4. Be able to meet the criteria of accrediting associations.
5. Pass a physical examination as part of the employment process, as required.

**Adopted April 15, 2002**

**RESPONSIBILITY:**

This is a line position; reporting to the Superintendent

**SUPERVISES:**

Fiscal and Data Processing Personnel

Facilities Personnel

Transportation Personnel

Food Service Personnel

**BASIC FUNCTION:**

Provides administrative support to the instructional process in a way that ensures a consistent, high level of service to all functions affecting pupil safety, pupil environment, property management, staff relationships, community understanding, fiscal responsibilities and long-range planning.

**DUTIES:**

**A. Fiscal Management**

1. Develops a systemic annual fiscal plan to make budget assumptions for both short-term capital and operational expenditures. Assists the Superintendent in all budget preparations.
2. Develops a descriptive budget document that displays proposed expenditures in a way that is understandable and easy to read, consistent with community and state mandates.
3. Supervises and controls expenditure of budget appropriations in accordance with the Board=s budget goals and objectives.
4. Compiles data and reports regularly to the Superintendent and the Board on matters relating to budget revenue and budget expenditures and balances.
5. Functions as the fiscal liaison for the Board of Education with the community and other government officials and agencies.

**B. Personnel Management**

1. Responsible for the management, supervision and evaluation of subordinate personnel.
2. Determines employee classifications, job placements, disciplinary procedures, termination procedures and work analysis programs for subordinate personnel.

3. Assists in negotiations with bargaining units representing all classified and certified personnel consistent with guidance from the Superintendent and the Board of Education.
4. Develops comparative data and cost estimates relating to compensation for negotiations between the certified and classified staff and the Board of Education.
5. Interprets terms of negotiated contracts to staff.
6. Maintains classified personnel records on a current basis and determines personnel cost estimates for negotiations for both classified and certified personnel.

**C. Pupil Transportation**

1. Administer the Board of Education policy governing pupil transportation of all school children, both regular and special education.
2. Develops written specifications and other requirements necessary for obtaining competitive school bus bids or renegotiations of contracts and arranges for appropriate contract documents for new and/or extended contracts.
3. Manages the development of appropriate routing and scheduling procedures for efficient and economical school bus routes.
4. Develops systems and procedures that monitor bus contractor services including pupil safety measures.
5. Evaluates all transportation contracts and recommends appropriate action to the Board of Education.

**D. Accounting and Fiscal Management**

1. Directs the development of all accounting and reporting procedures, systems and upgrades put in place to record budget appropriations, expenditures and revenues in accordance with accepted accounting and reporting procedures.
2. Is responsible for monitoring all accounting functions against budget appropriations, and reports to the Board on the status of budget appropriations.

3. Actively supervises payroll systems and procedures; accounts payable systems and procedures; and relevant cost accounting systems and procedures.
4. Monitors the systems for internal audit of periodic bookkeeping and accounting transactions, particularly student activities and other fiduciary funds.
5. Remains current regarding state and federal legislation relating to: employee compensation, employee benefit programs, grant programs.
6. Presents timely budget status reports to the Superintendent and the Board.
7. Serves as a resource regarding the legality and feasibility of financial transactions and procedures.
8. Maintains a current inventory of all school equipment and furnishings.
9. Serves as a liaison and resource person with all committees for major school building projects; attends, meets as required.

**E. Management of Purchases of Supplies and Materials**

1. Develops procedures and supervises programs for purchases of supplies and materials consistent with budget requirements and constraints.
2. Prepares bid specifications for purchases of equipment, supplies and services consistent with budget requirements and constraints.
3. Develops means for evaluating or testing goods or services that are purchased.

**F. Operations and Maintenance of Plant**

1. Directs the supervision and management of maintenance, custodial and operation personnel.
2. Sets work standards and evaluation methods to measure personnel performance.
3. Supervises the purchase of materials, supplies and equipment acquired by and for the maintenance, custodial and operation staff.

4. Allocates funds, manpower, and equipment resources to achieve established standards of cleaning and maintenance.
5. Directs the establishment of employee training and work improvement programs.
6. Manages state mandated programs to monitor environmental conditions which may affect school children and other school building occupants.

**G. School Facility Construction, Renovation or Expansion**

1. Assists the Superintendent, as requested, and the Board on matters relating to the construction, renovation or expansion of school buildings and other facilities.
2. Assists appropriate local officials and the State Department of Education regarding the planning of school construction and meeting reporting schedules mandated by legislative and state department mandates.
3. Assists in enrollment studies and long-range facilities projections, as directed by the Superintendent, which lead to the expansion or reduction in the needed building capacity.
4. Meets with building committees, architects and other appropriate officials or agencies and serves as the custodian of school building plans and specifications.

**H. Food Service Programs**

1. Develops rules, regulations and procedures governing the operations and maintenance of the school food service program consistent with Board policy.
2. Obtains competitive bid quotations from school food service contractors for the Board's approval.
3. Supervises the cafeteria department operations and monitors the program's profitability and reports the results to the Board on a regular basis.
4. Establishes cost accounting and cost analysis and reporting programs. Also reviews the cafeteria department's policies on staff employment, management and supervision.

**I. Other Related Duties**

1. Compiles, prepares and transmits required fiscal reports and data to appropriate local, state and federal agencies.
2. Serves as Board resource person on all matters relating to school property, liability and automobile insurance programs.
3. Serves as the school resource person for all employee benefit programs with particular emphasis on health insurance. In this connection, is responsible for a forecast of premiums, claims and experience.
4. Such other duties and responsibilities as may be assigned by the Superintendent.

**QUALIFICATIONS:**

1. A minimum of five years experience in Michigan School Business Manager operations.
2. Possess or be eligible for MSBO or Michigan Administrative Certification.
3. Proven ability in finance; to include budgeting skills, investments and financial insight. Effective in development of finance and budget processes to include knowledge of site based management. Experience in school district accounting and finance, as well as grants, investment systems and software applications.
4. Self-motivated, team building player, with the ability to make sound decisions and support with good verbal and written skills.
5. Knowledge of and background in insurance, as it affects local school district operations.
6. Experience in dealing with school functions, such as school food services, facilities management and school transportation and relationships to building administrators. Strong computer skills in finance is a must.
7. Be knowledgeable of state and federal laws and rules and regulations as they affect school districts.
8. Pass a physical examination as part of the employment process, as required.

**Adopted April 15, 2002**

The board shall employ such administrative personnel as the needs of the district require.

Compensation Guides and Contracts

All administrative personnel shall be compensated for their services in conformity with an administrative salary as determined by the board.

Administrative contracts shall be reviewed each March. The term of each administrative contract will be determined by the board in accord with law.

Qualifications and Duties

The **superintendent** shall develop appropriate job descriptions for each administrative position in the district. Such documents shall be filed in the central office.

Recruitment

The board delegates to the **superintendent** the authority to identify and recommend the appointment of qualified individuals to fill vacant administrative positions. The board reserves the right to reject any and all recommendations and to proceed on its own initiative.

Assignment

Assignment of administrative personnel shall be recommended by the **superintendent** subject to approval of the board.

Orientation

The **superintendent** shall conduct an appropriate administrative orientation program designed to acquaint such personnel with the district, board policies, duties and responsibilities and other such activities as time and the needs of the district require.

Supervision

The **superintendent** shall be responsible for the supervision of all administrative personnel.

Time Schedules

Administrative time schedules and work loads will be dictated by the terms of the employment contract and by assigned responsibilities.

Temporary Administrators

The **superintendent** and building **principals** shall designate a staff member to serve as chief administrator of the district or building in his/her absence.

Personnel

The administrative staff shall fill only those positions authorized by the board.

Travel Expense

Travel expense for administrative staff shall be provided in accordance with current IRS guidelines.

LEGAL REF: MCL 380.1247 (repealed); 38.91

**Adopted April 15, 2002**

All administrative personnel shall be evaluated in writing annually by the **superintendent**. Board discussion on an administrator's evaluation can be held in either a closed or open board meeting as decided by the administrator.<sup>7</sup> The **superintendent** shall evaluate in writing each individual administrator annually, and prior to April 1 of the current contract year. The written evaluation shall be provided to, and discussed with, each individual administrator prior to the evaluation's availability to the Holly Area Schools' board.

The administrator's evaluation shall be made available to those authorized by law when so requested. The written evaluations of each individual administrator shall be made available at the board office to members of the Holly Area Schools' board, upon request, before its First Regular April Meeting. Any additional communications felt appropriate to be forwarded to individual administrators shall be done in writing, and discussed with each individual by the **superintendent**, prior to April 30 of the current contract year. The Holly Area Schools' board shall generate a contractual offer for the individual administrators on/or before the First April Meeting of the current contract year, consistent with board policies and any group contracts covering recognized bargaining units.

LEGAL REF: MCL 15.268

**Adopted April 15, 2002**

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<sup>7</sup> MCL 15.268 (8) (a) A public body may meet in closed session "[t]o consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing."

In order that pertinent board policies and administrative rules/regulations or procedures be known by all staff members and students, district administrators and **principals** shall develop and issue staff and student handbooks.

The **superintendent** shall review all handbooks prior to publication to ensure that the contents conform completely with board policy and current law.

**Adopted April 15, 2002**

The administrative and supervisory staff of the district shall encourage the use of professional consultants and other resource persons when such consultative services will be helpful in the improvement of the educational program in the district. All compensated consultants shall be approved by the board prior to the invitation and arrangement for visitation by such person or persons to the district except when such compensation is within the amount specifically budgeted.

Consultants shall exercise no administrative authority over the work of employees, but shall act only as advisors in those fields in which they are qualified to offer assistance and for which they are employed.

Consultants with fees of \$10,000 or greater shall be hired on the basis of a written contract and with Board approval.

**Adopted April 15, 2002**

Administrators of the district shall make every effort to stay abreast of the latest developments in their respective fields. The board may require or otherwise encourage administrators to attend summer sessions, conferences, workshops or other activities which will directly benefit the district's schools. Expenses of tuition, board and room, travel and other incidental expenses will be paid by the district to attend state, national and local meetings approved by the **superintendent** in accordance with money budgeted for this purpose; to attend periodic in-service workshops sponsored by the district; to improve skills in personnel management, supervision and improvement of instruction, public relations and other aspects of school management.<sup>8</sup>

LEGAL REF: MCL 380.1525

**Adopted April 15, 2002**

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<sup>8</sup> MCL 380. 1525 (2) (a) ("The funds described in subsection (1) may be used for the following: Professional development programs for administrators and teachers. These programs shall emphasize the improvement of teaching and pupils' learning of academic core curriculum objectives, as measured by Michigan educational assessment program and other criterion – reference assessments; collaborative decision making; site-based management; the process of school improvement; instructional leadership; and the use of data and assessment instruments to improve teaching and learning for all pupils.")

The administrative staff shall carry out and enforce all policies duly adopted by the board and all regulations of state authorities.

Failure of any administrative employee to implement the policies of the board may result in suspension, demotion, probation, or other action in accordance with procedures set forth in these policies and rules.

In cases where action must be taken to maintain the orderly operation of the schools and no formally adopted board policy exists to cover such situations, the superintendent, is delegated the authority to act within his/her discretion. Such actions shall be reported to the board and shall be subject to their review.

The **superintendent** shall apprise the board of such an absence of policy.

**Adopted April 15, 2002**

The **superintendent** has the responsibility for developing required rules/regulations and procedures to carry out board policies and to operate the district's schools. These rules/regulations and procedures shall constitute the administrative regulations governing the schools and may be considered for approval, modification or rejection by the board as the situation warrants.

#### Staff Involvement

In the development of rules/regulations, procedures and arrangements for the operation of the district, the **superintendent** shall include at the planning stage representatives of those employees who will be affected by such provisions.

The **superintendent** shall develop procedures utilizing certified and non-certified employees for the ready exchange of ideas regarding the operation of the district. He/she shall carefully consider the advice given by employees, especially that given by groups designated to represent large segments of the staff, and shall inform the board of such counsel in presenting reports of administrative action and in presenting recommendations for board action. (See also 5140)

#### Community Involvement

The **superintendent** may involve district community members on committees or study groups whenever necessary and when participation of community members may materially aid in the solution of district problems or enhance the submission of recommendations of proposed board action or district policy formulation.

#### Rules Adoption

All administrative rules/regulations or procedures which originate from the administrative staff must be approved by the **superintendent** before adoption or modification. All administrative rules/regulations or procedures recommended by the **superintendent** shall be reviewed but need not be approved by the administrative staff before implementation.

Rules Dissemination

Copies of administrative rules/regulations or procedures shall be given to those employees who play a role in enforcing the rules or who will be affected by the rule changes.

Administration in Policy Absence

In cases of an emergency, in which action must be taken within the district where the board has provided no guides for administrative action, the **superintendent** shall have the power to act, but his/her decisions shall be subject to review by the board at the next board meeting. It shall be the duty of the **superintendent** to inform the board promptly of such action and of any need for policy.

**Adopted April 15, 2002**

Considerations

In the development of administrative rules, regulations and/or procedures, the administrator in charge shall consider the following areas:

A. The board's expectations and concerns.

Have measurable outcomes been decided upon by the board and/or **superintendent**? Have the concerns of individual board members been addressed?

B. Legal Review

Has there been a review of the *Revised School Code*, the *Laws Relating to Education* and attorney general opinions relative to the policy topic? Has there been a review of any U.S. court or Michigan court decisions relative to the policy topic?

C. Operational Activities

There shall be consideration given to any staffing, fiscal, notification and in-service/orientation implications relative to the administrative procedures and implementation of the policy.

D. Time Frames

There shall be consideration given to the effective date of any policy implementation activities. Those time frames may include: effective date, review dates, a date that the policy or procedures may end.

E. Board Review

There shall be time for the administrative staff to review with the board the administrative procedures when the topic warrants.

F. Reporting

Prior to any review of the board's policy or a review of the administrative procedures, the administrative staff shall meet and discuss the policy relative to recommendations (stay the same, amend, or delete), the administrative procedures (meeting the outcomes and/or amending); and future policy and procedure oversight activities.

The Superintendent is hereby designated as the official District Contact Person for receiving information from law enforcement<sup>9</sup>, prosecutors and courts relative to any matters concerning school crime and violence in the Holly Area Schools district. The Superintendent, or his/her SRO (School Resource Officer), shall see that a file of all incident reports or law enforcement records is kept in accordance with law and the Statewide School Safety Information Policy.

#### Incidents to be Reported

Reportable incidents for purposes of this policy shall be those as listed in the "Index of Reportable Incidents" as found in the School Safety Response Guide published in the Statewide School Safety Policy. Incidents reported involving students of the District may be reviewed under the District's Student Code of Conduct relative to possible disciplinary consequences up to and including expulsion.

#### Community Meetings

It shall be the responsibility of the Superintendent to set appropriate meetings with representatives of the community regarding the implementation of the Statewide School Safety Information Policy and to call an annual meeting to review the effectiveness and review the procedures developed within this District's local School Safety Information Policy. Results of those meetings shall be shared with the Board as requested.

LEGAL REF.: MCL380.1308

**Adopted August 18, 2008**

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<sup>9</sup> For the purposes of this policy, "law enforcement" means: A regularly employed member of a police force of a city, county, township or village, the Michigan State Police, or a Michigan Indian tribal police force, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state.

The district shall establish and maintain a system of records as required by law and as necessary or pertinent to the performance of any function related to the operation of the district. The **superintendent** shall establish rules and procedures for the maintenance of district records.

LEGAL REF: MCL 15.231 *et seq.*; Michigan Freedom of Information Act

**Adopted April 15, 2002**

FREEDOM OF INFORMATION ACT REQUESTS

**The Board of Education authorizes the imposition of fees and costs, as prescribed by law, for responding to requests for documents under the Freedom of Information Act.**

LEGAL REF: MCL 15.231 *et seq.*; Michigan Freedom of Information Act

**Adopted April 15, 2002**

The **superintendent** shall serve as FOIA<sup>10</sup> coordinator for all records maintained at the central office of the district. Each building **principal** shall serve as coordinator for all records maintained at the building level.

#### Routine Inquiries

Routine day-to-day inquiries to the district or school for information shall be handled appropriately by district staff. The procedures under this rule shall apply to requests made under the Michigan Freedom of Information Act.

#### Requests

Requests to inspect or copy public records must be made in writing (including FAX or e-mail) to the coordinator for the requested record(s) and shall sufficiently describe the record to enable the coordinator to identify and locate the record.<sup>11</sup> Separate requests shall be made for each record desired. Each coordinator shall file all requests and their dispositions in his/her office and make such reports as are requested by the **superintendent** or the board. Filed requests shall be held for a period of at least one year.

#### Denials

The coordinator shall examine each request to determine whether the record requested is exempt from disclosure under the Michigan Freedom of Information Act. If the coordinator determines that the record is exempt from disclosure, he/she shall issue a written denial of the request after consultation with the **superintendent**. Such a denial shall be made within five days

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<sup>10</sup> MCL 15.231 *et. seq.* (Michigan Freedom of Information Act)

<sup>11</sup> MCL 15.233 (1) (“Except as expressly provided in section 13, upon providing a public body’s FOIA coordinator with a written request that describes a public record sufficiently to enable the public body to find the public record, a person has a right to inspect, copy, or receive copies of the requested public record or the public body.”)

of receipt of the request or as otherwise provided by law,<sup>12</sup> and shall include the reason(s) for the denial and the procedures for appeal of the decision to deny the request.

Should the requested record(s) be classified as exempt but contain information which is not exempt from disclosure, the coordinator shall delete the exempt material and release the remaining information for inspection or copying.

#### Subscriptions

Requests for a subscription to documents or records produced regularly by the district must be accompanied by appropriate payment of estimated fees for the period of the subscription or by a credit card record to be used to charge fees on an ongoing basis. Subscriptions may run for up to six months and are renewable.

#### Delays

If the nature of the request requires additional time to access the records or to make a determination on whether the request will be granted, the coordinator shall give written notice to the person making the request extending the period of response. Such an extension shall be for a maximum of ten business days in accord with law.

#### Appeals

If a request to inspect or copy a record is denied by a building-level coordinator, the person making the request may appeal the decision within the district by submitting the appeal to the **superintendent** in a writing which details the reason(s) for requesting reversal of the denial. The **superintendent** shall respond in writing to the request as provided above.

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<sup>12</sup> MCL 15.235 (2) ("Unless otherwise agreed to in writing by the person making the request, a public body shall respond to a request for a public record within 5 business days after the public body receives the request by doing 1 of the following:

- (a) Granting the request.
- (b) Issuing a written notice to the requesting person denying the request.
- (c) Granting the request in part and issuing a written notice to the requesting person denying the request in part.
- (d) Issuing a notice extending for not more than 10 business days the period during which the public body shall respond to the request. A public body shall not issue more than 1 notice extension for a particular request.

If a request to inspect or copy a record is denied by the **superintendent**, the person requesting access may appeal the decision within the district by submitting the appeal in writing to the board for consideration at the next meeting of the board. Such request(s) shall be submitted to the **superintendent** or board president for scheduling on the agenda of the next board meeting.

A person whose request has been denied shall be informed of his/her right of appeal in circuit court in accord with law.

#### Fees

Fees for responding to a request shall be assessed as follows:

- a) Photocopying charges of ten cents per page, or if the nature of the duplication necessitates duplication by outside sources, the actual cost of employing such outside sources;
- b) Actual mailing costs;
- c) Labor costs incurred in duplication and mailing assessed at the hourly wage of the lowest paid employee of the district capable of retrieving, copying, and mailing the information necessary to comply with the request.
- d) Labor costs for search, examination, review, and deletion or separation of exempt from non-exempt information, at the hourly wage of the lowest paid employee of the district capable of complying with the request. Such labor fees shall be charged only when the request requires more than \$50 of labor. In such cases, the coordinator shall identify the nature of this unreasonably high labor cost.

Upon receiving a request, the coordinator shall inform the person making the request of the estimated cost for processing the request. If the estimated cost exceeds \$50, the coordinator shall require a good faith deposit of one half of the estimated fee before processing the request.

No charge for the first \$20 of a fee shall be made to an individual who proves indigence or receipt of public assistance. State guidelines for determining free and reduced cost meals to families shall be used as guidelines to determine indigence.

A record of fees paid shall be kept along with each request. A record of fees incurred shall be kept for any person making a request who is exempt from initial fees as a matter of board policy, though such fees will not be charged except those in excess of the yearly maximum.

Revenue from copying open records shall be deposited monthly in the general fund of the district.

#### Safety of Records

To ensure the safety and integrity of records, access to records shall be accorded only under the direct supervision of the coordinator or designated district employee. Inspection of record(s) by the general public is limited to the regular office hours of the building or office which houses the record(s). Original school record(s) are not permitted to leave the premises except as required by law or board policy. Copies of records not exempt from disclosure will be furnished for the appropriate fee.

#### Computer Records

All new software purchased by the district to maintain records shall incorporate a feature enabling selected data to be exported in a text format for the purpose of complying with requests.

#### Record Listings

Employees are prohibited from giving or selling lists of any school records to any person except as authorized by law or board policy.

The board may require reports from the staff concerning the operation and needs of the district.

Types

The **superintendent** shall prepare and submit to the board an annual report summarizing the operations of the district for the preceding school year. The **superintendent** shall present a monthly budget report to the board.

The **superintendent**'s annual report shall be submitted to the board 30 days after the end of the school year. In the event the superintendent resigns or otherwise leaves the district, he/she shall complete and submit the annual report to the board prior to final payment of compensation under his/her employment contract.

The board delegates to the **superintendent** the authority to request certain reports from the district's staff concerning the operation of the district or on any subject relating to the educational program of the district.

Dissemination

The board, upon request, shall receive copies of all reports submitted to the **superintendent**. Copies of staff reports may be sent to staff members for their confidential use at the discretion of the **superintendent**.

LEGAL REF: MCL 388.1618

**Adopted April 15, 2002**